ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

****

C A P. XI.

An Act for appointing Commissioners to inquire as to the Issue, Receipt, Circulation, and Possession of certain forged Exchequer Bills.

[22d *April* 1842.]

WHEREAS certain Documents purporting to be Exchequer Bills have been presented at the Exchequer for Examination, and have been there detained as forged, and there is Reason to believe that other forged and fraudulent Documents purporting to be Exchequer Bills have been put into circulation, and are now holden by divers Persons, who claim to have become possessed thereof *bonâ fide*, and for a full and valuable Consideration: And whereas it is highly expedient for the Public Service that an Inquiry should be made by Commissioners, to be specially appointed for that Purpose, into the Manner whereby such Documents were made and issued, and in which the same came into the Possession of the Parties by whom they may now be holden: Be it enacted by the Queen'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 Right Honourable *William* Earl of *Devon*, *Henry John Stephen* Esquire, Serjeant at Law, and *Robert Mitford* Esquire, be constituted and appointed

Commissioners to be appointed.

appointed Commissioners of Inquiry for the Purpose of this Act; and in case of the Death, Resignation, Refusal, or becoming incapable to act of any of the said Commissioners, then and as often as the same shall happen it shall be lawful for Her Majesty, by a Commission under the Great Seal of *Great Britain*, to constitute and appoint a Person to be a Commissioner of Inquiry for the Purposes of this Act in the Place of the Commissioner so dying, resigning, refusing, or becoming incapable to act.

Commissioners to be sworn.

II. And be it enacted, That every Commissioner appointed in pursuance of this Act shall, before beginning to act in the Execution of the Commission, take the following Oath before the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, or the Lord Chief Baron of the Court of Exchequer; (that is to say,)

'I *A.B.* do swear, That I will truly and faithfully execute the Powers and Trusts vested in me by an Act, intituled [*here set forth the Title of this Act*], according to the best of my Knowledge and Judgment. So help me GOD.'

Secretary and Clerks to be appointed.

III. And be it enacted, That the said Commissioners shall have Power to appoint, and at their Pleasure to dismiss, a Secretary, and so many Clerks, Messengers, and Officers as shall be thought necessary by the Commissioners of Her Majesty's Treasury.

Place of Meeting.

IV. And be it enacted, That the said Commissioners shall meet from Time to Time in some convenient Place or Places to be appointed for that Purpose, in *London* or *Westminster*, by the Commissioners of Her Majesty's Treasury; and the said Commissioners of Inquiry shall give Notice of their Appointment, and of their Place or Places of Meeting, in the *London Gazette*.

Inquiry by the Commissioners.

V. And be it enacted, That the said Commissioners shall, by all such lawful Means as to them may appear best, with a view to the Discovery of the Truth, inquire into the Case of every Owner or Holder of any of the Documents purporting to be Exchequer Bills which are mentioned and described in the Schedule hereunto annexed, and also any other such Documents as shall be referred to them by the Commissioners of Her Majesty's Treasury, and shall from Time to Time report to Her Majesty the Evidence which shall be taken by them, and what they shall find concerning the Manner of the Issue, Circulation, Deposit, or Possession of every such Document, and especially in what Manner the Owners or Holders of such Documents received the same, whether in exchange for other Bills, and if so, in what Manner such Exchange was made; or whether by Purchase in open Market or otherwise, and if so, at what Rate of Purchase; or whether by way of Deposit as Securities for Loans of Money, and if so, at what Rate of Interest, and for what Time such Loans were made, and whether such Loans were renewed, and if so, how often, and for what Time; and also, whether the Owners or Holders of such Documents received the same in the usual Course of Business, and whether they employed any and what Means of Inquiry into the

Genuineness of such Documents; and all other Matters and Things whereby, in the Opinion of the said Commissioners, the Truth may be better known touching the Premises.

Reports to be laid before Parliament.

VI. And be it enacted, That every Report which the said Commissioners shall make to Her Majesty in pursuance of this Act, with the Exception of any Part of the Evidence which the Commissioners of Her Majesty's Treasury may deem it essential for the Public Interest to withhold, shall be laid before Parliament within One Calendar Month next after such Report shall be made, if Parliament shall then be sitting, or if not, then within One Calendar Month next after the then next Meeting of Parliament.

