

No. IV.

An Act for adopting and applying certain Acts of Parliament relating to Forgeries and an Act for abolishing the Punishment of Death in certain cases in New South Wales and its Dependencies and for making further provision therein. [16th July, 1833.]

IMPERIAL ACTS
ADOPTION.
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WHEREAS a certain Act of Parliament was passed in the first Preamble.
year of the reign of His present Majesty intituled "An Act 1 Wm. IV. c. 66.
"for reducing into one Act all such Forgeries as shall hereafter be
"punished with Death and for otherwise amending the Laws relative to
"Forgery" and a certain other Act of Parliament was passed in the
second and third years of the reign of His said Majesty intituled "An and 2 & 3 Wm. IV. c. 123.
"Act for abolishing the Punishment of Death in certain cases of
"Forgery" And whereas it is expedient to adopt the said recited Acts
of Parliament (except as hereinafter excepted) and to apply the same
in the administration of justice in the said Colony and its Dependencies
in like manner as other Laws of England are adopted and applied
Be it therefore enacted by His Excellency the Governor of New South
Wales

Imperial Acts Adoption.

Wales with the advice and consent of the Legislative Council thereof That the said recited Act of Parliament passed in the first year of the reign of His present Majesty and all and every clause provision and matter therein and thereby contained and enacted (excepting so much thereof as hath been altered by the said recited Act of Parliament passed in the second and third years of the reign of His said Majesty and as hereinafter is otherwise provided for) and also the said Act passed in the second and third years of the reign of His said Majesty and every clause provision and matter therein and thereby contained and enacted shall be and the same are hereby respectively adopted and directed to be applied in the administration of justice in the said Colony and its Dependencies in like manner as other Laws of England are therein applied.

Inserting false entry
in a registry of
baptism marriage
or burial.

2. And be it further enacted That if any person shall knowingly and wilfully insert or cause or permit to be inserted in any register of baptisms marriages or burials which hath been or shall be made or kept by the officiating Minister of any parish reputed parish district or chapelry in the Colony of New South Wales and its Dependencies any false entry of any matter relating to any baptism marriage or burial or shall forge or alter in any such register any entry of any matter relating to any baptism marriage or burial or shall utter any writing as and for a copy of an entry in any such register of any matter relating to any baptism marriage or burial knowing such writing to be false forged or altered or if any person shall utter any entry in any such register of any matter relating to any baptism marriage or burial knowing such entry to be false forged or altered or shall wilfully destroy deface or injure or cause or permit to be destroyed defaced or injured any such register or any part thereof or shall forge or alter or shall utter knowing the same to be forged or altered any license of marriage every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported 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.

or wilfully destroy-
ing or injuring such
register.

Felony.

Punishment.

Proviso as to the
correction of entries
by the officiating
Minister.

3. Provided always and be it further enacted That no officiating Minister of any parish reputed parish district or chapelry who shall discover any error in the form or substance of the entry in the register of any baptism marriage or burial respectively by him solemnized shall be liable to any of the penalties herein mentioned if he shall within one calendar month after the discovery of such error in the presence of the parent or parents of the child baptized or of the parties married or in the presence of two persons who shall have attended at any burial or in case of the death or absence of the respective parties aforesaid then in the presence of the churchwardens chapelwardens or of two respectable inhabitants of the parish reputed parish district or chapelry correct the entry which shall have been found erroneous according to the truth of the case by entry in the margin of the register wherein such erroneous entry shall have been made without any alteration or obliteration of the original entry and shall sign such entry in the margin and add to such signature the day of the month and year when such correction shall be made and such correction and signature shall be attested by the parties in whose presence the same are directed to be made as aforesaid.

4. And whereas copies of the registers of baptisms marriages and burials being signed and verified by the officiating ministers of every parish are directed by law to be transmitted to the Registrar of the Archdeacon's Court in the said Colony Be it therefore enacted That if any person shall knowingly and wilfully insert or cause to be inserted in any copy of any register so directed to be transmitted as aforesaid

Imperial Acts Adoption.

aforesaid any false entry of any matter relating to any baptism marriage or burial or shall forge or alter or shall utter knowing the same to be forged or altered any copy of any register so directed to be transmitted as aforesaid or shall knowingly or wilfully sign or verify any copy of any register so directed to be transmitted as aforesaid which copy shall be false in any part thereof knowing the same to be false every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported for the term of seven years or to be imprisoned for any term not exceeding two years nor less than one year.

5. Provided always and be it declared and enacted That where the forging or altering any writing or matter whatsoever or the offering uttering disposing of or putting off any writing or matter whatsoever knowing the same to be forged or altered is in this Act or in either of the said recited Acts of Parliament expressed to be an offence if any person shall in this Colony or its Dependencies forge or alter or offer utter dispose of or put off knowing the same to be forged or altered any such writing or matter in whatsoever place or country out of this Colony or its Dependencies whether under the dominion of His Majesty or not such writing or matter may purport to be made or may have been made and in whatever language or languages the same or any part thereof may be expressed every such person and every person aiding abetting or counselling such person shall be deemed to be an offender within the meaning of this Act and shall be punishable thereby in the same manner as if the writing or matter had purported to be made or had been made in this Colony or its Dependencies and if any person shall in this Colony or its Dependencies forge or alter or offer utter dispose of or put off knowing the same to be forged or altered any bill of exchange or any promissory note for the payment of money or any indorsement on or assignment of any bill of exchange or promissory note for the payment of money or any acceptance of any bill of exchange or any undertaking warrant or order for the payment of money or any deed bond or writing obligatory for the payment of money (whether such deed bond or writing obligatory shall be made only for the payment of money or for the payment of money together with some other purpose) in whatever place or country out of this Colony or its Dependencies whether under the dominion of His Majesty or not the money payable or secured by such bill note undertaking warrant order deed bond or writing obligatory may be or may purport to be payable and in whatever language or languages the same respectively or any part thereof may be expressed and whether such bill note undertaking warrant or order be or be not under seal every such person and every person aiding abetting or counselling such person shall be deemed to be an offender within the meaning of this Act and shall be punishable thereby in the same manner as if the money had been payable or had purported to be payable in this Colony or its Dependencies.

6. And be it further enacted That if any person shall falsely make forge or counterfeit or shall utter publish or make use of knowing the same to be falsely made forged or counterfeited the Great Seal of the Colony of New South Wales or any document or writing bearing or purporting to bear the signature of the Governor or of the Colonial Secretary thereof or of any of His Majesty's Principal or Under Secretaries of State for the Colonies or of any of His Majesty's Commissioners of Customs with intent to defraud any person whatsoever every such offender shall be guilty of felony and being convicted thereof shall be liable to be transported for any term not less than seven years nor more than fourteen years.

transmitted to the
Registrar of the
Archdeacon's Court.

