

0050

137-68

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(1)



B I L L

INTITULED

An Act to continue until Three Months after the Commencement of the next Session of Parliament, and amend an Act of the last Session of Parliament, for making more effectual Provision for preventing the current Gold Coin of the Realm from being paid or accepted for a greater Value than the current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of England from being received for any smaller Sum than the Sum therein specified; and for staying Proceedings upon any Distress by tender of such Notes; and to extend the same to Ireland.

directly
and for each
very means by
which the
provision may
be defeated

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

W HEREAS an Act passed in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act for making more effectual Provision for preventing the current Gold Coin of the Realm from being paid or accepted for a greater Value than the current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of* England

either in Silver Pieces or in Silver Tokens of the Bank of England

(2)

England from being received for any smaller Sum than the Sum therein specified; and for staying Proceedings upon any Distress by tender of such Notes: And whereas it is expedient that the said Act should be continued and amended, and extended to Ireland; 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, from and after the passing of this Act, no Person shall receive or pay, for any Gold Coin lawfully current within the United Kingdom, any more in Value, Benefit, Profit, or Advantage, than the true lawful Value which such Gold Coin doth or shall by its Denomination import, whether such Value, Benefit, Profit, or Advantage, be paid, made, or taken in lawful Money, or if paid or taken in Great Britain, in any Note or Notes, Bill or Bills of the Governor and Company of the Bank of England, or in any Silver Token or Tokens issued by the said Governor and Company, or if paid or taken in Ireland, in any Note or Notes, Bill or Bills of the Governor and Company of the Bank of Ireland, or in any Silver Token or Tokens issued by the said last-mentioned Governor and Company, or by any or all of the said Means, wholly or partly, or by any other Means, Device, Shift, or Contrivance whatsoever; and every Person who shall offend herein, shall be deemed and adjudged guilty of a Misdemeanor; and being thereof convicted by due Course of Law, shall suffer Six Months Imprisonment, and find Sureties for his or her good Behaviour for One Year more, to be computed from the End of the said Six Months; and if the same Person shall afterwards be convicted a Second Time of the like Offence, such Person shall for such Second Offence suffer One Year's Imprisonment, and find Sureties for his or her good Behaviour for One Year more, to be computed from the End of the said last-mentioned Year; and if the same Person shall afterwards offend against this Act, and shall by due Course of Law be convicted of any subsequent Offence, he or she shall be imprisoned for the Term of Two Years for every such subsequent Offence.

Current Gold Coin shall not be received or paid for more than the true Value.

When Persons who have been convicted shall be again guilty, the Clerk of the Peace shall certify former Conviction.

And be it hereby further enacted, That if any Person shall be convicted of receiving or paying any such Gold Coin contrary to the said recited Act or this Act, and shall afterwards be guilty of the like Offence, the Clerk of the Assize, or Clerk of the Peace for the County, City, or Place where such Conviction was so had, shall, at the Request of the Prosecutor, or any other Person on His Majesty's Behalf, certify such Conviction; for which Certificate Two Shillings and Sixpence, and no more, shall be paid; and such Certificate being produced in Court, shall be sufficient Proof of such former Conviction.

And

The Bank Tokens value £1 have 15-8 1/4 of Standard Silvers, therefore a piece a in Bank Tokens may be paid by 16 5 1/2 grains of real Standard Coin - £0-16, 5 1/2 equal to 1532

(3)

And be it further enacted, That no Person against whom any Bill of Indictment shall be found, at any Assizes or Sessions of the Peace, for any Offence against the said recited Act or this Act, shall be entitled to traverse the same to any subsequent Assizes or Sessions; but the Court at which such Bill of Indictment shall be found, shall forthwith proceed to try the Person or Persons against whom the same shall be found, unless he or they shall shew good Cause to be allowed by the Court why his, her, or their Trial should be postponed.