Power to send for Persons, Papers, &c.

VII. And be it enacted, That the Commissioners to be appointed in pursuance of this Act shall be authorized, by a Summons under their Hands and Seals, or under the Hand and Seal of any One of them, to require the Attendance before them, at a Time mentioned in the Summons, of any Person or Persons whomsoever, competent, or whom the said Commissioners shall believe to be competent, to give Evidence upon any Question depending before them, and require all Persons to bring before them such Books, Papers, Deeds, and Writings relating thereunto, as shall be necessary for carrying into execution the Purposes of this Act; all which Persons shall be required to attend the said Commissioners according to the Tenor of the Summons; provided that no Person shall be compellable to answer any Question, or to produce any Book, Paper, Deed, or Writing, the Answer to which or the Production of which may criminate or tend to criminate such Person, or to expose such Person to any Pains or Penalties.

No Person compellable to answer any criminating Question.

Commissioners may give any Person a Certificate of his having made a true Disclosure of the Matters examined upon; which shall be a full Indemnification and Discharge.

VIII. Provided always, and be it enacted, That it shall be lawful for the said Commissioners, at their Discretion, to give to any Person examined before them a Certificate in Writing, stating that such Person has upon his or her Examination made a true and faithful Disclosure touching all Acts or Matters to which he or she has been so examined; and such Person so receiving such Certificate shall be and is hereby freed, indemnified, and discharged of, from, and against all penal Actions, Forfeitures, Punishments, Disabilities, Incapacities, and all Criminal Prosecutions which he or she may have been or may become liable or subject to, or which he or she may have incurred or may incur, at the Suit of Her Majesty, Her Heirs or Successors, or any other Person or Persons, for or by reason or means of or in relation to any Act, Matter, or Thing done or committed by such Person in respect of any Matter touching which he or she shall have been examined by the said Commissioners.

Writs of Habeas Corpus may be granted for bringing up Persons in Custody to be examined.

IX. And whereas it is expedient to make Provision for bringing Persons detained in Custody under Civil or Criminal Process to be examined before the said Commissioners touching such Things as are necessary for the Execution of the Powers vested in them by this Act; be it enacted, That from and after the passing of this Act it shall be lawful for any Judge of Her Majesty's Superior Courts of Common Law at *Westminster*, at his Discretion, upon the Certificate

Certificate of such Commissioners, or any Two of them, that the Evidence of any such Person is necessary to the effective Prosecution of the Inquiries, or some of them, directed by this Act, to award a Writ or Writs of Habeas Corpus for bringing any Prisoner or Prisoners detained in any Gaol or Prison in *England* before the said Commissioners of Inquiry, to be by them examined touching the Matters aforesaid.

Commissioners to examine on Oath.

X. And be it enacted, That the said Commissioners, or One of them, shall administer an Oath, or, in the Case of Persons allowed by Law to make Affirmation instead of taking an Oath, an Affirmation, to all Persons who shall be examined before them.

Penalty for Non-attendance or refusing to give Evidence.

XI. And be it enacted, That if any Person upon whom any such Summons shall be served by the Delivery thereof to him or her, or by the leaving thereof at his or her usual Place of Abode, shall without reasonable Cause, to be allowed by the said Commissioners of Inquiry, fail to appear before them at the Time and Place mentioned in the Summons, or shall refuse to be sworn or make Affirmation, (as the Case may be,) or shall not make answer to such Questions as shall be put to him or her touching any Matter depending before the said Commissioners, or shall refuse or fail without reasonable Cause (to be allowed by the said Commissioners) to produce and show to the said Commissioners any such Books, Papers, Deeds, and Writings, relating to any Matter depending before them as shall be required by them as aforesaid, the said Commissioners, or the major Part of them, shall have such and the like Authority and Powers in all respects touching any such Person so failing to appear, or refusing to be sworn or to make Affirmation, or not answering such Questions as shall be put to him or her, or refusing to produce any such Books, Papers, Deeds, or Writings as aforesaid, as any of the Superior Courts in *Westminster Hall*, or any Judge of the said Courts, may now by Law exercise against any Person for making default of Appearance, or for refusing to be sworn or give Evidence, on any Issue joined in any Action depending in any of the said Courts.

