ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. VII.

An Act for the Safety and Preſervation of His Majeſty's Perſon and Government againſt treaſonable and ſeditious Practices and Attempts.

[18th *December* 1795.]

WE, Your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, of *Great Britain*, in this preſent Parliament aſſembled, duly conſidering the daring Outrages offered to Your Majeſty's moſt Sacred Perſon, in Your Paſſage to and from Your Parliament at the Opening of this preſent Seſſion, and alſo the continued Attempts of wicked and evil diſpoſed Perſons to diſturb the Tranquillity of this Your Majeſty's Kingdom, particularly by the Multitude of ſeditious Pamphlets and Speeches daily printed, publiſhed, and diſperſed, with unremitting Induſtry, and with a tranſcendent Boldneſs, in Contempt of Your Majeſty's Royal Perſon and Dignity, and Preamble.

tending to the Overthrow of the Laws, Government, and happy Conſtitution of theſe Realms, have judged that it is become neceſſary to provide a further Remedy againſt all ſuch treaſonable and ſeditious Practices and Attempts: We, therefore, calling to Mind the good and wholeſome Proviſions which have at different Times been made by the Wiſdom of Parliament for the averting ſuch Dangers, and more eſpecially for the Security and Preſervation of the Perſons of the Sovereigns of theſe Realms, do moſt humbly beſeech Your Majeſty that it may be enacted; and be it 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 if any Perſon or Perſons whatſoever, after the Day of the paſſing of this Act, during the natural Life of our Moſt Gracious Sovereign Lord the King, (whom Almighty God preſerve and bleſs with a long and proſperous Reign), and until the End of the next Seſſion of Parliament after a Demiſe of the Crown, ſhall, within the Realm or without, compaſs, imagine, invent, deviſe, or intend Death or Deſtruction, or any bodily Harm tending to Death or Deſtruction, Maim or Wounding, Impriſonment or Reſtraint, of the Perſon of the ſame our Sovereign Lord the King, His Heirs and Succeſſors, or to deprive or depoſe Him or Them from the Stile, Honour, or Kingly Name, of the Imperial Crown of this Realm, or of any other of His Majeſty's Dominions or Countries; or to levy War againſt His Majeſty, His Heirs and Succeſſors, within this Realm, in order, by Force or Conſtraint, to compel Him or Them to change His or Their Meaſures or Counſels, or in order to put any Force or Conſtraint upon, or to intimidate, or overawe, both Houſes, or either Houſe of Parliament; or to move or ſtir any Foreigner or Stranger with Force to invade this Realm, or any other His Majeſty's Dominions or Countries, under the Obeiſance of His Majeſty, His Heirs and Succeſſors; and ſuch Compaſſings, Imaginations, Inventions, Devices, or Intentions, or any of them, ſhall expreſs, utter, or declare, by publiſhing any Printing or Writing, or by any overt Act or Deed; being legally convicted thereof, upon the Oaths of Two lawful and credible Witneſſes, upon Trial, or otherwiſe convicted or attainted by due Courſe of Law, then every ſuch Perſon and Perſons, ſo as aforeſaid offending, ſhall be deemed, declared, and adjudged, to be a Traitor and Traitors, and ſhall ſuffer Pains of Death, and alſo loſe and forfeit as in Caſes of High Treaſon.

Perſons who ſhall compaſs, deviſe, &c. the Death, Reſtraint, &c. of His Majeſty or His Heirs, or to depoſe them, or to levy War to compel a Change of Meaſures, &c. to be deemed Traitors.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons within that Part of *Great Britain* called *England*, at any Time from and after the Day of the paſſing of this Act, during Three Years from the Day of paſſing this Act, and until the End of the then next Seſſion of Parliament, ſhall maliciouſly and adviſedly, by Writing, Printing, Preaching, or other Speaking, expreſs, publiſh, utter, or declare, any Words or Sentences to incite or ſtir up the People to Hatred or Contempt of the Perſon of His Majeſty, His Heirs or Succeſſors, or the Government and Conſtitution of this Realm, as by Law eſtabliſhed, then every ſuch Perſon and Perſons, being thereof legally convicted, ſhall be liable to ſuch Puniſhment as may by Law be inflicted in Caſes of High Miſdemeanors; and if any Perſon or Perſons ſhall, after being ſo convicted, offend a Second Time, and be thereupon convicted, before any Commiſſion of Oyer and Terminer, or Gaol

Perſons, in *England*, who ſhall, by Writing, &c. incite to Hatred, or Contempt of His Majeſty or the Government, &c. ſhall be guilty of High Miſdemeanors; and for a Second Offence may be puniſhed as for a High Miſdemeanor, or baniſhed or tranſported for Seven Years.

