ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

C A P. CX.

An Act to prevent the counterfeiting of Silver Pieces denominated Tokens, intended to be iſſued and circulated by the Governor and Company of the Bank of *England*, for the reſpective Sums of Five Shillings and Sixpence, Three Shillings, and One Shilling and Sixpence; and to prevent the bringing into the Kingdom or uttering any ſuch counterfeit Pieces or Tokens. [26th *June* 1811.]

WHEREAS the Governor and Company of the Bank of *England*, with the Approbation of His Majeſty's Moſt Honourable Privy Council, are preparing to make and ſtamp, and intend to iſſue and circulate, for the Convenience of the Public, a Quantity of Silver Pieces, denominated *Tokens*, for the reſpective Sums of Five Shillings and Sixpence, Three Shillings, and One Shilling and Sixpence, ſuch Tokens for the Sum of Five Shillings and Sixpence being intended to contain, on the Obverſe Side thereof, an Impreſſion of His Majeſty's Head, and the following Words and Letters, (*videlicet*) "GeorgiusIII. Dei Gratia Rex," and on the Reverſe thereof the following Words and Figures, *videlicet*, "Bank Token, 5s. 6D." with the Addition of the Year in which the ſame ſhall be made and ſtamped; ſuch Tokens for the Sum of Three Shillings being intended to contain the ſame Impreſſion, Words, and Letters on the Obverſe Side thereof as upon the ſaid Tokens for Five Shillings and Sixpence, and on the Reverſe Side thereof the following Words and Figures, *videlicet*, "Bank Token, 3 Shill." with the Addition of the Year in which the ſame ſhall be made and ſtamped; and ſuch Tokens for the Sum of One Shilling and Sixpence being intended to contain the ſame Impreſſion, Words, and Letters on the Obverſe Side thereof as upon the ſaid Token for Five Shillings and Sixpence, and on the Reverſe Side thereof the following Words and Figures, *videlicet*, "Bank Token, 1 s. 6D." with the Addition of the Year in which the ſame ſhall be coined or ſtamped: And whereas, for the Security of the Public, it is expedient to prevent the counterfeiting of the ſaid reſpective Tokens: Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal,

Deſcription of Tokens to be iſſued by the Bank.

poral,

poral, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, make, coin, or counterfeit, or cauſe or procure to be made, coined, or counterfeited, or willingly act or aſſiſt in the making, coining, or counterfeiting any Token or Tokens, reſembling, or made with Intent to reſemble or look like any of the ſaid reſpective Tokens, ſo as aforeſaid intended to be made and ſtamped and iſſued, and circulated by the ſaid Governor and Company of the Bank of *England*, or with Intent to paſs as ſuch, every Perſon ſo offending, and being thereof convicted by due Courſe of Law, ſhall be deemed and adjudged to be guilty of Felony, and ſhall be tranſported for any Term of Years not exceeding Seven Years.

Perſons counterfeiting ſuch Tokens to be tranſported:

II. And be it further enacted, That if any Perſon or Perſons ſhall from and after the paſſing of this Act bring into the ſaid United Kingdom any ſuch falſe or counterfeit Token or Tokens as aforeſaid, reſembling or made with Intent to reſemble or look like the ſaid reſpective Tokens ſo as aforeſaid intended to be made, and ſtamped, and iſſued, and circulated by the ſaid Governor and Company of the Bank of *England*, or with Intent to paſs as ſuch Tokens reſpectively, knowing the ſame to be falſe or counterfeited, to the Intent to utter the ſame within the ſaid United Kingdom, or within any Dominions of the ſame, every Perſon ſo offending and being thereof convicted by due Courſe of Law ſhall be deemed and adjudged to be guilty of Felony, and ſhall be tranſported for any Term of Years not exceeding Seven Years.

As alſo Perſons bringing ſuch counterfeit Tokens into the Kingdom.

III. And be it further enacted, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, utter, offer, or tender in Payment, or give in Exchange, or pay, or put off to any Perſon or Perſons, any ſuch falſe or counterfeit Token or Tokens as aforeſaid, reſembling, or made with Intent to reſemble or look like any of the ſaid reſpective Tokens ſo as aforeſaid intended to be made, and ſtamped, and iſſued, and circulated by the ſaid Governor and Company of the Bank of *England*, or with Intent to paſs as ſuch Tokens reſpectively, knowing the ſame to be falſe or counterfeited, every Perſon ſo offending, and being thereof convicted by due Courſe of Law, ſhall ſuffer Six Months Impriſonment, and find Sureties for his or her good Behaviour for Six Months more, to be computed from the End of the ſaid firſt Six Months; and if the ſame Perſons ſhall afterwards be convicted a Second Time for the like Offence of uttering, offering, or tendering in Payment, or giving in Exchange, or paying, or putting off any ſuch falſe or counterfeit Token or Tokens as aforeſaid, knowing the ſame to be falſe or counterfeit, ſuch Perſons ſhall for ſuch Second Offence ſuffer Two Years Impriſonment, and find Sureties for his or her good Behaviour for Two Years more, to be computed from the End of the ſaid firſt Two Years; and if the ſame Perſon ſhall afterwards offend a Third Time in uttering, offering, or tendering in Payment, or giving in Exchange, or paying or putting off any ſuch falſe or counterfeited Token or Tokens as aforeſaid, knowing the ſame to be falſe or counterfeited, and ſhall by due Courſe of Law be convicted of ſuch Third Offence, he or ſhe ſhall be adjudged to be guilty of Felony, and ſhall be tranſported for the Term of Fourteen Years.

Vending ſuch Tokens to be puniſhed by Impriſonment, &c.