Forging or counterfeiting the Great Seal of the Colony or the signature of the Governor Colonial Secretary Secretary of State Under Secretary or Commissioners of Customs.

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

Forging signature
of the Principal
Superintendent of
Convicts.

Felony.

Punishment.

6 Geo. IV. No. 21
repealed as to false
entries of baptisms
marriages or burials.

2 & 3 W. IV. c. 62
adopted and directed
to be applied in the
administration of
justice.

Commencement
of Act.

Offences committed
previously to be
dealt with as if this
Act had not passed.

Except where the
punishment is
death.

7. And be it further enacted That if any person shall forge counterfeit or alter or shall utter or make use of knowing the same to be forged counterfeited or altered any certificate or other document or writing bearing or purporting to bear the signature of the Principal Superintendent of Convicts for the said Colony or of any other person with intent to aid or assist any convict to escape from the said Colony or its Dependencies or otherwise to evade the service of his sentence shall be guilty of felony and being convicted thereof shall be liable to be transported for any term not less than seven nor more than fourteen years.

8. And be it further enacted That from and after the commencement of this Act so much of a certain Act or Ordinance of the Governor and Council of New South Wales passed in the sixth year of the reign of his late Majesty King George the Fourth intituled "*An Act for better regulating and preserving Parish and other Registers of Births Baptisms Marriages and Burials in New South Wales and its Dependencies including Van Diemen's Land*" as relates to the punishment of any false entry of any baptism marriage or burial or of forging falsifying or defacing or injuring any register or any part thereof therein mentioned shall be and the same is hereby repealed.

9. And whereas a certain other Act of Parliament was passed in the second and third years of the reign of His present Majesty intituled "*An Act for abolishing the Punishment of Death in certain cases and substituting a lesser punishment in lieu thereof*" and it is expedient in like manner to apply and adopt the said Act Be it therefore enacted That the said last recited Act of Parliament and every clause provision and matter therein and thereby contained and enacted shall be and the same is and are hereby adopted and directed to be applied in the administration of justice in the said Colony and its Dependencies in like manner as other Laws of England are applied therein.

10. And be it further enacted That this Act shall commence and take effect on the first day of August in the present year except as to offences committed before the said first day of August which said offences shall be dealt with and punished as if this Act had not passed Provided always That where the punishment of death shall be abolished and altered in respect of any offence so committed as aforesaid by any of the said recited Acts of Parliament the person convicted of any such offence shall not suffer the punishment of death but shall be liable to such other punishment as shall by any such Act of Parliament be directed in lieu thereof.

ANNO UNDECIMO GEORGII IV. REGIS ET ANNO
PRIMO GULIELMI IV. REGIS.

CAP. LXVI.

ENGLISH FORGERIES
ACT ADOPTED.

An Act for reducing into one Act all such Forgeries as shall henceforth be punished with Death and for otherwise amending the Laws relative to Forgery. [23rd July, 1830.]

Preamble.

"WHEREAS several offences relating to forged writings and to other forged and counterfeit matters and to false personation false oaths false entries and other false matters are now by virtue of several Statutes punishable with death And whereas it is expedient that none of those offences shall hereafter be punishable with death unless the same shall be made punishable with death by this Act and

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

“and also that the Statutes concerning such of those offences whether punishable with death or otherwise as may more frequently or seriously affect the interests of His Majesty or his subjects should be amended and consolidated into this Act” 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 whereby any Acts now in force any person falsely making forging counterfeiting erasing or altering any matter whatsoever or uttering publishing offering disposing of putting away or making use of any matter whatsoever knowing the same to be falsely made forged counterfeited erased or altered or any person demanding or endeavouring to receive or have anything or to do or cause to be done any act upon or by virtue of any matter whatsoever knowing such matter to be falsely made forged counterfeited erased or altered would according to the provisions contained in any of the said Acts be guilty of felony and liable to suffer death as a felon or whereby any Acts now in force any person falsely personating another or falsely acknowledging any thing in the name of another or falsely representing any other person than the real party to be such real party or wilfully making a false entry in any book account or document or in any manner wilfully falsifying any part of any book account or document or wilfully making a transfer of any stock annuity or fund in the name of any person not being the owner thereof or knowingly taking a false oath or knowingly making a false affidavit or false affirmation or demanding or receiving any money or other thing by virtue of any probate or letters of administration knowing the will on which such probate shall have been obtained to have been false or forged or knowing such probate or letters of administration to have been obtained by means of any false oath or false affirmation would according to the provisions contained in any of the said Acts be guilty of felony and liable to suffer death as a felon or whereby any Acts now in force any person making or using or knowingly having in his custody or possession any frame mould or instrument for the making of paper with certain words visible in the substance thereof or any person making such paper or causing certain words to appear visible in the substance of any paper would according to the provisions contained in any of the said Acts be guilty of felony and liable to suffer death as a felon then and in each of the several cases aforesaid if any person shall after the commencement of this Act be convicted of any such felony as is hereinbefore mentioned or of aiding abetting counselling or procuring the commission thereof such person shall not suffer death for the same unless the same shall be made punishable with death by this Act and if the same shall not be made punishable with death by this Act in such case every person who shall after the commencement of this Act be convicted of any such felony or of aiding abetting counselling or procuring the commission thereof 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 provided always that nothing herein contained shall affect or alter any Acts relating to the coin of this realm or to any coin of any other realm lawfully current within this realm.

2. And be it enacted That if any person shall forge or counterfeit or shall utter knowing the same to be forged or counterfeited the Great Seal of the United Kingdom His Majesty’s Privy Seal any Privy Signet of His Majesty His Majesty’s Royal Sign Manual any of His Majesty’s Seals appointed by the twenty-fourth article of the Union to be kept used and continued in Scotland the Great Seal Forging the Great Seal Privy Seal Privy Signet Royal Sign Manual &c. treason and capital.

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

of Ireland or the Priyy Seal of Ireland every such offender shall be guilty of high treason and shall suffer death accordingly Provided always that nothing contained in an Act passed in the seventh year of the reign of King William the Third intituled “*An Act for regulating of Trials in cases of Treason and Misprison of Treason*” or in an Act passed in the seventh year of the reign of Queen Anne intituled “*An Act for improving the Union of the Two Kingdoms*” shall extend to any indictment or to any proceedings thereupon for any of the treasons hereinbefore mentioned.

Forging an
Exchequer bill
Exchequer debenture
East India bond
bank note will bill
of exchange
promissory note
or warrant or order
for payment of
money capital.

