

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CXXXIX.

An Act for preventing the forging and counterfeiting of Foreign Bills of Exchange, and of Foreign Promiſſory Notes and Orders for the Payment of Money; and for preventing the counterfeiting of Foreign Copper Money.

[11th *Auguſt* 1803.]

WHEREAS the Practice of forging and counterfeiting Foreign Bills of Exchange, Foreign Promiſſory Notes, and Foreign Orders for Payment of Money, hath of late greatly increaſed, and Plates of ſuch Bills, Notes, and Orders, have been in ſome Inſtances engraven within the United Kingdom of *Great Britain* and *Ireland*, whereby

whereby such Forgeries have been more easily committed; and it is expedient that effectual Provision should be made for the preventing of the same: May it therefore please Your Majesty that it may be enacted, and be it 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 if any Person from and after the passing of this Act shall, within any Part of the United Kingdom of *Great Britain* and *Ireland*, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or knowingly aid or assist in the false making, forging, or counterfeiting, any Bill of Exchange, or any Promissory Note, Undertaking, or Order for the Payment of Money, purporting to be the Bill of Exchange, Promissory Note, Undertaking, or Order for the Payment of Money, of any Foreign Prince, State, or Country whatsoever, or of any Minister or Officer entrusted by or employed in the Service of any Foreign Prince, State, or Country, or of any Person, or Company of Persons resident in any Foreign State or Country, or of any Body Corporate and Politick, and Body in the Nature of a Body Corporate and Politick, created or constituted by any Foreign Prince or State, with Intent to deceive or defraud His Majesty, His Heirs and Successors, or any such Foreign Prince, State, or Country, or with Intent to deceive or defraud any Person or Company of Persons whomsoever, or any Body Corporate and Politick, or Body in the Nature of a Body Corporate and Politick whatsoever, whether the same be respectively resident, carrying on Business, constituted or being in any Part of the United Kingdom, or in any Foreign State or Country; and whether such Bill of Exchange, Promissory Note, or Order be in the *English* Language, or in any Foreign Language or Languages, or partly in One and partly in the other; or if any Person from and after the passing of this Act shall, within any Part of the said United Kingdom, tender in Payment or in Exchange, or otherwise utter or publish as true, any such false, forged, or counterfeited Bill of Exchange, Promissory Note, Undertaking, or Order, knowing the same to be false, forged, or counterfeited, with Intent to deceive or defraud His Majesty, His Heirs and Successors, or any Foreign Prince, State, or Country, or any Person or Company of Persons, or any Body Corporate and Politick, or Body in the Nature of a Body Politick and Corporate as aforesaid, then every Person so offending shall be deemed and taken to be guilty of Felony, and being thereof lawfully convicted, shall be transported for any Term of Years not exceeding Fourteen Years.

Persons forging, *etc.* Foreign Bills of Exchange, *etc.* or tendering the same in Payment, guilty of Felony, and liable to be transported.

II. And be it further enacted, That no Person, from and after the passing of this Act, shall, within any Part of the United Kingdom of *Great Britain* and *Ireland*, engrave, cut, etch, scrape, or by any other Means or Devise, make or knowingly aid or assist in the engraving, cutting, etching, scraping, or by any other Means or Devise, making in or upon any Plate whatsoever, any Bill of Exchange, or any Promissory Note or Undertaking, or Order for the Payment of Money, purporting to be the Bill of Exchange, Promissory Note, Undertaking, or Order of any Foreign

Persons engraving Plates for Foreign Bills of Exchange, *etc* or printing them, without lawful Authority, to be deemed guilty of a Misdemeanour.