Penalty for false swearing.

XII. And be it declared and enacted, That every Person who upon Examination upon Oath or Affirmation before the said Commissioners of Inquiry shall wilfully give false Evidence shall be liable to the Pains and Penalties of Perjury.

Limitation of Actions.

XIII. And be it enacted, That no Action shall be brought against the said Commissioners or either of them, or any other Person or Persons whomsoever, for any Thing done in the Execution of this Act, unless such Action shall be brought within Six Calendar Months next after the doing of such Thing.

Act may be amended or repealed.

XIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHE-

SCHEDULE to which this Act refers.

STATEMENT of Instruments purporting to be Exchequer Bills for £1,000 each presented at the Office of the Comptroller General of the Exchequer for Examination, and detained.

No. of Receipt.	Name of Party.	Numbers.		Act.	Total N°.	Total Amount.
1.	Chief Cashier of Bank of England	5.	No. 8,319 @ 8,323	3 & 4 Vict. c. 106.	16	£ 16,000
		1.	No. 8,384 - -			
		7.	No. 6,498 @ 6,504	4 Vict. c. 19. -		
		1.	No. 7,065 - -			
		2.	Nos. 7,104. 7,105			
2.	Samuel Steward -	3.	No. 6,495 @ 6,497	Do. - -	3	3,000
3.	Benjamin Cole -	1.	No. 8,284 - -	3 & 4 Vict. c. 106.	1	1,000
4.	Mr. Hensley -	5.	No. 7,058 @ 7,062	4 Vict. c. 19. -	*	*
5.	D. N. Henriques -	1.	No. 8,283 - -	3 & 4 Vict. c. 106.	1	1,000
6.	J. Lawford -	1.	No. 8,445 - -	Do. - -	1	1,000
7.	Stone, Martin, & Co.	1.	No. 7,102 - -	4 Vict. c. 19. -	1	1,000
8.	James Anderson -	13.	No. 8,388 @ 8,400	3 & 4 Vict. c. 106.	13	13,000
9.	G. Fournier -	1.	No. 7,071 - -	4 Vict. c. 19. -	1	1,000
10.	H. Maynard -	1.	No. 7,073 - -	Do. - -	1	1,000
11.	W. Townsend, for Lewis Levi -	3.	No. 8,437 @ 8,439	3 & 4 Vict. c. 106.	3	3,000
12.	C. Sherman -	15.	No. 6,474 @ 6,488	4 Vict. c. 19. -	17	17,000
		2.	Nos. 8,440. 8,441	3 & 4 Vict. c. 106.		
13.	J. P. Vickery -	5.	Nos. 6,416. 6,420 -	4 Vict. c. 19. -	5	5,000
14.	T. Margrave, through G. Fournier -	1.	No. 8,403 - -	3 & 4 106.	1	1,000
15.	T. Browne -	2.	Nos. 8,381. 8,382	„ „	2	2,000
16.	Messrs. Price & Co.	4.	8,386 & 8,387 -	„ „	26	26,000
			8,470 & 8,471 -			
		21.	No. 7,910 @ 7,930	„ „		
		1.	No. 7,096 - -	4 19.		
Other Receipts	Bank of England -	2.	Nos. 8,307. 8,308 -	3 & 4 Vict. c. 106.	60	60,000
		4.	No. 7,052 @ 7,055	4 19.		
		1.	No. 7,069 - -	„ „		
		1.	No. 7,067 - -	„ „		
		1.	No. 7,097 - -	„ „		
		10.	No. 6,434 @ 6,443	„ „		
		2.	Nos. 8,401. 8,402	3 & 4 106.		
		2.	Nos. 8,404. 8,405	„ „		
		4.	No. 8,407 @ 8,410	„ „		
		1.	No. 7,070 - -	4 19.		
		1.	No. 7,098 - -	„ „		
		1.	No. 8,379 - -	3 & 4 106.		
		1.	No. 8,385 - -	„ „		
		1.	No. 8,406 - -	„ „		
		5.	No. 8,412 @ 8,416	„ „		
		8.	No. 8,429 @ 8,436	„ „		
		6.	No. 8,457 @ 8,462	„ „		
		1.	No. 8,411 - -	„ „		
		1.	No. 8,463 - -	„ „		
		3.	No. 8,304 @ 8,306	„ „		
		1.	No. 7,066 - -	4 19.		
		3.	No. 7,099 @ 7,101			