3. And be it enacted That if any person shall forge or alter or shall offer utter dispose of or put off knowing the same to be forged or altered any Exchequer bill or Exchequer debenture or any indorsement on or assignment of any Exchequer bill or Exchequer debenture or any bond under the common seal of the United Company of Merchants of England trading to the East Indies commonly called an East India bond or any indorsement on or assignment of any East India bond or any note or bill of exchange of the Governor and Company of the Bank of England commonly called a bank note a bank bill of exchange or a bank post bill or any indorsement on or assignment of any bank note bank bill of exchange or bank post bill or any will testament codicil or testamentary writing or any bill of exchange or any promissory note for the payment of money or any indorsement on or assignment of any bill of exchange or promissory note for the payment of money or any acceptance of any bill of exchange or any undertaking warrant or order for the payment of money with intent in any of the cases aforesaid to defraud any person whatsoever every such offender shall be guilty of felony and being convicted thereof shall suffer death as a felon.

If any instrument
however designated
is in law a bill of
exchange &c. the
forger of such instru-
ment may be indicted
under this Act.

4. And be it declared and enacted That whereby any Act now in force any person is made liable to the punishment of death for forging or altering or for offering uttering disposing of or putting off knowing the same to be forged or altered any instrument or writing designated in such Act by any special name or description and such instrument or writing however designated is in law a will testament codicil or testamentary writing or a bill of exchange or a promissory note for the payment of money or an indorsement on or assignment of a bill of exchange or promissory note for the payment of money or an acceptance of a bill of exchange or an undertaking warrant or order for the payment of money within the true intent and meaning of this Act in every such case the person forging or altering such instrument or writing or offering uttering disposing of or putting off such instrument or writing knowing the same to be forged or altered may be indicted as an offender against this Act and punished with death accordingly.

Making false entries
in the books in
which the accounts
of public stock are
kept or transfer of
public stock in any
other name than the
true owners capital

5. And be it enacted That if any person shall wilfully make any false entry in or wilfully alter any word or figure in any of the books of account kept by the Governor and Company of the Bank of England or by the Governor and Company of Merchants of Great Britain trading to the South Seas and other parts of America and for encouraging the fishery commonly called the South Sea Company in which books the accounts of the owners of any stock annuities or other public funds which now are or hereafter may be transferable at the Bank of England or at the South Sea House shall be entered and kept or shall in any manner wilfully falsify the accounts of such owners in any of the said books with intent in any of the cases aforesaid to defraud any person whatsoever or if any person shall wilfully make any transfer of any share or interest of or in any stock annuity or other public fund which now is or hereafter may be transferable at the Bank of England or at the South Sea House in the name of any person

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

person not being the true and lawful owner of such share or interest with intent to defraud any person whatsoever every such offender shall be guilty of felony and being convicted thereof shall suffer death as a felon.

6. And be it enacted That if any person shall forge or alter or shall utter knowing the same to be forged or altered any transfer of any share or interest of or in any stock annuity or other public fund which now is or hereafter may be transferable at the Bank of England or at the South Sea House or of or in the capital stock of any body corporate company or society which now is or hereafter may be established by Charter or Act of Parliament or shall forge or alter or shall utter 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 such stock annuity public fund or capital stock as is hereinbefore mentioned or to receive any dividend payable in respect of any such share or interest or shall demand or endeavour to have any such share or interest transferred or to receive any dividend payable in respect thereof by virtue of any such forged or altered power of attorney or other authority knowing the same to be forged or altered with intent in any of the several cases aforesaid to defraud any person whatsoever or if any person shall falsely and deceitfully personate any owner of any such share interest or dividend as aforesaid and thereby transfer any share or interest belonging to such owner or thereby receive any money due to such owner as if such person were the true and lawful owner every such offender shall be guilty of felony and being convicted thereof shall suffer death as a felon.

7. And be it enacted That if any person shall falsely and deceitfully personate any owner of any share or interest of or in any stock annuity or other public fund which now is or hereafter may be transferable at the Bank of England or at the South Sea House or any owner of any share or interest of or in the capital stock of any body corporate company or society which now is or hereafter may be established by Charter or Act of Parliament or any owner of any dividend payable in respect of any such share or interest as aforesaid and shall thereby endeavour to transfer any share or interest belonging to any such owner or thereby endeavour to receive any money due to any such owner as if such offender were the true and lawful owner every such offender shall be guilty of felony and being convicted thereof 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.

8. And be it enacted That if any person shall forge the name or handwriting of any person as or purporting to be a witness attesting the execution of any power of attorney or other authority to transfer any share or interest of or in any such stock annuity public fund or capital stock as is hereinbefore mentioned or to receive any dividend payable in respect of any share or interest or shall utter any such power of attorney or other authority with the name or handwriting of any person forged thereon as an attesting witness knowing the same to be forged every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for the term of seven years or to be imprisoned for any term not exceeding two years nor less than one year.

9. And be it enacted That if any clerk officer or servant of or other person employed or intrusted by the Governor and Company of the Bank of England or the Governor and Company of Merchants commonly called the South Sea Company shall knowingly make out or deliver any dividend warrant for a greater or less amount than the person or persons on whose behalf such dividend warrant shall be made

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 1, c. 66.

made out is or are entitled to with intent to defraud any person whatsoever every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for the term of seven years or to be imprisoned for any term not exceeding two years nor less than one year.

Forging a deed bond receipt for money or goods or an accountable receipt or an order for delivery of goods transportation for life &c.

10. And be it enacted That if any person shall forge or alter or shall offer utter dispose of or put off knowing the same to be forged or altered any deed bond or writing obligatory or any Court roll or copy of any Court roll relating to any copyhold or customary estate or any acquittance or receipt either for money or goods or any accountable receipt either for money or goods or for any note bill or other security for payment of money or any warrant order or request for the delivery or transfer of goods or for the delivery of any note bill or other security for payment of money with intent to defraud any person whatsoever every such offender shall be guilty of felony and being convicted thereof 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.

Fraudulently acknowledging any recognizance bail fine recovery or judgment in the name of another transportation for life &c.

11. And be it enacted That if any person shall before any Court Judge or other person lawfully authorized to take any recognizance or bail acknowledge any recognizance or bail in the name of any other person not privy or consenting to the same whether such recognizance or bail in either case be or be not filed or if any person shall in the name of any other person not privy or consenting to the same acknowledge any fine recovery cognovit action or judgment or any deed to be enrolled every such offender shall be guilty of felony and being convicted thereof 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.

Knowingly purchasing or receiving or having in possession forged bank notes transportation for fourteen years.

12. And be it enacted That if any person shall without lawful excuse the proof whereof shall lie upon the party accused purchase or receive from any other person or have in his custody or possession any forged bank note bank bill of exchange or bank post bill or blank bank note blank bank bill of exchange or blank bank post bill knowing the same respectively to be forged every such offender shall be guilty of felony and being convicted thereof shall be transported beyond the seas for the term of fourteen years.

Making or having without authority any mould for making paper with the words "Bank of England" visible in the substance or for making paper with curved bar lines &c. or selling such paper transportation for fourteen years.