Indictments not to be traversed. 21-1950

Provided always, and be it further enacted, That on any Prosecution or Trial of any Offender or Offenders hereafter to be prosecuted or tried for any Offence against the said recited Act or this Act, it shall not be necessary to prove that the Money, Notes, Bills, Tokens, Securities, Warrants, or Orders for Payment of Money, or any or either of them, received or paid for any such Gold Coin, are respectively good, lawful and current Money of this Realm, or good, valid, and effectual Notes, Bills, Tokens, Securities, Warrants, or Orders for Payment of Money, or that the same Money, Notes, Bills, Tokens, Securities, Warrants, or Orders for Payment of Money, are respectively of the Value they on the Face of them import; but that such Money, Notes, Bills, Tokens, Securities, Warrants, or Orders for Payment of Money, shall be deemed and taken to be good, valid, and effectual respectively, and of the respective Values which on the Face of them they import, until the contrary shall be proved, to the Satisfaction of the Judge, Justice, or Court before whom such Offender or Offenders shall be prosecuted or tried respectively; nor shall it be necessary in any such Prosecution or Trial of any Offender or Offenders hereafter to be prosecuted or tried for any Offence against the said recited Act or this Act, to prove that the Gold Coin received or purchased contrary to the said recited Act or this Act, is the current Gold Coin of this Realm, but the same shall be deemed and taken so to be, if paid or received as such, until the contrary thereof shall be proved to the Satisfaction of the Judge, Justice, or Court before whom any such Offender or Offenders shall be prosecuted or tried.

On Prosecution it shall not be necessary to prove the Money good and lawful.

And be it further enacted, That no Person shall, by any Means, Device, Shift, or Contrivance whatsoever, receive or pay in Great Britain any Note or Notes, Bill or Bills of the Governor and Company of the Bank of England, or receive or pay in Ireland any Note or Notes, Bill or Bills of the Governor and Company of the Bank of Ireland; for less than the Amount of lawful Money expressed therein, and to be thereby made payable; except only lawful Discount on such Note or Bill as shall not be expressed to be payable on Demand; and every Person who shall offend

Notes of the Bank of England, or Bank of Ireland, shall not be received or paid for less than their Value.

16, 5 1/2 = 3, 3, 20
17 = 3, 5, 19
18 = 3, 9, 16
19 = 3, 13, 13
20 = 3, 17, 10
21 = 4, 1, 6

Principles

1/ Vulgar denomination of the Bill

2/ Title of the Bill

Enactments - see advertisement

Supposing the bill of fact

offend herein shall be deemed and adjudged guilty of a Misdemeanor, and being thereof convicted by due Courts of Law shall be subject to a Fine of Double the Amount of the Sum of Money specified in such Bill or Note, and made payable thereby, and shall suffer Imprisonment for a Time not exceeding Two Months.

Proceedings for Distress, &c. to be stayed in case Payment is tendered in Bank Notes.

And be it enacted, That in case any Person shall proceed by Distress or Pounding to recover from any Tenant or other Person liable to such Distress or Pounding, any Rent or Sum of Money due from such Tenant or other Person, it shall be lawful for such Tenant or other Person, in every such Case, in Great Britain, to tender Notes of the Governor and Company of the Bank of England, or in Ireland to tender Notes of the Governor and Company of the Bank of Ireland, expressed to be payable on Demand, to the Amount of such Rent or Sum so due, together with the Amount of such Costs as shall have been incurred by such Distress, either alone or together, with a sufficient Sum of lawful Money, to the Person on whose Behalf such Distress or Pounding is made, or to the Officer or Person making such Distress or Pounding on his Behalf; and in case such Tender shall be accepted, or in case such Tender shall be made and refused, the Goods taken in such Distress or Pounding shall be forthwith returned to the Party distrained upon or against whom such Pounding shall have been used, unless the Party distraining or pouncing, and refusing to accept such Tender, shall insist that a greater Sum is due than the Sum so tendered, and in such Case the Parties shall proceed as usual in such Cases; but if it shall appear that no more was due than the Sum so tendered, then the Party who tendered such Sum shall be entitled to the Costs of all subsequent Proceedings: Provided always, that the Person to whom such Rent or Sum of Money is due shall have and be entitled to all such other Remedies for the Recovery thereof, exclusive of Distress or Pounding, and exclusive of Ejectment for any Forfeiture which shall have been incurred by Non-payment of such Rent, as such Person had or was entitled to at the Time of making such Distress or Pounding, if such Person shall not think proper to accept such Tender so made as aforesaid: Provided also, that nothing herein contained shall affect the Right of any Tenant or other such Person as aforesaid having Right, to replevy or recover the Goods so taken in Distress or Pounding, in case without making such Tender as aforesaid he shall so think fit.

