

ANNO PRIMO

VICTORIÆ REGINÆ.

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by the said Act further enacted, that in the Case of every Felony punishable under that Act every Principal in the Second Degree, and every Accessary before the Fact, should be punishable with Death or otherwise in the same Manner as the Principal in the First Degree was by that Act punishable: And whereas by an Act passed in the Second and Third Years of His late Majesty's Reign, intituled *An Act to transfer the Management of certain Annuities on Lives from the Receipt of His Majesty's Exchequer to the Management of the Commissioners for the Reduction of the National Debt, and to amend an Act for enabling the said Commissioners to grant Life Annuities, and Annuities for Terms of Years*, it was amongst other things enacted, that if any Person should forge, counterfeit, or alter, or should cause or procure to be forged, counterfeited, or altered, or should knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Declaration, Warrant, Order, or other Instrument, or any Affidavit or Affirmation required to be made by that Act, or by the Commissioners for the Reduction of the National Debt, under any of the Provisions of that Act, or under any Authority given to them for that Purpose; or should forge, counterfeit, or alter, or should cause or procure to be forged, counterfeited, or altered, or should knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Certificate or Order of any Officer of the Commissioners for the Reduction of the National Debt, or the Name or Names of any Person or Persons in or to any Transfer of any Annuity, or in or to any Certificate, Order, Warrant, or other Instrument for the Payment of Money for the Purchase of any Annuity under the Provisions of that Act, or in or to any Transfer or Acceptance of any such Annuity in the Books of the Commissioners for the Reduction of the National Debt, or in or to any Receipt or Discharge for any such Annuity, or in or to any Receipt or Discharge for any Payment or Payments due or to become due thereon, or in or to any Letter of Attorney or other Authority or Instrument to authorize or purporting to authorize the Transfer or Acceptance of any Annuities or any Life Annuity of whatsoever Kind, or authorizing or purporting to authorize the Receipt of any Life Annuity of whatsoever Kind, granted under any of the Acts therein recited or that Act, or any Payment or Payments due or to become due thereon; or if any Person should wilfully, falsely, and deceitfully personate any true and real Nominee or Nominees, or should wilfully utter, or deliver or produce to any Person or Persons acting under the Authority of that Act, any forged Register or Copy of Register of any Birth, Baptism, or Marriage, or any forged Declaration, Affidavit, or Affirmation, knowing the same to be forged, counterfeited, or altered, with Intent to defraud His Majesty, His Heirs and Successors, or with Intent to defraud any Person or Persons whomsoever; then and in every such Case all and every Person or Persons so offending, and being lawfully convicted thereof, should be adjudged guilty of Felony, and suffer Death: And whereas by another Act passed in the said last-mentioned Years of His late Majesty's Reign, intituled *An Act for abolishing the Punishment of Death in certain Cases of Forgery*, it was amongst other things enacted, that notwithstanding any thing therein-before contained that Act should not be construed to affect or alter the said recited Act of the First Year of His late Majesty, or any

2 & 3 W. 4. c. 59.

2 & 3 W. 4. c. 123.

any other Act or Law then in force, so far as the same might authorize the Punishment of Death to be inflicted upon any Person convicted either in *England*, *Scotland*, or *Ireland* of forging or altering, or of offering, uttering, or disposing of, knowing the same to be forged or altered, any Will, Testament, Codicil, or Testamentary Writing, with Intent to defraud any Body Corporate or Person whatsoever, or of forging or altering, or of uttering knowing the same to be forged or altered, any Power of Attorney or other Authority to transfer any Share or Interest of or in any Stock, Annuity, or other Public Fund which then was or thereafter might be transferrable at the Bank of *England* or *South Sea* House, or at the Bank of *Ireland*, or to receive any Dividend payable in respect of any such Share or Interest, with Intent to defraud any Body Corporate or Person whatsoever, or of procuring, aiding, or assisting in the Commission of any of the said Offences, but that the Punishment for each and every of the said Offences, and for the procuring, aiding, or assisting in the Commission thereof, should continue to be the same as if the Act now in recital had not been passed: And whereas by another Act passed in the said Second and Third Years of His late Majesty's Reign, intituled *An Act for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes and in the Manner therein mentioned, and for giving Relief to* Trinidad, British Guiana, *and* Saint Lucie, it was amongst other things enacted, that if any Person or Persons should forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Certificate or Certificates of the Commissioners by the said Act now in recital appointed as therein mentioned, or any of them, or any Receipt or Receipts to be given by the Cashier or Cashiers of the Governor and Company of the Bank of *England* in pursuance of that Act, or should wilfully deliver to the Auditor of the Receipt of His Majesty's Exchequer for the Time being, or to any Officer appointed by him, or to the said Commissioners by that Act appointed, or any of them, or to any Officer or Officers appointed by them or any of them, in the Execution of the Powers of that Act, or should utter, any such forged, counterfeited, or altered Certificate or Certificates, Receipt or Receipts, knowing the same to be forged, counterfeited, or altered, with Intent to defraud His Majesty, His Heirs or Successors, or any Body or Bodies Politic or Corporate, or any Person whomsoever, then and in every such Case all and every Person or Persons so offending, and being thereof lawfully convicted, should be adjudged guilty of Felony, and should suffer Death as in Cases of Felony: And whereas by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty, intituled *An Act to carry into further Execution the Provisions of an Act passed in the Third and Fourth Years of His present Majesty, for compensating Owners of Slaves upon the Abolition of Slavery*, it was amongst other things enacted, that if any Person or Persons should forge or counterfeit, or cause or procure to be forged or counterfeited, or should willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the Whole of or any Part or Parts of the Contributions towards the Sum of Fifteen Millions, in the said Act now in recital mentioned to be Part of a Sum of Twenty Millions authorized

2 & 3 W. 4. c. 125.