13. And be it enacted That if any person shall without the authority of the Governor and Company of the Bank of England to be proved by the party accused make or use or shall without lawful excuse to be proved by the party accused knowingly have in his custody or possession any frame mould or instrument for the making of paper with the words "Bank of England" visible in the substance of the paper or for the making of paper with curved or waving bar lines or with the laying wire lines thereof in a waving or curved shape or with any number sum or amount expressed in a word or words in Roman letters visible in the substance of the paper or if any person shall without such authority to be proved as aforesaid manufacture use sell expose to sale utter or dispose of or shall without lawful excuse to be proved as aforesaid knowingly have in his custody or possession any paper whatsoever with the words "Bank of England" visible in the substance of the paper or any paper with curved or waving bar lines or with the laying wire lines thereof in a waving or curved shape or with any number sum or amount expressed in a word or words in Roman letters appearing visible in the substance of the paper or if any person without such authority to be proved as aforesaid shall by any art or contrivance cause the words "Bank of England" to appear visible in the

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

the substance of any paper or cause the numerical sum or amount of any bank note bank bill of exchange or bank post bill blank bank note blank bank bill of exchange or blank bank post bill in a word or words in Roman letters to appear visible in the substance of the paper whereon the same shall be written or printed every such offender shall be guilty of felony and being convicted thereof shall be transported beyond the seas for the term of fourteen years.

14. Provided always and be it enacted That nothing herein contained shall prevent any person from issuing any bill of exchange or promissory note having the amount thereof expressed in guineas or in a numerical figure or figures denoting the amount thereof in pounds sterling appearing visible in the substance of the paper upon which the same shall be written or printed nor shall prevent any person from making using or selling any paper having waving or curved lines or any other devices in the nature of water-marks visible in the substance of the paper not being bar lines or laying wire lines provided the same are not so contrived as to form the ground work or texture of the paper or to resemble the waving or curved laying wire line or bar lines or the water-marks of the paper used by the Governor and Company of the Bank of England.

15. And be it enacted That if any person shall engrave or in anywise make any plate whatever or upon any wood stone or other material any promissory note or bill of exchange or blank promissory note or blank bill of exchange or part of a promissory note or bill of exchange purporting to be a bank note bank bill of exchange or bank post bill or blank bank note blank bank bill of exchange or blank bank post bill or part of a bank note bank bill of exchange or bank post bill without the authority of the Governor and Company of the Bank of England to be proved by the party accused or if any person shall use such plate wood stone or other material or any other instrument or device for the making or printing any bank note bank bill of exchange or bank post bill or blank bank note blank bank bill of exchange or blank bank post bill or part of a bank note bank bill of exchange or bank post bill without such authority to be proved as aforesaid or if any person shall without lawful excuse the proof whereof shall lie on the party accused knowingly have in his custody or possession any such plate wood stone or other material or any such instrument or device or if any person shall without such authority to be proved as aforesaid knowingly offer utter dispose of or put off any paper upon which any blank bank note blank bank bill of exchange or blank bank post bill or part of a bank note bank bill of exchange or bank post bill shall be made or printed or if any person shall without lawful excuse to be proved as aforesaid knowingly have in his custody or possession any such paper every such offender shall be guilty of felony and being convicted thereof shall be transported beyond the seas for the term of fourteen years.

16. And be it enacted That if any person shall engrave or in anywise make upon any plate whatever or upon any wood stone or other material any word number figure character or ornament the impression taken from which shall resemble or apparently be intended to resemble any part of a bank note bank bill of exchange or bank post bill without the authority of the Governor and Company of the Bank of England to be proved by the party accused or if any person shall use any such plate wood stone or other material or any other instrument or device for the making up on any paper or other material the impression of any word number figure character or ornament which shall resemble or apparently be intended to resemble any part of a bank note bank bill of exchange or bank post bill without such authority to be proved as aforesaid or if any person shall without lawful excuse

Proviso as to paper used for bills of exchange &c.

Engraving on any plate &c. any bank note blank bank note &c. or using or having such plate &c. or uttering or having paper upon which a blank bank note &c. shall be printed without authority transportation for fourteen years.

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

excuse the proof whereof shall lie on the party accused knowingly have in his custody or possession any such plate wood stone or other material or any such instrument or device or if any person shall without such authority to be proved as aforesaid knowingly offer utter dispose of or put off any paper or other material upon which there shall be an impression of any such matter as aforesaid or if any person shall without lawful excuse to be proved as aforesaid knowingly have in his custody or possession any paper or other material upon which there shall be an impression of any such matter as aforesaid every such offender shall be guilty of felony and being convicted thereof shall be transported beyond the seas for the term of fourteen years.

Making or having in possession any mould for manufacturing paper with the name of any bankers appearing in the substance manufacturing or having any such paper or causing the name to appear in the substance of any paper transportation for fourteen years &c.

17. And be it enacted That if any person shall make or use any frame mould or instrument for the manufacture of paper with the name or firm of any person or persons body corporate or company carrying on the business of bankers (other than and except the Bank of England) appearing visible in the substance of the paper without the authority of such person or persons body corporate or company the proof of which authority shall lie on the party accused or if any person shall without lawful excuse the proof whereof shall lie on the party accused knowingly have in his custody or possession any such frame mould or instrument or if any person shall without such authority to be proved as aforesaid manufacture use sell expose to sale utter or dispose of or shall without lawful excuse to be proved as aforesaid knowingly have in his custody or possession any paper in the substance of which the name or firm of any such person or persons body corporate or company carrying on the business of bankers shall appear visible or if any person shall without such authority to be proved as aforesaid cause the name or firm of any such person or persons body corporate or company carrying on the business of bankers to appear visible on the substance of the paper upon which the same shall be written or printed every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for any term not exceeding fourteen years nor less than seven years or to be imprisoned for any term not exceeding three years nor less than one year.

Engraving on any plate &c. any bill of exchange or promissory note of any bankers or any words resembling the subscription subjoined thereto or using any such plate or uttering or having any paper upon which any part of any such bill or note shall be printed transportation for fourteen years &c.

18. And be it enacted That if any person shall engrave or in anywise make upon any plate whatever or upon any wood stone or other material any bill of exchange or promissory note for the payment of money or any part of any bill of exchange or promissory note for the payment of money purporting to be the bill or note or part of the bill or note of any person or persons body corporate or company carrying on the business of bankers (other than and except the Bank of England) without the authority of such person or persons body corporate or company the proof of which authority shall lie on the party accused or if any person shall engrave or make upon any plate whatever or upon any wood stone or other material any word or words resembling or apparently intended to resemble any subscription subjoined to any bill of exchange or promissory note for the payment of money issued by any such person or persons body corporate or company carrying on the business of bankers without such authority to be proved as aforesaid or if any person shall without such authority to be proved as aforesaid use or shall without lawful excuse to be proved by the party accused knowingly have in his custody or possession any plate wood stone or other material upon which any such bill or note or part thereof or any word or words resembling or apparently intended to resemble such subscription shall be engraved or made or if any person shall without such authority to be proved as aforesaid knowingly offer utter dispose of

or

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

or put off or shall without lawful excuse to be proved as aforesaid knowingly have in his custody or possession any paper upon which any part of such bill or note or any word or words resembling or apparently intended to resemble any such subscription shall be made or printed every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for any term not exceeding fourteen years nor less than seven years or to be imprisoned for any term not exceeding three years nor less than one year.

