ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. LXXIII.

An Act to repeal so much of an Act of the Sixtieth Year of His late Majesty King *George* the Third, for the more effectual Prevention and Punishment of blasphemous and seditious Libels, as relates to the Sentence of Banishment for the Second Offence; and to provide some further Remedy against the Abuse of publishing Libels.

[23d *July* 1830.]

WHEREAS by an Act passed in the Sixtieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Prevention and Punishment of blasphemous and seditious Libels*, it was amongst other things enacted, that if any Person should, after the passing of that Act, be legally convicted of having composed, printed, or published any blasphemous Libel or any such seditious Libel as in the said Act is before mentioned, and should after being so convicted offend a Second Time, and be thereof legally convicted before any Commission of Oyer and Terminer or Gaol Delivery, or in His Majesty's Court of King's Bench, such Person might on such Second Conviction be adjudged, at the Discretion of the Court, either to suffer such Punishment as might by Law be inflicted in Cases of high Misdemeanor, or to be banished from the United Kingdom and all other 60 G. 3. c. 8.

Parts of His Majesty's Dominions for such Term of Years as the Court in which such Conviction should take place should order: And whereas it is expedient to repeal so much of the said Act as relates to the Sentence of Banishment for the Second Offence; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such Parts of the said Act as relate to the Sentence of Banishment for the Second Offence be and the same are hereby wholly repealed.

Punishment of Banishment repealed.

Amount of Bonds to be given by Persons publishing Newspapers, &c. under 60 G. 3. c. 9. increased.

II. And whereas by a certain other Act passed in the Sixtieth Year of His late Majesty King *George* the Third, intituled *An Act to subject certain Publications to the Duties of Stamps upon Newspapers, and to make other Regulations for restraining the Abuses arising from the Publication of blasphemous and seditious Libels*, certain Provisions were made for preventing any Person from publishing any Newspaper or Pamphlet, or other Paper of the Description therein mentioned, without first entering into a Recognizance or giving a Bond, with Sureties, in Manner and to the Amount therein specified, for securing the Payment of Fines upon Convictions for Libels: And whereas it is expedient to increase the Amount of such Recognizances and Bonds, and to extend the same, for the Purpose of securing the Payment of Damages and Costs that may be incurred by Actions at Law for Libels published in such Newspapers, Pamphlets, or other Papers as aforesaid; be it therefore enacted, That the Amount of such Recognizances and Bonds, in all Cases whenever it shall be hereafter necessary, according to the Provisions of the said Act, to enter into any new Recognizance or Bond, shall be extended to the Sum of Four hundred Pounds for the Principal, and the like Sum for the Sureties, in any such new Recognizances, and to the Sum of Three hundred Pounds for the Principal, and the like Sum for the Sureties, in any such new Bond; and that the Conditions of such new Recognizances and Bonds respectively shall extend to secure the Payment of Damages and Costs to be recovered in Actions for Libels published in such Newspapers, Pamphlets, or other Papers, as well as to secure the Payment of Fines to His Majesty upon such Convictions as aforesaid; and that all the Clauses and Provisions in the said last-mentioned Act contained, relating to the Recognizances and Bonds therein mentioned, shall be applicable and extend to such new Recognizances and Bonds as are herein directed to be taken and made.

Damages due to any Plaintiff in any Action for Libel may be recovered upon such Bond.

III. And be it further enacted, That if any Plaintiff, in any Action for Libel against any Editor, Conductor, or Proprietor of such Newspaper, Pamphlet, or other Paper as aforesaid, shall make it appear by Affidavit to His Majesty's Court of Exchequer that he is entitled to have Execution against the Defendant upon any Judgment in such Action, but that he has not been able to procure Satisfaction by Writ of Execution against the Goods and Chattels of such Defendant, it shall be lawful for the said Court, for the Benefit of such Plaintiff, to order and direct such Proceedings to be had and taken upon such Recognizances or Bonds respectively as

would be taken to obtain any Fines or Penalties due to His Majesty secured by such Recognizance and Bond: Provided always, that the Expence of such Proceedings shall be exclusively borne by such Plaintiff as aforesaid.

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