IV. And be it further enacted, That if any Perſon or Perſons ſhall be convicted of uttering, offering, or tendering in Payment, any ſuch falſe or counterfeit Token or Tokens as aforeſaid, and ſhall afterwards be guilty of the like Offence in any other County, City, Diſtrict, or Place, the Clerk of the Aſſize, or Clerk of the Peace for the County, City, Diſtrict, or

Certificate of a former Conviction in another Place ſufficient Proof.

or Place where such former Conviction shall have been had, shall, at the Request of the Prosecutor, or any other on His Majesty's Behalf, certify the same by a Transcript in few Words, containing the Effect and Tenor of 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.

Penalty on Persons having more than Five counterfeit Tokens in his Possession.

V. And be it further enacted, That if any Person or Persons shall have in his, her, or their Custody, without lawful Excuse (the Proof whereof shall lie upon the Party accused), any greater Number than Five of such false or counterfeit Tokens as aforesaid, or resembling, or made with Intent to resemble or look like any of the said Tokens respectively so as aforesaid intended to be coined or stamped, and issued and circulated by the said Governor and Company of the Bank of *England*, or with Intent to pass as such, every such Person being thereof convicted upon the Oath of One or more credible Witness or Witnesses before One of His Majesty's Justices of the Peace, shall forfeit and lose all such false and counterfeit Tokens, which shall be cut in Pieces and destroyed by Order of such Justice; and every Offender so convicted as aforesaid shall for every such Offence forfeit and pay any Sum of Money not exceeding Five Pounds, nor less than Forty Shillings, for every such false or counterfeit Token respectively which shall be found in the Custody of such Person, One Moiety to the Informer or Informers, and the other Moiety to the Poor of the Parish where such Offence shall be committed; and in case any such Penalty shall not be forthwith paid, it shall be lawful for such Justice to commit the Person who shall be adjudged to pay the same to the Common Gaol or House of Correction, there to be kept to hard Labour for the Space of Three Calendar Months, or until such Penalty shall be paid.

Suspected Houses may be searched, and Tools and Counterfeit Tokens seized.

VI. And be it further enacted, That it shall and may be lawful to and for any One Justice of the Peace, on Complaint made before him, upon the Oath of One credible Witness, that there is just Cause to suspect that any One or more Person or Persons is or are, or hath or have been, concerned in making or counterfeiting such false or counterfeit Token or Tokens as aforesaid, resembling or made with an Intent to resemble or look like any of the said Tokens respectively, so as aforesaid intended to be made or stamped, and issued and circulated by the said Governor and Company of the Bank of *England*, or with Intent to pass as such, by Warrant under the Hand of such Justice, to cause the Dwelling-house, Room, Workshop, Outhouse, or other Building, Yard, Garden, or other Place belonging to such suspected Person or Persons, or where any such Person or Persons shall be suspected to carry on any such making or counterfeiting, or to secrete any such counterfeit Tokens respectively, or the Tools or Implements for counterfeiting or making such false or counterfeit Tokens respectively as aforesaid, or the Materials for making or stamping the same, to be searched for such counterfeit Tokens, Materials, Tools, and Instruments respectively; and if any such false or counterfeit Token or Tokens, or any such Tools or Instruments, or any such Materials for making or stamping any such false or counterfeit Tokens, shall be found in any Place so searched, or if any such Tools, Implements, or Materials shall be found in the Custody or Possession of any Person or Persons whomsoever, not having the same by some lawful Authority, it shall and may be lawful to and for any Person or Persons whatsoever discovering the same, to seize, and he and they are hereby authorized and required to seize such false or counterfeit Token or Tokens, Tools, Implements, and Materials,

and carry the ſame forthwith to a Juſtice of the Peace of the County, City, Diſtrict, or Place where the ſame ſhall be ſeized, who ſhall cauſe the ſame to be ſecured and produced in Evidence againſt any Perſon or Perſons who ſhall or may be proſecuted for any of the Offences aforeſaid, in ſome Court of Juſtice proper for the Determination thereof, and after ſuch Time as any ſuch falſe or counterfeit Token or Tokens as aforeſaid, or any ſuch Tools, Implements, or Materials ſhall have been produced in Evidence as aforeſaid, as well ſo much and ſuch Parts thereof as ſhall have been ſo produced as every other Part thereof ſo ſeized, and not made uſe of in Evidence, ſhall forthwith by Order of the Court where ſuch Offender or Offenders ſhall be tried, or by Order of ſome Juſtice of the Peace, in caſe there ſhall be no ſuch Trial, be defaced or deſtroyed, or otherwiſe diſpoſed of, as ſuch Court or ſuch Juſtice ſhall direct.

Proceedings not to be quaſhed for want of Form.

VII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender againſt this Act before any Juſtice of the Peace ſhall be quaſhed 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*.

Limitation of Actions.

VIII. And be it further enacted, That no Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done in purſuance or under Colour of this Act, until Fourteen Days Notice thereof ſhall be firſt given in Writing, to the Perſon or Perſons againſt whom the ſame is intended to be brought or commenced; nor ſhall any ſuch Action or Suit be brought or commenced after ſufficient Satisfaction or Tender of Amends ſhall be made or tendered to the Party or Parties aggrieved; and every ſuch Action or Suit ſhall be commenced within Three Calendar Months after the Fact committed and not afterwards, and ſhall be brought in the County, City, or Place where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſo to be brought 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 it ſhall appear to be ſo done, or if any ſuch Action or Suit ſhall be brought or commenced before Fourteen Days Notice ſhall be given thereof as aforeſaid, or after ſufficient Satisfaction or Amends was made or tendered as aforeſaid, or after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then and in every ſuch Caſe, the Jury ſhall find for the Defendant or Defendants, and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action, 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 ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

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