19. And be it enacted That if any person shall engrave or in any wise make upon any plate whatever or upon any wood stone or other material any bill of exchange promissory note undertaking or order for payment of money or any part of any bill of exchange promissory note undertaking or order for payment of money in whatever language or languages the same may be expressed and whether the same shall or shall not be or be intended to be under seal purporting to be the bill note undertaking or order or part of the bill note undertaking or order of any foreign Prince or State or of any minister or officer in the service of any foreign Prince or State or of any body corporate or body of the like nature constituted or recognized by any foreign Prince or State or of any person or company of persons resident in any country not under the dominion of His Majesty without the authority of such foreign Prince or State minister or officer body corporate or body of the like nature person or company of persons the proof of which authority shall lie on the party accused or if any person shall without such authority to be proved as aforesaid use or shall without lawful excuse to be proved by the party accused knowingly have in his custody or possession any plate stone wood or other material upon which any such foreign bill note undertaking or order or any part thereof shall be engraved or made or if any person shall without such authority to be proved as aforesaid knowingly utter dispose of or put off or shall without lawful excuse to be proved as aforesaid knowingly have in his custody or possession any paper upon which any part of such foreign bill note undertaking or order shall be made or printed every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for any term not exceeding fourteen years nor less than seven years or to be imprisoned for any term not exceeding three years nor less than one year.

20. And be it enacted That if any person shall knowingly and wilfully insert or cause or permit to be inserted in any register of baptisms marriages or burials which hath been or shall be made or kept by the rector vicar curate or officiating minister of any parish district parish or chapelry in England any false entry of any matter relating to any baptism marriage or burial or shall forge or alter in any such register any entry of any matter relating to any baptism marriage or burial or shall utter any writing as and for a copy of an entry in any such register of any matter relating to any baptism marriage or burial knowing such writing to be false forged or altered or if any person shall utter any entry in any such register of any matter relating to any baptism marriage or burial knowing such entry to be false forged or altered or shall utter any copy of such entry knowing such entry to be false forged or altered or shall wilfully destroy deface or injure or cause or permit to be destroyed defaced or injured any such register or any part thereof or shall forge or alter or shall utter knowing the same to be forged or altered any license of marriage every such offender shall be guilty of felony and being convicted thereof 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

Inserting any false entry in any register of baptisms marriages or burials forging or altering any such entry uttering any false or forged entry destroying &c. the register forging any license of marriage transportation for life &c.

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

be imprisoned for any term not exceeding four years nor less than two years.

Rector &c. not liable to any penalty for correcting in the mode prescribed accidental errors in the register.

21. Provided always and be it enacted That no rector vicar curate or officiating minister of any parish district parish or chapelry who shall discover any error in the form or substance of the entry in the registry of any baptism marriage or burial respectively by him solemnized shall be liable to any of the penalties herein mentioned if he shall within one calendar month after the discovery of such error in the presence of the parent or parents of the child baptized or of the parties married or in the presence of two persons who shall have attended at any burial or in the case of the death or in the absence of the respective parties aforesaid then in the presence of the churchwardens or chapelwardens correct the entry which shall have been found erroneous according to the truth of the case by entry in the margin of the register wherein such erroneous entry shall have been made without any alteration or obliteration of the original entry and shall sign such entry in the margin and add to such signature the day of the month and year when such correction shall be made and such correction and signature shall be attested by the parties in whose presence the same are directed to be made as aforesaid Provided also that in the copy of the register which shall be transmitted to the registrar of the diocese the said rector vicar curate or officiating minister shall certify the corrections so made by him as aforesaid.

Inserting in any copy of a register of baptisms marriages or burials transmitted to the registrar any false entry or forging or verifying any copy knowing it to be false transportation for seven years.

22. And whereas "Copies of the Registers of Baptisms Marriages and Burials such copies being signed and verified by the written declaration of the Rector Vicar Curate or officiating Minister of every parish district parish and chapelry in England where the ceremonies of Baptism Marriage and Burial may lawfully be performed are directed by Law to be made and transmitted to the Registrar of the Diocese within which such parish or chapelry may be situate" Be it therefore enacted That if any person shall knowingly and wilfully insert or cause or permit to be inserted in any copy of any register so directed to be transmitted as aforesaid any false entry of any matter relating to any baptism marriage or burial or shall forge or alter or shall utter knowing the same to be forged or altered any copy of any register so directed to be transmitted as aforesaid or shall knowingly and wilfully sign or verify any copy of any register so directed to be transmitted as aforesaid which copy shall be false in any part thereof knowing the same to be false every such offender shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for the term of seven years or to be imprisoned for any term not exceeding two years nor less than one year.

The punishments of 5 Elizabeth c. 14 so far as they have been adopted by other Acts shall be repealed and other punishments substituted.

23. And whereas by an Act passed in the fifth year of the reign of Queen Elizabeth intituled "An Act against Forgers of false Deeds and Writings it is amongst other things provided that any person convicted of any of the offences enumerated in that Act shall pay to the party grieved his double Costs and Damages and shall forfeit to the Crown the whole issues of his Lands and Tenements during his life and shall also suffer imprisonment during the life—And whereas there are certain Acts by which persons convicted of certain offences mentioned in those Acts are subjected to the same Pains and Penalties as are imposed by the said Act of Queen Elizabeth for the offences first enumerated in that Act and whereas the said Act of Elizabeth is hereinafter repealed and it is expedient to substitute other punishments in lieu of the punishments of that Act so far as the same have been adopted by any other Acts"

Be

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

Be it therefore enacted That every person who shall after the commencement of this Act be convicted of any offence which is now subjected by any Act or Acts to the same pains and penalties as are imposed by the said Act of Queen Elizabeth for any of the offences first enumerated in that Act shall be guilty of felony and shall in lieu of such pains and penalties be liable at the discretion of the Court to be transported beyond the seas for any term not exceeding fourteen years nor less than seven years or to be imprisoned for any term not exceeding three years nor less than one year.

