

# The Treason Act – 17 July 1649

Gary Oddie

Tuesday 17<sup>th</sup> July was a busy day in Parliament. Along with the previously noted Act defining the denominations, weights, and designs of the new Commonwealth coinage,<sup>(1)</sup> an act was also passed declaring what offences shall be adjudged treason.

The Treasons Act of 1649 was passed by the so-called Rump Parliament. It superseded the Act declaring what offences shall be adjudged Treason passed about two months earlier on the 14<sup>th</sup> of May 1649. The Rump Parliament was part of the Long Parliament in Britain that continued to sit after the forced exclusion of Presbyterian members in 1648. It voted for the trial that resulted in the execution of Charles I.

With the execution of Charles I at the end of January in 1649, new Treason Acts were necessary to replace those that had previously addressed offences against the King, with those that addressed threats that faced the Commonwealth.

This Treason Act of 17<sup>th</sup> July 1649 is just five pages long, but the last page and a half refer to all aspects of the circulating gold and silver coinage. The whole Act is reproduced in the pages that follow and a brief summary appears below.

The Act proceeds as follows. On pages 353-4, that no one is to publish or say that *the [Commonwealth] government is tyrannical, usurped, or unlawful, or that the commons in parliament assembled are not the supreme authority of this nation*. Then no members of the Commonwealth's army (under Thomas Fairfax) are to *plot, contrive, or endeavour to stir up or raise force against the present government, or for the subversion or alteration of the same*. Then page 355 begins; no one is to *procure, invite, aid, or assist any foreigners or strangers to invade England or Ireland* or to attempt or incite the subversion of the government, or insurrection against the government. Then appears the numismatic section with no one to counterfeit the Commonwealth version of the great seal of England, and this is followed by pages 355-7 with no counterfeiting the coinage of the Commonwealth, importing false money, no uttering or making payments with false money etc. And no one is to *Impaire, diminish, falsifie, clip, wash, round or file, scale or lighten, for wicked lucre or gains sake any the proper moneys or coyness of this Commonwealth, or the dominions thereof, or of the moneys or coins of any other realm allowed or suffered to be currant within this Commonwealth*. . .

The penalty for treason under the Act was death and forfeiture of all lands and goods.

As with all acts and ordinances passed by Parliament during the Civil War and the Interregnum, which did not have Royal Assent, this Act was made null and void following the Restoration of the monarchy in 1660.

The pages below reproduce the act in full. The images are slightly reduced to fit on the page.

## Reference

- (1) An Act Touching the Moneys & Coyns of England – 17 July 1649 – Gary Oddie. [Link.](https://britnumsoc.files.wordpress.com/2021/09/192-1649-act-oddie-blog.pdf)  
<https://britnumsoc.files.wordpress.com/2021/09/192-1649-act-oddie-blog.pdf>





AN ACT  
Declaring what  
OFFENCES  
Shall be adjudged  
TREASON.



Die Martis, 17 Julii, 1649.

**O**rdere*d by the Parliament, That this Act be forthwith printed and published.*

Hen: Scobell, Cleric. Parliamenti.

*London : Printed by Edward Husband and John Field, Printers to the Parliament of England. 1649.*



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# AN ACT

Declaring what

# OFFENCES

Shall be adjudged

# TREASON.



Whereas the Parliament hath Abolished the Kingly Office in England and Ireland, and in the Dominions and Territories thereunto belonging; and having Resolved and Declared, That the People shall for the future be Governed by its own

Representatives or National Meetings in Council, Chosen and Entrusted by them for that purpose, hath settled the Government in the Way of a Commonwealth and Free-State, Without King or House of Lords : Be it Enacted by this present Parliament, and by the Authority of the same, That if any person shall maliciously or advisedly publish, by Writing, Printing, or openly Declaring, That the said Government is Tyranical, Usurped or Unlawful; or that the Commons in Parliament assembled are not the Supreme Authority of this Nation; or shall plot, contrive or endeavor to stir up, or raise force

