ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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C A P. XXII.

An Act for the more effectually detaining in Cuſtody *Napoleon Buonaparté*. [11th *April* 1816.]

WHEREAS it is neceſſary for the Preſervation of the Tranquillity of *Europe*, and for the general Safety, that *Napoleon Buonaparté* ſhould be detained and kept in Cuſtody as is hereinafter provided: Be it therefore enacted; and it is hereby 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 it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, to detain and keep the ſaid *Napoleon Buonaparté* in the Cuſtody of ſuch Perſon or Perſons, in ſuch Place within His Majeſty's Dominions, and under ſuch Reſtrictions, during the Pleaſure of His Majeſty, His Heirs and Succeſſors, as to His Majeſty, His Heirs and Succeſſors, ſhall from Time to Time ſeem fit.

For detaining Napoleon Buonaparté in Cuſtody;

II. And be it further enacted, That the ſaid *Napoleon Buonaparté*, being in ſuch Cuſtody as aforeſaid, ſhall be deemed and taken to be, and ſhall be treated and dealt with as a Priſoner of War, except only in ſo far as by His Majeſty, His Heirs and Succeſſors, ſhall at any Time, or from Time to Time, be otherwiſe directed; and that it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by Warrant under the Hand and Seal of One of His or Their Principal Secretaries of State, to nominate and appoint ſuch Perſon or Perſons, being His Majeſty's Subject or Subjects, as to His Majeſty, His

who ſhall be treated as a Priſoner of War.

Appointing Perſons to have the Cuſtody;

Heirs and Succeſſors, ſhall ſeem fit, to have the Cuſtody of the ſaid *Napoleon Buonaparté*; and from Time to Time, by like Warrant to change the Place, and to appoint ſuch other Place, as to His Majeſty, His Heirs and Succeſſors, ſhall ſeem fit, in which the ſaid *Napoleon Buonaparté* ſhall be detained and kept; and by like Warrant to authorize and empower any Perſon and Perſons to remove the ſaid *Napoleon Buonaparté* from the Place in which he now is, or ſhall at any Time hereafter be ſo detained and kept, and to convey him to ſuch other Place as ſhall be ſo appointed as aforeſaid; and that it ſhall and may be lawful for ſuch Perſon and Perſons ſo appointed or to be appointed as aforeſaid, to call to his or their Aid and Aſſiſtance all or any Perſons, being Subjects of His Majeſty, or owing Allegiance to His Majeſty, for the detaining and keeping the ſaid *Napoleon Buonaparté* in Cuſtody as aforeſaid, or for the removing or conveying him as aforeſaid, as Occaſion may require: And that all and every ſuch Perſon or Perſons ſo appointed or to be appointed as aforeſaid, and all and every Perſon and Perſons who ſhall be called to his or their Aid and Aſſiſtance, ſhall have full Power and Authority to uſe all Ways and Means for the detaining and keeping the ſaid *Napoleon Buonaparté* in ſuch Cuſtody, and for the Prevention of the Reſcue or Eſcape of the ſaid *Napoleon Buonaparté* from and out of ſuch Cuſtody, and for the retaking the ſaid *Napoleon Buonaparté* in caſe he ſhall be reſcued or ſhall eſcape from and out of the ſame, as might be lawfully uſed for the detaining and keeping in Cuſtody, and for preventing the Reſcue or Eſcape of, and for the retaking any Priſoner of War.

to change the Place;

and to remove him.

For calling in Aſſiſtance.

III. And be it further enacted, That if any Perſon or Perſons, being a Subject or Subjects of or owing Allegiance to His Majeſty, His Heirs or Succeſſors, ſhall reſcue or attempt to reſcue the ſaid *Napoleon Buonaparté*, or ſhall knowingly and wilfully aid or aſſiſt in the Eſcape of the ſaid *Napoleon Buonaparté*, or in any Attempt to eſcape from ſuch Cuſtody as aforeſaid, or from any Limits or Bounds wherein he now is or at any Time hereafter ſhall or may be detained and kept in Cuſtody as aforeſaid, or in which he ſhall or may be ſuffered to go at large within the Limits of any Iſland or Country, Territory or Place, or within the Limits of any Diſtrict or Bounds within any Iſland or Country, Territory or Place, upon Parole or without Parole, all and every ſuch Perſon and Perſons ſo offending, ſhall upon being convicted thereof be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

Puniſhing Perſons attempting a Reſcue or an Eſcape.

IV. And be it further enacted, That if any Perſon or Perſons, being Subjects of or owing Allegiance to His Majeſty, His ~~Heirs or Succeſſors~~, ſhall knowingly and wilfully aid, aſſiſt, or further the ſaid *Napoleon Buonaparté* in quitting any Part of any Iſland, Country, Territory or Place, without the Limits and Bounds of any Diſtrict of ſuch Iſland, Country, Territory or Place, within which he may have been confined or ſuffered to go at large, on Parole or without Parole, after he ſhall have been reſcued, or have eſcaped or departed from any Place of Cuſtody, or from the Limits and Bounds within which he ſhall have been committed to go at large, upon Parole or without Parole, he, ſhe, or they ſhall be deemed guilty of aiding the Eſcape of the ſaid *Napoleon Buonaparté*, under the Proviſions of this Act.

For preventing the further Eſcape.

Prohibiting any Aſſiſtance of Eſcape upon the High Seas.

V. And be it further enacted, That if any Perſon or Perſons, being a Subject or Subjects of His Majeſty, or owing Allegiance to His Majeſty, after the ſaid *Napoleon Buonaparté* ſhall have been reſcued, or have eſcaped or departed from and have quitted the Iſland, Country, Diſtrict or Territory, within which he ſhall have been detained and kept in Cuſtody as aforeſaid, or have been ſuffered to go at large, upon Parole or without, or after he ſhall have quitted and departed from any other Country into which he may have eſcaped or come, ſhall knowingly and wilfully, upon the High Seas, aid, aſſiſt, or further the ſaid *Napoleon Buonaparté* in eſcaping or going to or towards any other Dominions or Place whatſoever, ſuch Perſon or Perſons ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Where Offences may be tried.

VI. And be it further enacted, That all Offences againſt this Act, whereſoever the ſame ſhall be committed, whether within the Dominions of His Majeſty or without, or upon the High Seas, may be enquired of, tried, heard, determined, and adjudged in any County within that Part of His Majeſty's Dominions called *England*, in like Manner, and by a Jury of ſuch County, as if ſuch Offences had been committed within ſuch County; and that in every Information or Indictment for ſuch Offence, ſuch Offence may be laid and charged to have been committed in ſuch County.

For detaining Perſons charged with Offences.

VII. And be it further enacted, That all Perſons who ſhall be apprehended, detained, or in Cuſtody, charged with any Offence againſt this Act, may be detained in Cuſtody and ſent to *England*, in order to their being proceeded againſt and tried for ſuch Offence.

General Iſſue.

VIII. And be it further enacted, That if any Action, Suit, Bill, Plaint, Information, or Indictment, ſhall be brought, ſued, or proſecuted againſt any Perſon or Perſons for any Thing done under or by virtue of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and ſhall have the Advantage thereof as fully, and to all Intents and Purpoſes, as if the Special Matter had been fully and well pleaded, and in ſuch Manner as any Juſtice of the Peace, Conſtable, or other Officer, queſtioned for Matters acted by them as Officers, or in the Execution of their Offices, may have the Advantage of the Matter of their Juſtification upon the General Iſſue by them pleaded, by any of the Laws and Statutes of this Kingdom.

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