24. And be it enacted That if any person shall commit any offence against this Act or shall commit any offence of forging or altering any matter whatsoever or of offering uttering disposing of or putting off any matter whatsoever knowing the same to be forged or altered whether the offence in any such case shall be indictable at Common Law or by virtue of any Statute or Statutes made or to be made the offence of every such offender may be dealt with indicted tried and punished and laid and charged to have been committed in any county or place in which he shall be apprehended or be in custody as if his offence had actually been committed in that county or place and every accessory before or after the fact to any such offence if the same be a felony and every person aiding abetting or counselling the commission of any such offence if the same be a misdemeanor may be dealt with indicted tried and punished and his offence laid and charged to have been committed in any county or place in which the principal offender may be tried.

25. And be it enacted That in the case of every felony punishable under this Act every principal in the second degree and every accessory before the fact shall be punishable with death or otherwise in the same manner as the principal in the first degree is by this Act punishable and every accessory after the fact to any felony punishable under this Act shall on conviction be liable to be imprisoned for any term not exceeding two years.

26. And be it enacted That where 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 labor in the common gaol or house of correction and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment as to the Court in its discretion shall seem meet.

27. And be it enacted That where any offence punishable under this Act shall be committed within the jurisdiction of the Admiralty the same shall be dealt with enquired of tried and determined in the same manner as any other offence committed within that jurisdiction.

28. And be it declared and enacted That where the having any matter in the custody or possession of any person is in this Act expressed to be an offence if any such person shall have any such matter in his personal custody or possession or shall knowingly and wilfully have any such matter in any dwelling-house or other building lodging apartments field or other place open or enclosed whether belonging to or occupied by himself or not and whether such matter shall be so had for his own use or for the use or benefit of another every such person shall be deemed and taken to have such matter in his custody or possession within the meaning of this Act and where the committing any offence with intent to defraud any person whatsoever is made punishable by this Act in every such case the word "Person" shall throughout this Act be deemed to include His Majesty or any foreign Prince or State or any body corporate, or any company or society of persons not incorporated or any person or

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

number of persons whatsoever who may be intended to be defrauded by such offence whether such body corporate company society person or number of persons shall reside or carry on business in England or elsewhere in any place or country whether under the dominion of His Majesty or not and it shall be sufficient in any indictment to name one person only of such company society or number of persons and to allege the offence to have been committed with intent to defraud the person so named and another or others as the case may be.

This Act not to extend to Scotland or Ireland

29. And be it enacted That this Act shall not extend to any offence committed in Scotland or Ireland.

But to apply to the forging and or uttering in England documents purporting to be made or actually made out of England.

30. Provided always and be it declared and enacted That where the forging or altering any writing or matter whatsoever or the offering uttering disposing of or putting off any writing or matter whatsoever knowing the same to be forged or altered is in this Act expressed to be an offence if any person shall in that part of the United Kingdom called England forge or alter or offer utter dispose of or put off knowing the same to be forged or altered any such writing or matter in whatsoever place or country out of England whether under the dominion of His Majesty or not such writing or matter may purport to be made or may have been made and in whatever language or languages the same or any part thereof may be expressed every such person and every person aiding abetting or counselling such person shall be deemed to be an offender within the meaning of this Act and shall be punishable thereby in the same manner as if the writing or matter had purported to be made or had been made in England and if any person shall in England forge or alter or offer utter dispose of or put off knowing the same to be forged or altered any bill of exchange or any promissory note for the payment of money or any indorsement on or assignment of any bill of exchange or promissory note for the payment of money or any acceptance of any bill of exchange or any undertaking warrant or order for the payment of money or any deed bond or writing obligatory for the payment of money (whether such deed or bond or writing obligatory shall be made only for the payment of money or for the payment of money together with some other purpose) in whatever place or country out of England whether under the dominion of His Majesty or not the money payable or secured by such bill note undertaking warrant order deed bond or writing obligatory may be or may purport to be payable and in whatever language or languages the same respectively or any part thereof may be expressed and whether such bill note undertaking warrant or order be or be not under seal every such person and every person aiding abetting or counselling such person shall be deemed to be an offender within the meaning of this Act and shall be punishable thereby in the same manner as if the money had been payable or had purported to be payable in England.

And to the forging or uttering in England bills of exchange promissory notes bonds &c. purporting to be payable out of England.

31. And be it enacted That so much of a Statute made in the twenty-fifth year of the reign of King Edward the Third as relates to counterfeiting the King's Great or Privy Seal and so much of an Act passed in the first year of the reign of Queen Mary intituled "An Act that the counterfeiting of strange Coins being current within this realm the Queen's Highness' Sign Manual Signet or Privy Seal be it adjudged treason" as relates to forging or counterfeiting the Queen's Sign Manual Privy Signet or Privy Seal and an Act passed in the fifth year of the reign of Queen Elizabeth intituled "An Act against Forgers of false Deeds and Writings" and an Act passed in the twenty-first year of the reign of King James the First intituled "An Act against such as shall levy any Fine suffer any Recovery acknowledge

Repeal of 25 Edw. III. stat. 5 c. 2.

