

*The Provincial Statutes of Lower-Canada, Being the Fourth Session of the First Provincial Parliament of Lower-Canada.* Quebec: William Vondenvelden, Printer to the King's Most Excellent Majesty, 1796.

36 George III – Chapter 5

**An Act for better regulating the Weight and Rates at which certain Coins shall pass Current in this Province, for preventing the falsifying, counterfeiting or impairing the same, and for repealing the Act or Ordinance therein mentioned. [7th May, 1796.]**

Whereas it will tend to prevent the diminution of the Specie circulating in this Province, that the same be regulated according to a Standard that shall not present an Advantage by carrying it to the neighbouring Countries, and whereas by the Ordinance now in force for regulating the Currency of this Province, an Advantage does arise by carrying Gold Coin out of the same, be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further Provision for the Government of the said Province," that the Gold and Silver Coins hereafter mentioned, shall pass current and be deemed a legal tender in payment of all Debts and Demands whatsoever in this Province, at the weights and rates following, that is to say, of Gold Coins; the British Guinea weighing five penny weight and six grains Troy, at one pound three Shillings and four pence; the Johannes of Portugal, weighing eighteen penny weight Troy, at four pounds; the Moidore of Portugal weighing six penny weight and eighteen grains Troy, at one pound ten shillings; the milled doubloon or four pistole piece of Spain, weighing seventeen penny weight Troy, at three pounds and fourteen shillings; the French Louis d'Or coined before the year one thousand seven hundred and ninety three, weighing five penny weight and four grains Troy at one pound two shillings and six pence; the French Pistole piece, coined before the same period, weighing four penny weight and four grains, at eighteen shillings; the American Eagle piece, weighing eleven penny weight and six grains Troy, at two pounds and ten shillings. And of Silver Coins, the British Crown at five shillings and six-pence; the British shilling at one shilling and one-penny; the Spanish milled dollar at five shillings, equal to four shillings and six pence sterling money of Great Britain; the Spanish Pistereen at one shilling; the French Crown coined before the year one thousand seven hundred and ninety three, at five shillings and six pence; the French piece of four Livres and ten Sols tournois at four shillings and two-pence; the French piece of thirty six sols Tournois, at one shilling and eight pence; the French piece of twenty four sols Tournois, at one shilling and one penny; the American Dollar at five shillings; and all the higher and lower denominations of the said Gold and Silver Coins, shall also pass current and be deemed a legal tender in payment of all debts and demands whatsoever in this Province, in the same proportions respectively.

II. And be it further enacted by the authority aforesaid, that for every grain which any piece of the aforesaid Gold coins shall respectively weigh, more than the standard aforesaid, there shall be allowed and added in all payments made in pieces of Gold coin by detail, two pence and one farthing currency; and for every grain which any piece of the same shall respectively weigh less than the standard aforesaid, there shall be deducted in all such payments, two-pence and one farthing currency.

III. And be it further enacted by the authority aforesaid, that if any person whatsoever shall, after the passing of this Act, utter or tender in payment to any person or persons, any false or counterfeit money, counterfeit to any of the Gold or Silver coin of Great Britain, Portugal, the United States of America, Spain or France, as herein before specified, or to any of the higher or lower denominations thereof, knowing the same to be false or counterfeit, and shall be thereof convicted, such person so offending, shall suffer one year's Imprisonment, and shall also be set in and upon the Pillory for the space of one hour, in some market place, and if the same person shall afterwards offend a second time, in uttering or tendering in payment any such false or counterfeit money as aforesaid, knowing the same to be so, and shall be convicted of such second offence, he or she shall be and is hereby adjudged to be guilty of Felony, without benefit of Clergy.

IV. And be it further enacted by the authority aforesaid, that any person or persons, who shall after the passing of this Act, import or bring, or cause to be imported or brought into this Province, any false or counterfeit brass or copper money, in order to sell or pass away the same, knowing the same to be false and counterfeit, every such person shall for every such offence, besides forfeiting such false and counterfeit money, suffer imprisonment at the discretion of the Court of King's Bench of the District wherein such person shall be tried and convicted. Provided always, that such Imprisonment shall not exceed twelve Calendar Months. And provided also, that the prosecution for such offence shall be commenced in six Months after the fact committed, and not afterwards.

V. And be it further enacted by the authority aforesaid, that all such false or counterfeit brass or copper Money may be seized by any person having a Warrant from a Justice of the Peace for that purpose, and shall be broken or defaced in open Court after being found to be false or counterfeit, or in presence of a Justice of the Peace; and one moiety thereof shall then belong to His Majesty, his heirs and successors, to be applied to the public uses of this Province, and the support of the civil Government thereof, the due application of which, shall be accounted for to His Majesty, his heirs and successors, through the Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty shall direct; and the other moiety thereof shall belong to the person who shall have seized and prosecuted for the same.

VI. And be it further enacted by the authority aforesaid, that no person shall be obliged to receive at any one payment more than the sum of one shilling currency of this Province in copper money.

VII. And whereas it would be a great facility in making payments if Gold coin was weighed in bulk, and not in single pieces, as heretofore has been customary, be it therefore enacted by the authority aforesaid, that in every payment exceeding the sum of fifty pounds currency, which shall be made in Gold coin, after the first day of June, which will be in the year of our Lord one thousand seven hundred and ninety seven, where one of the parties making or receiving the same shall require it, such Gold shall be weight in bulk, and not in single pieces, that is to say; the Gold coin of Great Britain, Portugal and America together, and that of Spain and France together, from the weight of which a deduction shall be made of two thirds of a grain Troy for each piece of Gold coin so weighed, as a compensation for the loss that may accrue by paying away the same in detail. And in all payments so made, the Gold coin of Great Britain, Portugal and America, shall be computed at the rate of eighty-nine shillings currency for each ounce Troy, and that of Spain and France at the rate of eighty seven shillings currency for each ounce Troy therein contained, after such deduction made, and so in proportion for a greater or lesser quantity.

VIII. And be it further enacted by the authority aforesaid, that any person or persons to whom any Gold, Silver or Copper money shall be tendered in payment, any piece whereof shall by the stamp, impression, colour or weight thereof afford reason to suspect that the same or any piece thereof is false and counterfeit, such person or persons to whom the same is presented, may cut, break or deface every such piece, and if any piece so cut, broken or defaced, shall be found to be false and counterfeit, the person tendering the same, shall bear the loss thereof; but if the same shall be found to be good and lawful money, the person that cut, broke or defaced the same, shall receive the same at the rate it was coined for, and if any question shall arise, whether any piece so cut, broke or defaced be false or counterfeit, it shall be determined by a Justice of the peace, who, if he shall have any doubts touching the same, may summon three indifferent persons to give their opinion thereon, whose opinions, or the majority thereof shall be final.

IX. And be it further enacted by the authority aforesaid, that if any false or counterfeit Gold or Silver coin shall be produced in any Court of Justice in this Province, the Judges shall cause the same to be cut in pieces in open Court, or in the presence of a Justice of the Peace, and then to be delivered to or for the person or persons to whom it belongs.

X. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, the Act or Ordinance made in the seventeenth year of His Majesty's Reign, intituled "An ordinance for regulating the Currency of the Province," be, and the same is hereby repealed.