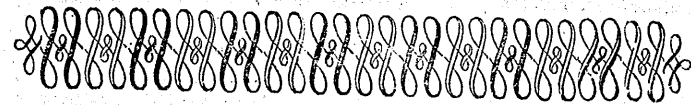


137-69



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( 1 )



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## B I L L

INTITULED

An Act to prevent the issuing and circulating of Pieces of Gold and Silver, or other Metal, usually called Tokens, except such as are issued by the Banks of *England* and *Ireland* respectively.

Note.—The Figures in the Margin denote the Number of Skins in the Engrossment.

1 **W**HEREAS various Pieces of Gold or Silver, and mixed Metals composed in Part of Gold or Silver, usually denominated Tokens, have lately been and are issued and circulated by Persons residing in various Parts of the United Kingdom, in great Quantities, for nominal Sums of Money usually expressed thereon, much above the real Value of the Metals of which the same are composed: And whereas it is expedient that the further making and issuing of such Tokens should be prohibited, and that the Circulation of those already made or issued should also be prohibited after a limited Period: May it therefore please 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 from and after the Twentieth Day of July One thousand eight hundred and twelve, no Piece of Gold or Silver, or mixed Metal composed in Part of Gold or Silver, of whatever Value the same may be, shall be made or manufactured, or issued as a Token for Money, or as purporting that the Bearer or Holder thereof

(160.) A

*whereas various pieces of paper usually denominated Bank notes*

Tokens not to be issued; Penalty on issuing.

( 2 )

thereof is entitled to demand any Value denoted thereon, either by Letters, Words, Figures, Marks or otherwise, whether such Value is to be paid or given in Money or Goods, or in any Manner whatsoever; and every Person who shall after the said Twentieth Day of July make or manufacture, or issue or cause or procure to be made, manufactured, or issued, or permit or suffer to be issued on his or her Behalf as for any nominal Value in Money or Goods, any such Token, shall for every Token so made, manufactured, or issued, or procured or permitted to be so made, manufactured, or issued as aforesaid, forfeit any Sum not less than Five Pounds or more than Twenty Pounds, at the Discretion of the Justice or Justices of the Peace who shall hear and determine such Offence.

Tokens not  
to circulate  
after the 25th  
March 1813.

And be it further enacted, That from and after the Twenty-fifth Day of March One thousand eight hundred and thirteen, no Piece of Gold or Silver, or of any mixed Metal composed partly of Gold or Silver, of whatever Value the same may be, shall pass or circulate as a Token for Money, or as purporting that the Bearer or Holder thereof is entitled to demand any Value denoted thereon, either by Letters, Words, Figures, Marks, or otherwise, whether such Value is to be paid or given in Money or Goods, or other Value, or in any Manner whatsoever; and every Person who shall after the said Twenty-fifth Day of March One thousand eight hundred and thirteen, circulate or pass, as for any nominal Value in Money or Goods, any such Token, shall for every such Token so circulated or passed, whether such Person shall be or have been concerned in the original issuing or circulation of any such Token, or only the Bearer or Holder thereof for the Time being, forfeit any Sum not less than Five Pounds, nor more than Twenty Pounds, at the Discretion of the Justice or Justices of the Peace who shall hear and determine such Offence; provided that nothing in this Act contained shall extend or be construed to extend to prevent any Person from presenting any such Token for Payment to the original Issuer thereof, or to discharge or excuse any such original Issuer from his Liability to pay the same.

Act not to  
extend to  
Tokens of  
the Bank of  
England or  
Ireland.

Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Tokens issued or circulated by or under the Authority of the Governor and Company of the Bank of England, or by or under the Authority of the Governor and Company of the Bank of Ireland respectively, or in any Manner to affect any such Tokens or the Circulation thereof, or to subject any Company or Companies, or Person or Persons to any Penalty for issuing or circulating any such Tokens.

And

( 3 )

And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace acting for the County, Riding, City or Place within which any Offence against this Act shall be committed, to hear and determine the same in a summary Way; and such Justice or Justices upon any Information exhibited or Complaint made upon Oath in that Behalf, shall summon the Party accused, and also the Witnesses on either Side, and shall examine into the Matter of Fact, and upon due Proof made thereof, either by the voluntary Confession of the Party or by the Oath of One or more credible Witnesses or Witnesses, or otherwise (which Oath such Justice or Justices is or are hereby authorized to administer) shall convict the Offender, and adjudge the Penalty for such Offence.

Justices em-  
powered to  
hear and de-  
termine Of-  
fences.

And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before such Justice or Justices, either on the Part of the Prosecutor or the Person accused, and shall neglect or refuse to appear at the Time or Place to be for that Purpose appointed, without a reasonable Excuse for such his Neglect or Refusal, to be allowed by such Justice or Justices, then such Person shall forfeit for every such Offence the Sum of Twenty Pounds, to be levied and paid in such Manner and by such Means as are directed for Recovery of other Penalties under this Act.

Penalty on  
Witnesses not  
attending.

And be it further enacted, That the Justice or Justices before whom any Offender shall be convicted as aforesaid, shall cause the said Conviction to be made out in the Manner and Form following; (that is to say),

Form of Con-  
viction.

BE it remembered, That on the ... Day of ...  
in the Year of our Lord ...  
A. B. having  
appeared before me [or us] one [or, more] of His Majesty's Justices of the Peace [as the Case may be] for the County, Riding, City, or Place, [as the Case may be] and due Proof having been made upon Oath by one or more credible Witnesses or Witnesses, or by Confession of the Party [as the Case may be] is convicted of [specifying the Offence]. Given under my Hand and Seal [or our Hands and Seals] the Day and Year aforesaid.