1 Mary stat. 2 c. 6.

5 Eliz. c. 14.

21 James I. c. 26.

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

“acknowledge any Statute Recognizance Bail or Judgment in the name of any other person or persons not being privy or consenting thereto” and so much of an Act passed in the fourth year of the reign of King William and Queen Mary intituled “An Act ^{4 Wm. and M. c. 4 s. 4.} for taking special Bails in the Country upon Actions and Suits de- pending in the Courts of King’s Bench Common Pleas and Exchequer at Westminster” as relates to any offence thereby made felony and so much of an Act passed in the eighth and ninth years of the reign of King William the Third intituled “An Act for making good the ^{8 and 9 Wm. III. c. 20 s. 36.} deficiencies of several Funds therein mentioned and for enlarging the Capital Stock of the Bank of England and for raising the Public Credit” as relates to counterfeiting or forging the common seal of the Governor and Company of the Bank of England or any sealed bank bill or any bank note or altering or erasing any indorsement on any bank bill or note and so much of an Act passed in the seventh year of the reign of Queen Anne intituled “An Act for improving the ^{7 Anne c. 21 s. 9.} Union of the Two Kingdoms” as relates to counterfeiting their Majesty’s Seals appointed by the twenty-fourth Article of the Union to be kept used and continued in Scotland and so much of an Act passed in the eighth year of the reign of King George the First intituled “An Act to prevent the mischiefs by forging Powers to transfer ^{8 Geo. I. c. 22 s. 1.} such Stocks or to receive such Annuities or Dividends as are therein mentioned or by fraudulently personating the true Owners thereof and to rectify mistakes of the late Managers for taking Subscriptions for increasing the Capital Stock of the South Sea Company and in the Instrument founded thereupon” as relates to any forgery or other capital felony therein mentioned and so much of an Act passed in the twelfth year of the same reign intituled “An Act for ^{12 Geo. I. c. 32 s. 9.} better securing the Monies and Effects of the Suitors of the Court of Chancery and to prevent the counterfeiting of East India Bonds and Indorsements thereon as likewise Indorsements on South Sea Bonds” as relates to any person who shall forge or counterfeit or procure to be forged or counterfeited or wilfully act or assist in forging or counterfeiting any bond or obligation of the East India Company or any indorsement or assignment thereon or on any bond or obligation of the South Sea Company or shall utter or publish the same knowing the same to be forged or counterfeited and the whole of an Act passed in the second year of the reign of King George the Second intituled “An Act for the more effectual preventing ^{2 Geo. II. c. 25 except s. 2.} and further punishment of Forgery Perjury and subornation of Perjury and to make it Felony to steal Bonds Notes or other Securities for payment of Money except so far as relates to Perjury and subornation of Perjury” and an Act passed in the seventh year of the same reign intituled “An Act for the more effectual preventing ^{7 Geo. II. c. 22.} the forging the acceptance of Bills of Exchange or the numbers or principal sums of accountable receipts for Notes Bills or other Securities for the payment of Money or Warrants or Orders for payment of Money or delivery of Goods” and so much of an Act passed in the fifteenth year of the same reign intituled “An Act for establishing an ^{15 Geo. II. c. 13 s.} agreement with the Governor and Company of the Bank of England ^{11.} for advancing the sum of One million six hundred thousand pounds towards the supply for the Service of the Year One thousand seven hundred and forty-two” as relates to any person who shall forge counterfeit or alter any bank note or other matter specified in the said Act or shall knowingly offer dispose of or put away such forged counterfeit or altered note or other matter or knowingly demand the money therein contained or pretended to be due thereon or any part thereof as in the said Act is mentioned and so much of an Act passed in the thirty-first year of the same reign intituled “An Act for granting to ^{31 Geo. II. c. 22 s. 77 and 78.} His

*English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.*4 Geo. III. c. 25
s. 15.

13 Geo. III. c. 79.

18 Geo. III. c. 18.

27 Geo. III. c. 43 s. 4.

33 Geo. III. c. 30.

37 Geo. III. c. 122.

41 Geo. III. (UK) c.
39.

41 Geo. III. c. 57.

43 Geo. III. c. 139
s. 1 and 2.

45 Geo. III. c. 89.

“ *His Majesty several Rates and Duties upon Offices and Pensions and upon Houses and upon Windows or Lights and for raising the Sum of Five Millions by Annuities and a Lottery to be charged on the said Rates and Duties*” as relates to any forgery or other capital felony therein mentioned and so much of an Act passed in the fourth year of the reign of King George the Third intituled “ *An Act for establishing an agreement with the Governor and Company of the Bank of England for raising certain Sums of Money towards the Supplies for the Service of the Year One thousand seven hundred and sixty-four and for more effectually preventing the forging Powers to transfer such Stock or receive such Dividends or Annuities as are therein mentioned and the fraudulent personating the Owners thereof*” as relates to any forgery or other capital felony therein mentioned and an Act passed in the thirteenth year of the same reign intituled “ *An Act for the more effectual preventing the forging of the Notes or Bills of the Governor and Company of the Bank of England and for the preventing the obtaining a false Credit by the imitation of the Notes or Bills of the said Governor and Company*” and an Act passed in the eighteenth year of the same reign intituled “ *An Act to explain an Act passed in the seventh year of the reign of His late Majesty King George the Second intituled ‘ An Act for the more effectual preventing the forging the acceptance of Bills of Exchange or the numbers or principal sums of accountable receipts for Notes Bills or other Securities for payment of Money or Warrants or Orders for payment of Money or delivery of Goods’*” and so much of an Act passed in the twenty-seventh year of the reign of King George the Third intituled “ *An Act for taking and swearing Affidavits to be made use of in the Court of Session of the County Palatine of Chester and for taking of special Bail in Actions and Suits depending in the same Court*” as relates to any offence thereby made felony and an Act passed in the thirty-third year of the reign of King George the Third intituled “ *An Act for the better preventing Forgeries and Frauds in the transfers of the several Funds transferable at the Bank of England*” and an Act passed in the thirty-seventh year of the same reign intituled “ *An Act for the better preventing the forging or counterfeiting the names of Witnesses to Letters of Attorney or other authorities or instruments for the transfer of Stocks or Funds which now are or by any Act or Acts of Parliament shall hereafter be made transferable at the Bank of England or for the transfer of any part of the Capital Stock of the Governor and Company of the Bank of England called Bank Stock or for the transfer of any part of the Capital Stock or any Stocks or Funds under the management of the South Sea Company or for the transfer of any part of the Capital Stock of the East India Company or for the receipt of Dividends upon any of such Stocks or Funds*” and an Act passed in the forty-first year of the same reign intituled “ *An Act for the more effectually preventing the Forgery of Bank Notes Bank Bills of Exchange and Bank Post Bills*” and an Act passed in the same year intituled “ *An Act for the better prevention of the Forgery of the Notes and Bills of Exchange of persons carrying on the business of Bankers*” and so much of an Act passed in the forty-third year of the same reign intituled “ *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 as in anywise relates to any Foreign Bill of Exchange or Foreign Promissory Note Undertaking or Order for the payment of Money*” and an Act passed in the forty-fifth year of the same reign intituled “ *An Act to alter and extend the provisions of the Laws now in force for the punishment of the Forgery of Bank Notes Bills of Exchange*”

English Forgeries Act Adopted, 11 G. 4 & 1 Wm. 4, c. 66.

“ Exchange and other Securities to every part of Great Britain” and so much of an Act passed in the forty-eighth year of the same reign intituled “ An Act for regulating the issuing and paying off of Exchequer Bills as relates to any Forgery or other Capital Felony therein mentioned” and an Act passed in the fifty-second year of the same reign intituled “ An Act for the further prevention of the counterfeiting of Silver Tokens issued by the Governor and Company of the Bank of England called Dollars and of Silver Pieces issued and circulated by the said Governor and Company called Tokens and for the further prevention of Frauds practised by the imitation of the Notes or Bills of the said Governor and Company” and so much of an Act passed in the same year intituled “ An Act for the better regulating and preserving Parish and other Registers of Births Baptisms Marriages and Burials in England” as relates to any felony therein mentioned and so much of an Act passed in the fourth year of the reign of His late Majesty King George the Fourth intituled “ An Act for amending the Laws respecting the solemnization of Marriages in England” as relates to any person who shall knowingly and wilfully insert in the register book any false entry of any matter relating to any marriage or shall falsely make alter forge or counterfeit any such entry in the register or any license of marriage or shall utter or publish as true any false altered forged or counterfeited register of marriage or a copy thereof or any false altered forged or counterfeited license of marriage knowing such register or license of marriage respectively to be false altered forged or counterfeited or shall wilfully destroy any register book of marriages or any part thereof or shall cause or procure or assist in the commission of any of the said several offences shall continue in force until and throughout the twentieth day of July in the present year and shall from and after that day as to that part of the United Kingdom called England be repealed except so far as any of the said Acts may repeal the whole or any part of any other Acts and except as to offences committed before or upon the said twentieth day of July which shall be dealt with and punished as if this Act had not been passed. Provided always that if any person who shall before or upon the said twentieth day of July have committed any offence against any of the several Acts hereby repealed as aforesaid shall after the commencement of this Act be convicted of the same and such offence shall have been made punishable with death by any of the said several Acts but shall not be made punishable with death by this Act in every such case the person convicted of such offence shall not suffer the punishment of death but shall in lieu thereof 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 with or without hard labor for any term not exceeding four years nor less than two years.

