

notes of any of the banks of this state higher or for a greater sum than the nominal value of such notes; and if any person or persons, or officer or officers of any body politic or corporate, shall be duly convicted of violating the provisions contained in this section, such person or persons, officer or officers, shall forfeit and pay a sum of money double the amount of the gold or silver so bought or sold; *Provided*, that nothing herein contained shall be construed to prohibit the importer of any gold or silver from selling or disposing of the same in any manner, or to any persons, such importer shall deem proper, or to prevent any person or persons from buying gold or silver coin, unless the same be with an intention to sell the same at a premium.

than their nominal value, &c.

Proviso.

SEC. 4, 5. Repealed by 1823, ch. 147.

SEC. 6. *And be it enacted*, That the courts of law in this state, in the construction of this act, shall consider the same as remedial, and shall give such a construction thereto, as shall be calculated to restrain any evasion by any subtlety or device whatsoever of any of the provisions thereof.

Courts in the construction of this act to consider the same as remedial, &c.

SEC. 7. *And be it enacted*, That it shall and may lawful for the courts of law in this state, in the trial of any case under this act, to enforce and compel any person who may be a party in any of the transactions prohibited by this act, to give evidence in all and every thing relating thereto; but no evidence to be given by any person shall be used against him in any trial for the like offence.

In the trial of any case under this act, court to compel persons to give evidence.

SEC. 8. *And be it enacted*, That all forfeitures or penalties arising or accruing under this act shall be recovered by action of debt in the name of this state and the informer, or by bill of indictment in the name of this state, in the court of the county having cognizance thereof, and one-half of the forfeiture or penalty so recovered shall go to the informer, and the other to the state.

Forfeitures, how to be recovered.

SEC. 9. *And be it enacted*, That if any person duly convicted of any offence under and in virtue of this act, shall not pay the forfeiture or penalty recovered against him on such conviction, such person shall be committed to the gaol of the county, in which such conviction shall be had; and if he shall not within twenty days after such commitment pay the said forfeiture or penalty, then it shall and may be lawful for the court wherein the said conviction shall be had, to sentence such person to undergo a confinement in the common gaol of the county, for a period of time not exceeding one year, and be treated in such manner as the said court shall direct.

Persons convicted and not paying forfeiture to be committed to gaol.