1st/ If Gold has risen unfair

1/ Case of an Estate to be delivered 5 years hence

2/ Money rent stipulated 200 years ago

2nd/ If Paper has fallen

Gross injustice

Bank of England Notes in Great Britain, and Bank of Ireland Notes in Ireland, to

And be it further enacted, That in all Cases in which any Sum or Sums of Money is or are required, ordered, directed, decreed, or adjudged to be paid, under or by virtue of any Rule, Order, Process, Judgment, Decree, or other Proceeding of or in any Court of Law or Equity

Means of producing a revolution Paper in the Morning Post Argument to prove that Gold cannot have risen abroad 1/ at Home 2/ 3/ Generally

That Paper has fallen

- 1/ Price of every thing within 2 years 2/ Commodities risen gradually since 1797

3/ Sudden rise of Gold

4/ Conclusion

How Bank under similar Circumstances abroad

This measure more unjust than making Paper a legal Tender

1/ Does not affect the rich 2/ The Poor

or other Court, in any Part of the United Kingdom, or by any Law, Usage, or Practice of any Court, is or are allowed to be paid for the staying of Proceedings, by any Party or Parties, Person or Persons, to any other Party or Parties, Person or Persons, or into any Court, or into the Hands of any Officer or Officers of any Court as aforesaid, such Payment of such Sum or Sums of Money as aforesaid, in Notes of the Governor and Company of the Bank of England, if the same shall be made in Great Britain, or in Notes of the Governor and Company of the Bank of Ireland, if the same shall be made in Ireland, the same respectively being payable on Demand, to the Amount therein expressed, shall be deemed and taken to be good and sufficient Payments in the Law, of the Sum or Sums so required, ordered, directed, decreed, or adjudged to be paid; and in all Cases in which any Money shall be payable out of any such Court or Courts, or by any Officer or Officers thereof, or of any of them, in the Discharge of his or their Duty, as such Officer or Officers Payment of the Sums so payable out of such Court or Courts, or by such Officer or Officers, in Notes of the Governor and Company of the Bank of England if in Great Britain, or in Notes of the Governor and Company of the Bank of Ireland, if in Ireland, (such Notes respectively being payable on Demand, to the Amount in such Notes expressed) shall be taken and deemed to be good and sufficient Payments in the Law.

be good Payment to Officers of any Court, or by Officers out of any Court on any Process,

And be it further enacted, That in all Cases in which any Sum or Sums of Money is or are required to be raised or levied in Execution of any Judgment or Decree, or by virtue of any Process or Proceeding whatever of any Court of Law or Equity, or other Court, in any Part of the United Kingdom, or under any Distress or Proceeding for the Recovery of any Rent, or of any Penalty or Forfeiture to be raised or levied by Distress and Sale of any Goods or Chattels, it shall be lawful for the Officer or Officers, whose Duty it shall be to raise or levy such Sum or Sums of Money, to accept Notes of the Governor and Company of the Bank of England, if such Money is to be raised or levied in Great Britain, or Notes of the Governor and Company of the Bank of Ireland, if such Money is to be raised or levied in Ireland, such Notes respectively being payable on Demand to the Amount in such Notes expressed, in Payment and Satisfaction of the Sums so to be raised and levied; and such Officer or Officers shall not be compelled or compellable to pay the Amount of the Sums so to be levied or raised, or any Part thereof, to any Person or Persons, or into any Court, otherwise than in Notes of the Governor and Company of the Bank of England, if in Great Britain, or of the Governor and Company of the Bank of Ireland, if in Ireland; and after such raising and levying as aforesaid, it shall not be competent by any further Proceeding against

Bank of England Notes in Great Britain, and Bank of Ireland Notes, to be taken by Officers of Courts levying Money under Process of any Court of Law or Equity, or other Court in the United Kingdom.

