ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. L.

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*.

[5th *May* 1812.]

WHEREAS 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* 51 G. 3. c. 127.

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.

II. 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.

Indictments not to be traverſed.

III. 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.

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

IV. 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.

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

V. 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 herein shall be deemed and adjudged guilty of a Misdemeanor, and being thereof convicted by due Course 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.

VI. 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

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 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 pounding, 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 shall be 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.

Bank of England Notes in Great Britain, and Bank of Ireland Notes in Ireland, to be good Payment to Officers of any Court, or by Officers out of any Court on any Process.

VII. 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, 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, deemed, 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.

VIII. And

VIII. 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 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.

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

IX. 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.

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

X. 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*.

Offences committed in Scotland how to be punished.

Continuance of Act.

XI. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1812.