

CAP. XXXVII.

An ACT to alter and amend an Act, passed in the last Session of the General Assembly, entitled, An Act to authorize the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint Commissioners to issue Treasury Notes, to an amount not exceeding Twenty Thousand Pounds.

WHEREAS the sum of Eight Thousand Pounds, part of the said Twenty Thousand Pounds, remains unissued under the provisions of the said Act :— Preamble
 And Whereas, from the great scarcity of the small Coins current in the Province, it is deemed expedient to issue Treasury Notes for smaller sums, in lieu of those prescribed by the said Act, to the amount of the said Eight Thousand Pounds :

I. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Commissioners appointed under the said Act, to issue Treasury Notes to the amount of Eight Thousand Pounds, being the residue of the said Twenty Thousand Pounds, in small Notes as follows : Treasury Notes to be issued to the amount of £8,000

Eight Thousand Notes of Ten Shillings each.

And Sixteen Thousand Notes of Five Shillings each.

Ten shilling Notes
 Five Shilling Notes
 Date
 Signature

To bear date the first day of June, One Thousand Eight Hundred and Twenty, and be of the same form, signed, countersigned, and delivered ; and shall be paid and received in payment, in like manner, and again re-issued, under the rules, regulations, restrictions and provisions, as are mentioned, expressed, and contained, in the Act, passed in the fifty-third year of His late Majesty's reign, entitled, An Act to authorise the Treasurer of the Province to call in and pay the Treasury Notes heretofore issued ; and to empower the Lieutenant-Governor, or Commander in Chief for the time being, to appoint Commissioners to issue Treasury Notes.

II. And be it further enacted, That it shall not be lawful for the said Commissioners to issue Treasury Notes for the said sum of Eight Thousand Pounds, or any part thereof, in Notes for any greater or other sum or sums of Money, than is mentioned and prescribed by this Act.

Ten and Five Shilling Notes only to be issued

III. And be it further enacted, That the said Treasury Notes, so to be issued, under the provisions of this Act, shall be deemed to be part and parcel of the said sum of Twenty Thousand Pounds, so to have been issued under the Act of which this is an amendment, and shall be substituted in the lieu thereof ; and shall be subject to all the rules, regulations, pains, penalties and provisions, as are mentioned and contained in said Act.

The Act under which the issue is made

CAP. XXXVIII.

An ACT to restrain and prohibit the Negotiation, within this Province, of Promissory Notes, or Inland Bills of Exchange, under a limited Sum.

WHEREAS, various Notes, Bills, and Draughts for Money, for very small Sums, have been circulated, or negotiated, for some time past, in lieu of Cash, within this Province, to the great prejudice of Trade and Public Credit : Preamble

Preamble

I.

Notes in circulation declared void

I. *BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That all Promissory or other Notes, Bills of Exchange, Draughts, or undertakings, in writing or printing, or being partly written and partly printed, being made payable to the Bearer, or in any other shape negotiable or transferable, for the payment of any sum of Money less in the whole than the sum of Twenty-six Shillings, which shall be made or issued at any time after the Publication of this Act, shall be, and the same are hereby declared to be, absolutely void, and of no effect; any Law, Statute, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

Penalty for issuing other Notes

II. *And be it further enacted, by the authority aforesaid,* That if any Person or Persons shall, at any time or times, from and after the publication hereof, by any act, device, or means whatsoever, publish, circulate, or utter, any such Notes, Bill, Draughts or Engagements, or shall circulate any Notes that have been already issued, for a less sum than Twenty-six Shillings, or on which less than the sum of Twenty-six Shillings shall be due, or promised to be paid, or which shall be in any shape made negotiable; or shall circulate or negotiate the same—every such person shall, on conviction before any two of His Majesty's Justices of the Peace, forfeit and pay the sum of Twenty Shillings, for each and every Note so issued or circulated.

Recovery of Penalties

III. *And be it further enacted, by the authority aforesaid,* That the Penalties hereby imposed and made payable, shall and may be recovered in a summary way, before any two of His Majesty's Justices of the Peace; and shall and may be levied by Execution in the usual form; one moiety of such Penalties, when so levied and recovered, to be paid to the informer, and the other moiety to the Poor of the County, Town, Parish and District, in which the offence shall be committed.

Notes in circulation to be paid on demand

IV. *And be it further enacted by the authority aforesaid,* That, from and after the publication of this Act, all and every such Notes, Bills, Draughts, or Undertakings, in writing, for any sum or sums of Money less than the sum of twenty-six Shillings, and which are negotiable or transferable, or which have been negotiated or circulated, previous to the publication of this Act, shall be, and they are hereby adjudged and declared to be, payable on demand; any terms, restrictions, or conditions, therein contained, to the contrary thereof notwithstanding.

Persons neglecting or refusing to pay Notes on demand

V. *And be it further enacted by the authority aforesaid,* That if any Person, liable to the Payment of any such Notes, Bills, Draughts or Undertakings in writing, shall neglect or refuse to make full payment, in Gold or Silver, of the sum or sums for which such Notes, Bills, Draughts or Undertakings, shall be respectively given, issued or circulated, it shall and may be lawful for the Holder or Holders of such Notes, Bills, Draughts, or Undertakings, to recover the same by a Suit, to be commenced and tried in a summary way before any one of His Majesty's Justices of the Peace, any Law, Usage or Custom, to the contrary notwithstanding.

Promissory Notes under 26s. 10d. accepted by this Act, provided they be given by actual debtors, and not introduced

VI. *And be it further enacted by the authority aforesaid,* That nothing herein contained shall extend, or be construed to extend, to prevent any person actually indebted to another, in any sum or sums of money less than twenty-six shillings, to enter into a Promissory Note, or engagement in writing, promising to pay his or her Creditor, any such sum or sums of money less than twenty-six shillings; and such Note, or engagement in writing, shall be good and valid in Law, as between the original Parties to the same; *Provided,* that such Note or Notes in writing shall remain and continue to be held by the Person or Persons to whom the same shall have been made in the first instance, and shall not have been negotiated, circulated, or passed, to any third person whatsoever.

Proviso

Act not to extend to Treasury Notes

VII. *Provided always,* That nothing in this Act shall extend, or be construed to extend, to any Treasury Notes, which have been issued, or may be issued, under the authority of any Act of the General Assembly.

CAP.