Which Conviction the said Justice or Justices shall cause to be returned to the then next General Quarter Sessions of the Peace of the County, Riding, City, or Place where such Conviction was made, to be filed by the Clerk of the Peace, to remain and be kept among the Records of such County, Riding, City, or Place.

Provided always, and be it further enacted, That it shall be lawful for any Clerk of the Peace for any County, Riding, City, or Place, and he

Clerks of the  
Peace to give  
Copies.

Common Journals  
Vol. 11 - p. 583  
See also Petition of Eyre p. 590

( 4 )

he is hereby required, upon Application made to him by any Person or Persons for that Purpose, to cause a Copy or Copies of any Conviction 7 or Convictions filed by him under the Directions of this Act, to be forthwith delivered to such Person or Persons, upon Payment of One Shilling for every such Copy.

How Penalties shall be levied and applied.

And be it further enacted, That the pecuniary Penalties and Forfeitures hereby incurred and made payable upon any Conviction against this Act, shall be forthwith paid by the Person convicted as follows, one Moiety of the Forfeiture to the Informer, and the other Moiety to the Poor of the Parish or Place where the Offence shall be committed; and in case such Person shall refuse or neglect to pay the same, or to give sufficient Security to the Satisfaction of such Justice or Justices to prosecute any Appeal against such Conviction, such Justice or Justices shall, by Warrant under his or their Hand and Seal, or Hands and Seals, cause the same to be levied by Distress and Sale of the Offender's Goods and Chattels, together with all Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner; and which said Warrant of Distress the said Justice or Justices shall cause to be made out in the Manner and Form following; (that is to say),

Form of Warrant of Distress.

To the Constable, Headborough, or Tythingman of  
 WHEREAS A. B. of in the County of is this  
 Day convicted before me [or, us] one [or, more] of His Majesty's Justices of the Peace [as the Case may be] for the County of  
 [or, for the Riding of the County of York,]  
 [or, for the Town, Liberty, or District, of as the Case may be]  
 upon the Oath of or a credible Witness or Witnesses [or, by Confession of the Party, as the Case may be]  
 for that the said A. B. hath [here set forth the Offence] contrary to the Statute in that Case made and provided, by Reason whereof the said A. B. hath forfeited the Sum of to be distributed  
 as herein is mentioned, which he hath refused to pay; these are  
 therefore, in His Majesty's Name, to command you to levy the said Sum of by Distress of the Goods and Chattels of him  
 the said A. B. and if within the Space of Days next after  
 such Distress by you taken, the said Sum, together with the reasonable Charges of taking the same, shall not be paid, then that you do sell  
 the said Goods and Chattels so by you distrained, and out of the Money arising by such Sale, that you do pay One Half of the said Sum  
 of to of who informed me [or, us, as the Case shall be] of the said Offence, and the other Half of the

( 5 )

the said Sum of to the Overseer of the Poor of the Parish, Township, or Place, where the Offence was committed, to be employed for the Benefit of such Poor, returning the Overplus (if any) upon Demand to the said A. B. the reasonable Charges of taking, keeping, and selling the said Distress, being first deducted; and if sufficient Distress cannot be found of the Goods and Chattels of the said A. B. whereon to levy the said Sum of that then you certify the same to me [or us, as the Case shall be] together with this Warrant. Given under my Hand and Seal [or, Hands and Seals] the Day of in the Year of Our Lord

And be it further enacted, That it shall be lawful for such Securities Justice or Justices to order such Offender to be detained in safe Custody until Return may conveniently be had and made to such Warrant of Distress, unless the Party so convicted shall give sufficient Security to the Satisfaction of such Justice or Justices, for his Appearance before the said Justice or Justices on such Day as shall be appointed by the said Justice or Justices for the Day of the Return of the said Warrant of Distress, (such Day not exceeding Five Days from the taking of such Security), which Security the said Justice or Justices is and are hereby empowered to take by Way of Recognizance or otherwise.

And be it further enacted, That if upon such Return no sufficient Distress can be had, then and in such Case the said Justice or Justices shall and may commit such Offender to the Common Gaol or House of Correction of the County, Riding, Division or Place where the Offence shall be committed, for the Space of Three Calendar Months, unless the Money forfeited shall be sooner paid, or unless or until such Offender, thinking him or herself aggrieved by such Conviction, shall give Notice to the Informer that he or she intends to appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be holden for the County, Riding, or Place wherein the Offence shall be committed, and shall enter into Recognizance before some Justice or Justices, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions; which Notice of Appeal, being not less than Eight Days before the Trial thereof, such Person so aggrieved is hereby empowered to give; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such

( 6 )

Quarter Sessions shall be final, binding and conclusive to all Intents and Purposes.

Parishioners  
admitted  
Witnesses.

And be it further enacted, That no Person shall be disabled from being a Witness in any Prosecution for any Offence against this Act, by Reason of his being an Inhabitant of the Parish wherein such Offence was committed.

Convictions  
not to be re-  
moved.

Provided always, That no Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form, or be removed by Writ of *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

General Issue  
may be  
pleaded.

And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done or acted in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Three Calendar Months after the Fact committed, and not afterwards; and the same and every such Action or Suit shall be brought within the County where the Fact was committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought or laid in any other Place than as aforementioned, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the Recovery thereof as any Defendant or Defendants hath or have in any other Cases by Law.