32. And be it enacted That this Act shall commence and take effect on the twenty-first day of July in the present year.

Offences committed previous to the repeal may be tried under the old Acts after the repeal.

Proviso.

English Capital Punishment Act Adopted, 2 & 3 W. 4, c. 62.

ANNO SECUNDO ET TERTIO GULIELMI IV. REGIS.
CAP. LXII.

ENGLISH
CAPITAL PUNISHMENT
ACT ADOPTED.

7 and 8 Geo. IV.
c. 29.

9 Geo. IV. c. 55.

An Act for abolishing the Punishment of Death in certain Cases and substituting a lesser Punishment in lieu thereof. [11th July, 1832.]

WHEREAS by an Act passed in the seventh and eighth years of the reign of King George the Fourth intituled “*An Act for consolidating and amending the Laws in England relative to Larceny and other offences connected therewith*” it is amongst other things enacted That if any person shall steal in any dwelling-house any chattel money or valuable security to the value in the whole of five pounds or more every such offender being convicted thereof shall suffer death as a felon and it is also by the said Act enacted That if any person shall steal any horse mare gelding colt or filly or any bull cow ox heifer or calf or any ram ewe sheep or lamb or shall wilfully kill any of such cattle with intent to steal the carcase or skin or any part of the cattle so killed every such offender shall be guilty of felony and being convicted thereof shall suffer death as a felon And whereas by an Act passed in the ninth year of the same reign intituled “*An Act for consolidating and amending the Laws in Ireland relative to Larceny and other offences connected therewith*” it is amongst other things enacted That if any person shall steal in any dwelling-house any chattel money or valuable security to the value in the whole of five pounds or more every such offender being convicted thereof shall suffer death as a felon and it is also by the said last mentioned Act enacted That if any person shall steal any horse mare gelding colt or filly or any bull cow ox steer bullock heifer or calf or any ram ewe sheep or lamb or shall wilfully kill any of such cattle with intent to steal the carcase or skin or any part of the cattle so killed every such offender shall be guilty of felony and being convicted thereof shall suffer death as a felon and whereas it is expedient that a lesser punishment than that of death should be provided for the several offences hereinbefore specified 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 the present Parliament assembled and by the authority of the same that so much of each of the said Acts as inflicts the punishment of death upon persons convicted of any of the felonies hereinbefore specified shall be and the same is hereby repealed and that from and after the passing of this Act every person convicted of any of the felonies hereinbefore specified or of counselling aiding or abetting the commission thereof shall be transported beyond the seas for life.

Persons convicted of any of the offences herein specified shall be transported for life.

Limiting the time for granting pardons &c. by Governors &c. of Colonies.

2. And be it further enacted That neither the Governor or Lieutenant Governor of any Island Colony or Settlement or any other person shall give any Pardon or Ticket of Leave to any person sentenced to Transportation or who shall receive a Pardon on condition of Transportation or any order or permission to suspend or remit the labor of any such person except in cases of illness until such person if transported for seven years shall have served four if transported for fourteen years shall have served six or if transported for life shall have served eight years of labor and that no such person shall be capable of acquiring or holding any property or of bringing any action for the recovery of any property until after such person shall have duly obtained a Pardon from the Governor or Lieutenant Governor of the Colony or Settlement in which he or she shall have been confined Provided that nothing herein contained shall in any manner affect His Majesty’s Royal Prerogative of Mercy.

ANNO SECUNDO ET TERTIO GULIELMI IV. REGIS.

CAP. CXXIII.

An Act for abolishing the Punishment of Death in certain Cases
of Forgery. [16th August, 1832.]ENGLISH
CAPITAL PUNISHMENT
ACT ADOPTED.

WHEREAS by an Act passed in the first year of His present Majesty's reign intituled "An Act for reducing into one Act ^{1 Gul. 4 c. 66.} all such Forgeries as shall hereafter be punished with Death and for otherwise amending the Laws relative to Forgery" it was provided that if any person should after the commencement of that Act be convicted of any Forgery or other offence therein named or described for which he would at the time of the passing of that Act have been liable to the punishment of death he should not suffer death for the same unless the same should be made punishable with death by that Act. And whereas by the law and practice now prevailing in Scotland and in Ireland the penalty of death may be awarded in certain cases for Forgery for uttering counterfeit instruments and for false personation and whereas it is expedient to abolish the punishment of death for offences of that nature except so far as relates to wills and certain powers of attorney as hereinafter mentioned 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 where any person shall after the passing of this Act be convicted of any offence whatsoever for which the said Act enjoins or authorizes the infliction of the punishment of death or where any person shall after the passing of this Act be convicted in Scotland or Ireland of any offence now punishable with death which offence shall consist wholly or in part of forging or altering any writing instrument matter or thing whatsoever or of offering uttering or disposing of any writing instrument matter or thing whatsoever knowing the same to be forged or altered or of falsely personating another then and in each of the cases aforesaid the person so convicted of any such offence as aforesaid or of procuring or aiding or assisting in the commission thereof shall not suffer death or have sentence of death awarded against him but shall be transported beyond the seas for the term of such offender's life.

Persons hereafter
convicted of crimes
punishable with
death under recited
Act.Shall not suffer death
but shall be trans-
ported for life.

2. Provided always and be it enacted That notwithstanding any thing hereinbefore contained this Act shall not be construed to affect or alter the said recited Act or any other Act or Law now in force so far as the same may 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 now is or hereafter may be transferable 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 of 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 procuring aiding or assisting in the commission thereof shall continue to be the same as if this Act had not been passed.

This Act not to ex-
tend to punishments
for forging or altering
wills and certain
powers of attorney.

Minor Courts Fees.

It shall not be necessary to set forth a copy or facsimile of a forged instrument in or indictments for forging or in any manner uttering any instrument or writing it shall not be necessary to set forth any copy or facsimile thereof but it shall be sufficient to describe the same in such manner as would sustain an indictment for stealing the same any law or custom to the contrary notwithstanding.