Delivery, or in His Majeſty's Court of King's Bench, ſuch Perſon or Perſons may, on ſuch Second Conviction, be adjudged, at the Diſcretion of the Court, either to ſuffer ſuch Puniſhment as may now by Law be inflicted in Caſes of High Miſdemeanors, or to be baniſhed this Realm, or to be tranſported to ſuch Place, as ſhall be appointed by His Majeſty for the Tranſportation of Offenders; which Baniſhment or Tranſportation ſhall be for ſuch Term as the Court may appoint, not exceeding Seven Years.

Perſons baniſhed or tranſported, found at large within *Great Britain* before the Expiration of their Term, to ſuffer Death.

III. And be it further enacted, That if any Offender or Offenders, who ſhall be ſo ordered by any ſuch Court as aforeſaid to be baniſhed the Realm, or tranſported beyond the Seas, in Manner aforeſaid, ſhall be afterwards at large within any Part of the Kingdom of *Great Britain*, without ſome lawful Cauſe, before the Expiration of the Term for which ſuch Offender or Offenders ſhall have been ordered to be baniſhed or tranſported beyond the Seas as aforeſaid, every ſuch Offender being ſo at large as aforeſaid, being thereof lawfully convicted, ſhall ſuffer Death, as in Caſes of Felony without Benefit of Clergy; and ſuch Offender or Offenders may be tried, either before Juſtices of Aſſize, Oyer and Terminer, Great Seſſions, or Gaol Delivery, for the County, City, Liberty, Borough, or Place, where ſuch Offender or Offenders ſhall be apprehended and taken, or from whence he, ſhe, or they, was or were ordered to be baniſhed or tranſported; and the Clerk of Aſſize, Clerk of the Peace, or other Clerk or Officer of the Court, having the Cuſtody of the Records where ſuch Orders of Baniſhment or Tranſportation ſhall be made, ſhall, at the Requeſt of the Proſecutor, or any other Perſon on His Majeſty's Behalf, make out and give a Certificate, in Writing, ſigned by him, containing the Effect and Subſtance only (omitting the formal Part) of every Indictment and Conviction of ſuch Offender or Offenders, and of the Order for his, her, or their Baniſhment or Tranſportation, to the Juſtices of Aſſize, Oyer and Terminer, Great Seſſions, or Gaol Delivery, where ſuch Offender or Offenders ſhall be indicted (not taking for the ſame more than Two Shillings and Sixpence); which Certificate ſhall be ſufficient Proof of the Conviction and Order for Baniſhment or Tranſportation of ſuch Offender or Offenders.

Where ſuch Perſons may be tried.

Certificate of Conviction, *etc.* to be ſufficient Proof.

Limitation of Actions for Miſdemeanors; and

IV. Provided always, That no Perſon or Perſons, by virtue of this preſent Act, ſhall for any Miſdemeanor incur any the Penalties hereinbefore mentioned, unleſs he, ſhe, or they, be proſecuted within Six Calendar Months next after the Offence committed, and the Proſecution brought to Trial or Judgement within the Firſt Term, Sittings, Aſſizes, or Seſſions, in which, by the Courſe of the Court wherein ſuch Proſecution ſhall be depending, the Proſecutor could bring on ſuch Trial, or cauſe ſuch Judgement to be entered, or in the Term, Sittings, Aſſizes, or Seſſion, which ſhall next enſue, unleſs the Court in which ſuch Proſecution ſhall be depending, or before which ſuch Trial ought to be had, ſhall, on ſpecial Ground ſtated by Motion in open Court, think fit to enlarge the Time for the Trial thereof, or unleſs the Defendant ſhall be proſecuted to or towards an Outlawry; and that no Perſon ſhall, upon Trial, be convicted by virtue of this Act, for any Miſdemeanor, but by the Oaths of Two credible Witneſſes.

no Perſons to be convicted thereof but by the Oath of Two Witneſſes.

Perſons accuſed of Treaſon, to be entitled to Benefit of 7 *Gul.* III, Cap. 3, and 7 *Annæ*, Cap. 21.

V. Provided always, and be it further enacted, That all and every Perſon or Perſons that ſhall at any Time be accuſed, or indicted, or proſecuted, for any Offence made or declared to be Treaſon by this Act, ſhall be entitled to the Benefit of the Act of Parliament, made in the Seventh Year of His late Majeſty King *William* the Third, intituled, *An Act for regulating of Trials in Caſes of Treaſon and Miſpriſion of Treaſon*; and alſo to the Proviſions made by another Act of Parliament, paſſed in the Seventh Year of Her late Majeſty Queen *Anne*, intituled, *An Act for improving the Union of the Two Kingdoms*.

Act not to prevent Proſecution at Common Law.

VI. Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prevent or affect any Proſecution by Information or Indictment at the Common Law, for any Offence within the Proviſions of this Act, unleſs the Party ſhall have been firſt proſecuted under this Act.

FINIS.