5 & 6 W. 4. c. 45.

rized to be raised by the said Act of the Third and Fourth Years of His late Majesty's Reign, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, Payer or Payers thereof, or of any Part or Parts thereof, or any Certificate or other Instrument to be issued by the Commissioners for the Reduction of the National Debt, or should alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, Certificate or Certificates, Instrument or Instruments, with Intent to defraud the Governor and Company of the Bank of *England*, or the Commissioners for the Reduction of the National Debt, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due Form of Law, should be adjudged guilty of Felony, and should suffer Death as a Felon, without Benefit of Clergy: And whereas by another Act passed in the said Fifth and Sixth Years of His late Majesty's Reign, intituled *An Act for granting Relief to the Island of* Dominica, *and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes therein mentioned*, it was amongst other things enacted, that all and every the several Clauses, Powers, Provisions, Enactments, Penalties, and Restrictions in the said herein-before recited and lastly herein-before mentioned Act of the Second and Third Years of His late Majesty contained, so far as the same could be made applicable and were not varied by the said Act now in recital, should be taken to extend to that Act, and to every thing to be done in pursuance of that Act, and as if all such Clauses, Powers, Provisions, and Enactments were therein repeated and made applicable to the said Island of *Dominica*, and to the Loans and Grants to be made in pursuance of the said Act now in recital, and to every Matter and Thing to be done in pursuance of that Act: And whereas the said lastly herein-before mentioned Act of the Second and Third Years of His late Majesty (so far as the same is herein-before recited) is applicable to and in nowise varied by the said lastly herein-before recited Act: And whereas it is expedient that none of the herein-before mentioned Offences should henceforth be punishable with Death: Be it therefore 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 if any Person shall after the Commencement of this Act be convicted of any of the Offences herein-before mentioned, such Person shall not suffer Death, or have Sentence of Death awarded against him or her for the same, but shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

5 & 6 W. 4. c. 51.

Persons convicted of any of the Offences herein-before mentioned to be liable to be transported.

So much of 2 & 3 W. 4. c. 123.

II. And whereas by the said recited Act of the Second and Third Years of His late Majesty's Reign, for abolishing the Punishment of Death in certain Cases of Forgery, Persons convicted of the Forgeries and

and other Offences connected therewith therein respectively referred to are liable to be transported beyond the Seas for Life: And whereas by an Act passed in the Third and Fourth Years of the same Reign, intituled *An Act for the Management of the Customs*, it was amongst other things enacted, that if any Person or Persons should knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of the Customs, or of any Comptroller General of the Customs, or of any Person acting for them respectively as aforesaid, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England*, on account of the Receiver General of the Customs; or should forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any Draft, Instrument, or Writing in Form of a Draft made by such Receiver General or Person as aforesaid, or should utter or publish any such, knowing the same to be forged or counterfeited, with an Intention to defraud any Person whomsoever; every such Person or Persons so offending, being thereof lawfully convicted, should be and was and were thereby declared and adjudged to be guilty of Felony, and should be transported beyond the Seas for Life: And whereas by an Act passed in the Fourth Year of the same Reign, intituled *An Act to repeal so much of Two Acts of the Seventh and Eighth Years and Ninth Year of King* George *the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases*, Persons punishable by Transportation for Life under the said recited Act of the Second and Third Years of His late Majesty's Reign, for abolishing the Punishment of Death in certain Cases of Forgery, are liable, previously to their being transported, in case the Court before whom such Persons shall be convicted shall think fit, to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, or to be confined in the Penitentiary, for any Term not exceeding Four Years nor less than One Year: And whereas it is expedient to repeal the said Three lastly herein-before in part recited Acts, so far as relates to the Punishment of Persons liable to be transported for Life, in order that a more discretionary Punishment may be substituted for the same; be it therefore enacted, That so much of the said Three lastly herein-before in part recited Acts as relates to the Punishment of Persons convicted of Offences for which they are liable under the said Act of the Second and Third Years or the said Act of the Third and Fourth Years respectively of His late Majesty's Reign to be transported for Life shall, from and after the Commencement of this Act, be and the same is hereby repealed; and that from and after the passing of this Act every Person convicted of any of such Offences shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Person, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

3 & 4 W. 4. c. 51. s. 27. and 3 & 4 W. 4. c. 44., as relates to the Punishment of certain Offences, repealed; and such Offences to be punished by Transportation for Life or for Years.

Persons convicted of Offences punishable by Imprisonment may be kept to hard Labour and to solitary Confinement.

III. And be it enacted, That when any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded it shall be lawful for the Court to sentence the Offender to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect Powers of 5 & 6 W. 4. c. 38. and 4 G. 4. c. 64.

IV. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, or in an Act made and passed in the Fourth Year of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales.

Commencement of Act.

V. And be it further enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

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