



ANNO UNDECIMO

VICTORIÆ REGINÆ,

No. 8.

*By His Excellency SIR WILLIAM THOMAS DENISON, Knight,
Lieutenant-Governor of the Island of Van Diemen's Land and
its Dependencies, with the Advice of the Legislative Council.*

AN ACT for the more effectually preventing the counterfeiting of Foreign Coin within the Island of Van Diemen's Land and the uttering or importing of such Counterfeit Coin within the same.

WHEREAS it is expedient that provision should be made for the more effectual prevention of the practice of counterfeiting Foreign Coin and uttering such counterfeit Coin within this Island—**BE IT THEREFORE ENACTED** by His Excellency SIR WILLIAM THOMAS DENISON Knight Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council of the said Island that if any person or persons shall from and after the time when this Act shall come into operation make coin or counterfeit any kind of coin not permitted to be current within the Island but resembling or made with intent to resemble or look like or to pass as any gold silver or copper coin of any foreign prince state or country such person or persons offending therein shall be deemed and adjudged to be guilty of felony and may be transported beyond the seas for the same for any term of years not exceeding seven years.

PREAMBLE.

Persons counterfeiting foreign coin not permitted to be current within this Island and punishable by seven years' transportation.

II. AND BE IT ENACTED that if any person or persons shall from and after the time when this Act shall come into operation bring into this Island or any of the Dependencies thereof any such false or counterfeit coin as aforesaid resembling or made with intent to resemble or look like or to pass as any such Foreign Coin as aforesaid knowing the same to be false or counterfeit to the intent to utter the same within this Island or its Dependencies all and every such person or persons shall be deemed and adjudged to be guilty of felony and may be transported beyond the seas for any term of years not exceeding seven.

As also persons bringing such coin into this Island with intent to utter same.

Punishment for tendering in payment such counterfeit coin first offence two years' imprisonment second offence guilty of felony and punishable by seven years' transportation.

III. AND BE IT ENACTED that if any person or persons shall from and after the time when this Act shall come into operation utter or tender in payment or give in exchange or pay or put off to any person or persons any such false or counterfeit coin as aforesaid resembling or made with intent to resemble or look like or to pass as any such Foreign Coin as aforesaid knowing the same to be so false or counterfeit all and every such person or persons shall be deemed and adjudged to be guilty of a misdemeanor and being convicted thereof shall be imprisoned with or without hard labour for any term of years not exceeding two years and if any such person or persons who shall have been convicted of such misdemeanor shall afterwards commit such misdemeanor all and every such person or persons shall on being so subsequently convicted thereof be deemed and adjudged to be guilty of felony and shall be liable at the discretion of the Court to be transported beyond the seas for any term not less than seven years or to be imprisoned with or without hard labour for any term not exceeding four years.

Principals in the second degree and accessories before the fact punishable in the same manner as principals in the first degree. Accessories after the fact punishable by two years' imprisonment with or without hard labour.

IV. AND BE IT ENACTED that in the case of the several felonies punishable under the first and second sections of this Act every principal in the second degree and every accessory before the fact shall be punishable in the same manner as the principal in the first degree is by this Act punishable and every accessory after the fact to the said several felonies punishable under the said first and second sections shall on conviction be liable and subject to be imprisoned with or without hard labour for any term not exceeding two years.

Interpretation of terms.

V. AND BE IT ENACTED that upon the trial of any person charged with an offence against this Act it shall not be necessary to prove by any witness or witnesses that the Foreign Coin which such person shall be charged with coining counterfeiting importing or uttering as aforesaid was the current gold silver or copper coin of the foreign prince state or country which it appears to be at the time when such offence was committed but in every such case the currency of every such gold silver or copper coin at the time when such offence was committed shall be presumed until the person charged with such offence shall prove to the contrary—and the words gold silver or copper coin of any foreign prince state or country shall for the purposes of this Act embrace include and apply to any gold silver or copper coin other than the Queen's proper coin current within this Island and any coin which shall have been gilt silvered washed coloured or cased over or in any manner altered so as to resemble or be apparently intended to resemble or to pass for any such Foreign Coin as aforesaid of a higher denomination or value shall be deemed and taken to be counterfeit coin within the intent and meaning of those parts of this Act wherein mention is made of "counterfeit coin resembling or made with intent to resemble or look like or to pass as any such Foreign Coin as aforesaid."

W. T. DENISON.

Passed the Legislative Council, this twenty-eighth day of March, one thousand eight hundred and forty-eight,

J. W. KIRWAN, *Clerk of the Council.*