Foreign Prince, State, or Country, or of any Minister or Officer entrusted by or employed in the Service of any Foreign Prince, State, or Country, or of any Person, or Company of Persons, resident or being in any Foreign State or Country, or of any Body Corporate and Politick, or Body in the Nature of a Body Corporate and Politick, or constituted by any Foreign Prince or State, or any Part of any such Bill of Exchange, Promissory Note, Undertaking, or Order, without an Authority in Writing for that Purpose from such Foreign Prince, State, or Country, Minister or Officer, Person, Company of Persons, or Body Corporate and Politick, or Body in the Nature of a Body Corporate and Politick, or from some Person duly authorized to give such Authority, or shall within any Part of the said United Kingdom without such Authority as aforesaid, by Means of any such Plate, or by any other Device or Means make or print any such Foreign Bill of Exchange, Promissory Note, Undertaking, or Order for the Payment of Money, or any Part thereof, or knowingly, wilfully, and without lawful Excuse, (the Proof whereof shall lie upon the Party accused), have in his or her Custody any such Plate or Device, or any Impression taken from the same; and if any Person shall offend in any of the Cases aforesaid, he shall be deemed and taken to be guilty of a Misdemeanour and Breach of the Peace, and being thereof convicted according to Law, shall be liable for the First Offence to be imprisoned for any Time not exceeding Six Months, or to be fined or to be publickly or privately whipped, or to suffer One or more of the said Punishments, and for the Second Offence to be transported to any of His Majesty's Colonies or Plantations for the Term of Fourteen Years: Provided always, that nothing in this Act contained shall extend or be construed to extend in any Manner whatsoever to repeal or alter any Law or Statute now in force for the Prevention or Punishment of the Crime of Forgery in any Respect whatsoever within any Part of the said United Kingdom.

Act not to alter any Law in force for the Punishment of Forgery.

III. And be it further enacted, That if any Person from and after the passing of this Act shall within any Part of the said United Kingdom make, coin, or counterfeit any Kind of Coin not the proper Coin of this Realm, nor ordered by the Royal Proclamation of His Majesty, His Heirs or Successors, to be deemed and taken as current Money of this Realm, or any Part thereof, but resembling, or made with Intent to resemble any Copper Coin, or any other Coin made of any Metal or mixed Metals of less Value than the Silver Coin of such Foreign Prince, State, or Country respectively, or to pass as such Foreign Coin, then every Person so offending shall be deemed and taken to be guilty of a Misdemeanour and Breach of the Peace, and being thereof convicted according to Law, shall for the First Offence be imprisoned for any Time not exceeding One Year, and for the Second Offence be transported to any of His Majesty's Colonies or Plantations for the Term of Seven Years.

Persons counterfeiting Foreign Coin guilty of a Misdemeanour.

IV. 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

Persons against whom any Bill of Indictment is found not al-

lowed to traverſe the ſame to a ſubſequent Aſſizes.

any Offence againſt 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.

Certificates of former Convictions to be produced in Caſes where Perſons are tried for Second Offences.

V. And be it further enacted, That if any Perſon ſhall be convicted of any Offence againſt this Act, and ſhall afterwards be guilty of the like Offence in any other County, City, Town, or Place, the Clerk of the Aſſize, Clerk of the Peace, or Town Clerk, for the County, City, Town, 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, and the Hand Writing of ſuch Clerk of Aſſize, Clerk of the Peace, or Town Clerk thereto being proved ſhall be ſufficient Evidence of ſuch former Conviction.

Penalty on Perſons having more than Five Pieces of ſuch counterfeit Foreign Coin in their Poſſeſſion.

VI. And be it further enacted, That if any Perſon or Perſons ſhall have in his, her, or their Cuſtody, without lawful Excuſe, any greater Number of Pieces than Five Pieces of falſe or counterfeit Coin of any Kind or Kinds reſembling or made with Intent to reſemble any ſuch Copper or other Coin as aforeſaid, 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 Coin, which ſhall be cut in Pieces and deſtroyed by Order of ſuch Juſtice, and ſhall for every ſuch Offence forfeit and pay any Sum of Money not exceeding Forty Shillings nor leſs than Ten Shillings for every ſuch Piece of falſe or counterfeit Coin 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 any ſuch Juſtice to commit the Perſon who ſhall have been 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.

Houſes of ſuſpected Perſons may be ſearched, and counterfeit Coin ſeized, *etc.*

VII. 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 Perſon, 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 any ſuch falſe or counterfeited Foreign Coin as aforeſaid, 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, to be ſearched for

for any such false or counterfeit Coin, or for Tools or Implements for coining such false or counterfeit Coins, or for Materials for making or coining the same; and if any such false or counterfeit Coin, or any such Tools or Implements, or any such Materials for making any such false or counterfeit Coin, 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 Coin, Tools, Implements, and Materials, and to carry the same forthwith to a Justice of the Peace of the County, City, Town, 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 Coin, 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.

VIII. 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* or *Dublin*.

Limitation of Actions.

IX. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, then and in every such Case the said Action or Suit shall commence within Three Calendar Months after the Fact committed, and not afterwards, and shall be brought in the County, City, Town, 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 after the Time before limited for bringing the same, or shall be brought in any other County, City, Town, or Place, 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

General Issue.

Treble Costs. fendants 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.

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