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against



against the present Government, or for the subversion or alteration of the same, and shall declare the same by any open deed, That then every such Offence shall be taken, deemed and adjudged by authority of this Parliament to be High Treason. And whereas The Keepers of the Liberty of England, and the Council of State, constituted, and to be from time to time constituted by Authority of Parliament, are to be under the said Representatives in Parliament, Entrusted for the Maintenance of the said Government, With several Powers and Authorities limited, given and appointed unto them by the Parliament; Be it likewise Enacted by the Authority aforesaid, That if any person shall maliciously and advisedly plot or endeavor the subversion of the said Keepers of the Liberty of England, or the Council of State, and the same shall declare by any open deed, or shall move any person or persons for the doing thereof, or stir up the People to rise against them, or either of them, their or either of their Authorities, That then every such Offence and Offences, shall be taken, deemed and declared to be High Treason. And whereas the Parliament, for their just and lawful defence, hath raised and levyed the Army and Forces now under the command of Thomas Lord Fairfax, and are at present necessitated, by reason of the manifold Distractions within this Commonwealth, and Invasions threatened from abroad, to continue the same, which under God, must be the Instrumental means of preserving the well-affected people of this Nation in peace and safety; Be it further Enacted by the Authority aforesaid, That if any person, not being an Officer, Soldier or Member of the Army, shall plot, con-  
tribute



trive or endeavor to stir up any Mutiny in the  
 said Army, or withdraw any Soldiers or Offi-  
 cers from their obedience to their Superior Offi-  
 cers, or from the present Government as afore-  
 said; or shall procure, invite, ayd or assist any  
 Forraigners or Strangers to Invade England or  
 Ireland; or shall adhere to any Forces raised by  
 the Enemies of the Parliament or Common-  
 wealth, or Keepers of the Liberty of England; or if  
 any person shall counterfeit the Great Seal of  
 England, for the time being used and appointed by  
 authority of Parliament, That then every such  
 Offence and Offences shall be taken, deemed and  
 declared by authority of this Parliament, to be  
 High Treason; and every such persons shall suf-  
 fer pains of death, and also forfeit unto the  
 Keepers of the Liberty of England, to and for the use  
 of the Commonwealth, all and singular his and  
 their Lands, Tenements and Hereditaments,  
 Goods and Chattels, as in case of High Treason  
 hath been used by the Laws and Statutes of  
 this Land to be forfeit and lost. Provided al-  
 ways, That no persons shall be indicted and Ar-  
 raigned for any of the Offences mentioned in  
 this Act, unless such Offenders shall be Indict-  
 ed and prosecuted for the same within one year  
 after the Offence committed. And be it further  
 Enacted by the Authority aforesaid, That if  
 any person shall counterfeit the Money of this  
 Commonwealth, or shall bring any false Mo-  
 ney into this Land, counterfeit or other, like  
 to the Money of this Commonwealth, know-  
 ing the Money to be false, to Merchandize or  
 make payment, in deceit of the People of this  
 Nation; or if any person shall hereafter falsly  
 forge and counterfeit any such kinde of Coyne  
 of



of Gold or Silver, as is not the proper Coyne of this Commonwealth, and is or shall be currant within this Nation, by consent of the Parliament, or such as shall be by them authorized thereunto; or shall bring from the parts beyond the Seas into this Commonwealth, or into any the Dominions of the same, any such false and counterfeit Coyne of Money, being currant within the same as is abovesaid, knowing the same Money to be false and counterfeit, to the intent to utter or make payment with the same within this Commonwealth, by Merchandise or otherwise; or if any person shall Impair, Diminish, Falsifie, Clip, Wash, Round or File, Scale or Lighten, for Wicked Lucre or Gains sake, any the proper Moneys or Coyns of this Commonwealth, or the Dominions thereof, or of the Moneys or Coyns of any other Realm, allowed and suffered to be currant within this Commonwealth, or the Dominions thereof, That then all and every such Offences abovementioned, shall be and are hereby deemed and adjudged High Treason, and the Offenders therein, their counsellors, procurers, ayders and abettors, being convicted according to the Lawes of this Nation of any of the said Offences, shall be deemed and adjudged Traytors against this Commonwealth, and shall suffer and have such pains of Death, and Forfeitures as in case of High Treason is used and Ordained. Provided always, and be it Enacted by the authority aforesaid, That this Act touching the Moneys and Coyns aforesaid, or any thing therein contained, nor any Attainder of any person for the same, shall in any wise extend or be



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be judged to make any corruption of Blood, to  
any the Heir or Heirs of any such Offender, or  
to make the Wife of any such Offender to lose or  
forfeit her Dowry, of or in any Lands, Tene-  
ments or Hereditaments, or her Title, Action or  
Interest in the same.

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*Die Martis, 17 Julii, 1649.*

**O**Rdered by the Parliament, That this Act  
be forthwith printed and published.

*Hen: Scobell, Cleric. Parliamenti.*

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