* £5,000 paid into the Bank of England as Part of the Scrip, and included in the Bills received by the Paymasters of Exchequer Bills

Name of Party.	Numbers.		Act.	Total N°.	Total Amount.
					£
The Paymasters of Exchequer Bills	3.	No. 8,275 @ 8,277	3 & 4 Vict. c. 106.	33	33,000
	12.	No. 8,417 @ 8,428	" "		
	5.	No. 7,058 @ 7,062	4 19.		
	1.	No. 7,072 - -	" "		
	2.	Nos. 7,074. 7,075	" "		
	3.	No. 7,083. 7,085 -	" "		
	7.	No. 7,087. 7,093 -	" "		
James Capel (Coutts & Co.)	5.	No. 8,278 @ 8,282	3 & 4 106.	51	51,000
	3.	No. 8,374 @ 8,376	" "		
	1.	No. 8,446 - -	" "		
	1.	No. 6,414 - -	4 19.		
	9.	No. 6,424 @ 6,432	" "		
	14.	No. 6,446 @ 6,459	" "		
	9.	No. 6,465 @ 6,473	" "		
	4.	No. 6,489 @ 6,492	" "		
	1.	No. 7,057 - -	" "		
	2.	No. 7,063. 7,064 -	" "		
	2.	No. 7,094. 7,095 -	" "		
				236	236,000

A SIMILAR STATEMENT of INSTRUMENTS presented on 27th Oct^r 1841, and returned to the Parties with a Notification that they did not coincide with the Counterfoils.

Name of Party.	Numbers.		Act.	Total N°.	Total Amount.
Sir Jas. Shaw, B^t. -	3.	No. 8,271 @ 8,273	3 & 4 Vict. c. 106.		
	4.	No. 8,300 @ 8,303			
	5.	No. 8,314 @ 8,318			
	10.	No. 8,354 @ 8,363			
	3.	No. 8,442 @ 8,444			
	9.	N°. 8,447 @ 8,455			
	1.	No. 8,456 - -			
	5.	No. 7,077 @ 7,081	4 19.	40	40,000
Messrs. Ransom & Co.	15.	No. 8,285 @ 8,299	3 & 4 Vict. 106.	21	21,000
	6.	No. 8,464 @ 8,469			
				61	£61,000

A SIMILAR

A SIMILAR STATEMENT of INSTRUMENTS reported by the Parties to the Comptroller General, Duplicates of which have been verified as genuine.

	Name of Party.	Numbers.		Act.	Total N°.	Total Amount.
						£
	Commercial Bank of London -	5.	8,364 @ 8,368 -	3 & 4 Vict. c. 106.	10	10,000
		4.	8,370 @ 8,373 -			
		1.	7,103 - -	4 19.		
	H. Darvill, for Z. Nash - -	1.	7,076 - -	4 19.	2	2,000
		1.	7,082 - -			
	J. W. Scott - -	1.	8,380 - -	3 & 4 106.	2	2,000
		1.	7,056 - -	4 19.		
					14	£14,000

A STATEMENT of INSTRUMENTS purporting to be EXCHEQUER BILLS for £1,000 each, deposited at the TREASURY by MR. DE BERCHEM.

No. of Bills.	Numbers.	Amount.	Act.
5.	8,309 to 8,313 (inclusive) -	£1,000 each -	3 & 4 Vict. c. 106.
30.	8,324 to 8,353 - -		
1.	8,383 - - -		
1.	6,415 - - -		
1.	6,494 - - - -		
10.	6,404 to 6,413 - -	£1,000 each -	4 Vict. c. 19.
1.	6,433 - - -		
5.	6,460 to 6,464 - -		

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1842.