Power & profit given to the Bank objectionable in principle

- 1/ Power 1/ Exchequer bills 2/ Discounts 2/ Notes of England 2/ Ireland

Loss to the Community
1/ To Capitalists
2/ Landlords

Remedy
3/ Consumers (6)

1/ No abstract
Currency

2/ Avoid
increasing
the disease
3/ Consequen-
ces of a legal
tender

Notes to be
indorsed by
the Person
paying them,
and to be
verified by
Affidavit to
be Bank
Notes.

Offences
committed in
Scotland how
to be pu-
nished.

Continuance
of Act.

the Party or Person from whom such Sum or Sums was or were due, or his Effects or Estate, to compel the raising or levying such Sum or Sums, or so much thereof as shall have been raised and levied and paid in such Notes as aforesaid.

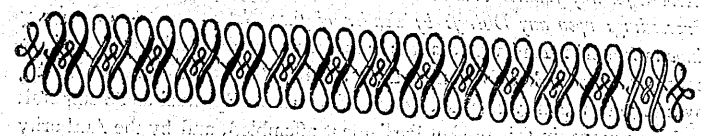
Provided always, and be it further enacted, That in all such Cases as aforesaid, every Person paying any such Notes into any Court, or into the Hands of any Officer of any Court, in Manner aforesaid, or to any Person raising or levying any Money under any Distress, or under the Authority of any Court as aforesaid, shall, if required, indorse the Notes so paid, and also specify the Causes, Proceeding, or Distress, in or under which the same shall be paid, and shall also, if required, verify the same to be Notes of the Governor and Company of the Bank of England, if in England, or to be Notes of the Governor and Company of the Bank of Ireland, if in Ireland, by Affidavit, stating, that the Notes so paid or to be paid are, to the best of the Knowledge and Belief of the Person paying the same, Notes of the Governor and Company of the Bank of England, or of the Governor and Company of the Bank of Ireland, as the Case may be; and every Person so indorsing any such Notes shall be liable to pay to the Person to whom the same are paid out of any Court, or by any Officer aforesaid, or under any Distress, the full Amount of the Sum expressed in any of such Notes which may prove to be forged, if any such Note or Notes shall be forged Notes.

Provided always, and be it enacted, That every Person who shall commit in Scotland any Offence against this Act, which, by the Provisions thereof, is constituted a Misdemeanor, shall be liable to the same Fine, Penalty, and Punishment, as are prescribed for the like Offence in England.

Provided always, and be it further enacted, That this Act shall continue and be in force to and until Three Months after the Commencement of the next Session of Parliament, and no longer.

1/ Mode in which a Minister should proceed
2/ A Member of Parliament

(1)



B I L L,

INTITULED

An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and fourteen, an Act of the last Session of Parliament, for making more effectual Provision for preventing the current Gold Coin of the Realm from being paid or accepted for a greater Value than the current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of England, or of the Governor and Company of the Bank of Ireland, from being received for any smaller Sum than the Sum therein specified; and for staying Proceedings upon any Distress by Tender of such Notes.

WHEREAS an Act was made in the last Session of Parliament, intituled *An Act to continue, until Three Months after the Commencement of the next Session of Parliament, and amend an Act of the last Session of Parliament, for making more effectual Provision for preventing the current Gold Coin of the Realm from being paid or accepted for a greater Value than the current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of England from being received*

received for any smaller Sum than the Sum therein specified; and for laying Proceedings upon any Distress by Tender of such Note; and to extend the same to Ireland: And whereas it is expedient that the said Act should be continued; 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 the said Act shall be and the same is hereby continued until the Twenty-fifth Day of March One thousand eight hundred and fourteen,

to sell the same at the best advantage of the said...
69/14

THE GOLD COIN BILL.

Mr. Ebrill.—The debate of Thursday night, on the "Gold Coin Bill," has completely unmasked the real disposition of the Party towards Ireland; and demonstrated what the people are to expect, should these Patriots force themselves into office.

The Minister contended that Ireland should be included in the measure; and participate its beneficial effects; by the protection of the tenantry against the caprice or the violence of landlords. This proposition would place the two kingdoms on ground of perfect equality, and, as between landlord and tenant, would be just and equitable, as well as highly advantageous to both parties. But what said the Opposition?

