



1852.

No. 14.

*An Act to repeal part of an Act, No. 1 of One Thousand Eight Hundred and Fifty-two, "To provide for the Assaying of Uncoined Gold and to make Bank Notes, under certain conditions, a Legal Tender," and to provide that Stamped Gold shall be a Legal Tender.*

[Assented to 23rd November, 1852.]

**W**HEREAS it is expedient to repeal so much of an Act, No. 1 of 1852, to provide for the assaying of uncoined gold and to make Bank notes, under certain conditions, a legal tender in certain particulars, as makes it compulsory upon the Banks therein named to purchase gold and to provide for the issue of gold tokens which shall be a legal tender: Preamble.

Be it therefore Enacted, by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council thereof, That from and after the passing of this Act, so much of the said Act to provide for the assaying of uncoined gold, and to make Bank notes, under certain conditions, a legal tender, as provides that all persons should be entitled to demand from any one of the Banks therein named, notes of such Bank in exchange for gold bullion, at the rate of Three Pounds Eleven Shillings per ounce of standard gold, shall be, and the same is, hereby repealed.

2. And be it Enacted, That the Government Assayer in the said Act named, or the Government Assayer for the time being, under and subject to the regulations now in force, or to such regulations as after the expiration of the said Act, shall be from time to time issued for the guidance of the said Government Assayer by the Lieutenant-Governor with the advice of the Executive Council, shall, after he has assayed any gold brought to him, reduce the same to the fineness of standard gold, according to the standard

Gold to be reduced to an uniform standard, and divided into portions, to be stamped with the value thereof.

of coined gold by the law of England, and shall thereafter cause the same to be divided into convenient portions, of the value, at the rate of Three Pounds Eleven Shillings per ounce of standard gold, of Five Pounds, Two Pounds, One Pound, or Ten Shillings, as such Government Assayer may deem fit, and shall stamp upon each such portion the precise weight and value thereof, with such device as, being approved by the Governor, shall be published in the *South Australian Government Gazette*.

Stamped gold to be a legal tender.

3. And be it Enacted, That all gold so stamped as herein aforesaid shall be a legal tender, according to the value expressed upon the same, and shall be taken to be a valid tender at such value, on all occasions on which a tender of money may legally be made.

If deliveries of gold fall off, Assay Office may be closed.

4. And be it Enacted, That if at any time after the twenty-eighth day of January, which will be in the year of our Lord one thousand eight hundred and fifty-three, the quantity of gold brought to the Assay Office for the purpose of this Act shall, during any consecutive period of four weeks, amount to a less quantity than four thousand ounces, it shall be lawful for the Governor, by proclamation in the *South Australian Government Gazette*, to fix a time, not being less than fourteen days from the issuing of such proclamation, for the closing of such office, and such time of closing from time to time to enlarge by proclamation as aforesaid, and at the expiration of the time so fixed, or of any enlargement thereof so proclaimed as aforesaid, the said Assay Office shall close, and the functions thereof shall cease, either wholly, or during such time as the Governor may appoint, excepting as regards the assaying and stamping of all gold received prior to the closing thereof.

Additional charge to be made in respect of gold below standard.

5. And be it Enacted, That if any gold shall be brought to the Assay Office to be stamped into tokens as herein provided which shall be below the standard of coined gold according to the law of England, it shall be lawful for the Government Assayer to deduct and retain therefrom one-half part in every hundred in addition to the one part in every hundred by the said Act authorised to be deducted and retained.

Forgery of stamps, &c.

6. And be it Enacted, That if any person shall forge or alter, or cause to be forged or altered, or shall offer to dispose of, or put off, knowing the same to be forged or altered, any receipt by the Government Assayer for any gold, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, any mark, stamp, or die which shall have been provided, made, or used in pursuance of this Act, for the purpose of making or stamping any such gold, or shall forge, counterfeit, or resemble, or cause to be forged, counterfeited, or resembled, the impression of any such mark, stamp, or die upon any gold, or base, or mixed metal, or shall mark or stamp, or cause or procure to be marked or stamped, any gold, or base, or mixed metal, with any such forged or counterfeited mark,

mark, stamp, or die as aforesaid, or shall transfer or remove, or cause to be transferred or removed from one piece of gold to another, or to any piece of base or mixed metal any impression made by any mark, stamp, or die, which shall have been made or used in pursuance of this Act, for the purpose of making or stamping any such gold as aforesaid, or shall pay, offer, exchange, or dispose of any gold, mixed or base metal, bearing thereupon any forged or counterfeited, or transferred or removed mark, stamp, or impression as aforesaid, knowing the same respectively to be forged, counterfeited, transferred, or removed as aforesaid, or if any person shall wilfully, or without lawful excuse, the proof whereof shall lie on the person accused, have, or be possessed of any such forged or counterfeited stamp, mark, or die so provided, made, or used as aforesaid, any person so offending shall be judged guilty of felony, and being convicted thereof, shall be liable to imprisonment with hard labor for any period not exceeding fifteen years, nor less than two years.

JOHN MORPHETT, Speaker.

*Passed the Legislative Council this eleventh day  
of November, one thousand eight hundred  
and fifty-two.*

F. C. SINGLETON,  
Clerk of the Legislative Council.

In the name and on the behalf of Her Majesty I assent to this Act.

H. E. F. YOUNG,  
Lieutenant-Governor.

Government House, Adelaide,  
23rd November, 1852.