They insisted on the strict performance of contracts, by which, it seems, the peasantry, or a large portion of them, are bound to pay rent in gold coin or guineas; and in order to shew its practicability, the Leader of the Party informed the House, that, to his own knowledge, guineas may be purchased at a premium of from 5s. 6d. to 6s. each, and that they were thus bought and sold as openly as broad cloth, or any other commodity?

The Right Hon. Gentleman might have added, that this is the chapman's price to the seller, but that the retail price to the poor peasant, whose cattle are in pound under distress levied for rent, amounts to 8s. and often to 9s. for every guinea. Yet, not a word was uttered favourable to the tenantry; no feeling was indicated for their deplorable condition; their undeniable wretchedness was passed over in silence by their "Early Friends," and every sympathy was reserved for the indulgent, the kind, and merciful landlords, who have the conscience to extort from 26 to 29 shillings in lieu of every guinea, or, what is precisely the same thing, to insist on payment in guineas, each of which is convertible at market into so many shillings. The effect is, that instead of receiving the number of shillings which regularly constitute a guinea, the landlords are paid the amount of the premium beyond the sterling value, which they pocket without remorse or shame, in violation of justice, honour, and humanity.

It is perfectly clear on their own admission, that this is the fact; for unless the sellers of guineas were to receive the actual advantage by the sale, there would be an end of the traffic, but that advantage is the amount of the premium, and therefore the landlords take to that extent over and above the sum to which they are entitled in substantial justice. Let us turn now from the special pleading of Opposition on the legal import of guineas, and of performance in specie, to the policy of the question; and here, the first thing to be examined is the character and actual existence of a landlord. Who and what is he in the contemplation of law and of civilized society? He has no personal identity whatever; he exists merely by a fiction of law. When A lets land to B, as his tenant, than A is called a landlord; but to constitute an occupying tenant, the landlord must give actual possession, and then the occupant becomes the tangible representative of the soil for all state purposes. He is answerable not only in his property, or the produce of the soil, both to the landlord by contract, and to the State as occupant; but answerable also in his person to repel invasion and defend the country. But in all those respects, the landlord, as to the houses and land in the occupancy of others, is an abstract character, described on paper or parchment, or by parole; nay, he may withdraw from the kingdom, and have his rent or the produce of the soil remitted to him in a foreign country; and thus be not only useless personally, but injurious to the State by the exportation of its resources without any consideration or return. It follows, that the occupants are entitled upon principles of eternal justice and of sound policy, to the support, encouragement, and protection of the Legislature, as well as if not preferably to landlords.

But who are the Irish peasantry? The tangible representatives of the soil; the nursery which supplies our navy and army with two-thirds of their heroes; the men who are Ireland's pride and England's glory. They are the manhood, the hearts, the blood of their country, who nobly sustain its character abroad, and who, at home, feed, clothe, and lodge upwards of two hundred thousand itinerant beggars, who have no other resource of provision against cold and hunger. These are the people consigned to misery by the Opposition, and from whom the landlords are to insist on the penalty of their bonds, from whom Shylock is to demand the pound of flesh, on whom distress is to be levied, and all they have sold, as usual, below its value, unless they can provide guineas at most exorbitant interest.

The Minister has, however, consulted the true interest of the country, by making the good of all the basis of his policy as far as this Bill goes, and conformably to this principle, has, in spite of rancorous opposition, determined, that as the law of Venice was administered to the Jew, so shall the law of England be measured out to the covetous and hard-hearted landlord with the utmost strictness.

He may indeed demand the penalty, but neither more nor less at his peril. Z.

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BILL

INTITLED

An Act to continue until Three Months after the Commencement of the next Session of Parliament, and amend an Act of the last Session of Parliament, for making more effectual Provision for preventing the current Gold Coin of the Realm from being paid or accepted for a greater Value than the current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of *England* from being received for any smaller Sum than the Sum therein specified; and for having Proceedings upon any Differs by tender of such Notes; and to extend the same to *Ireland*.

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