

## No. 14.—1842.

AN ORDINANCE for Assimilating the Laws against Offences relating to the Coin to the Laws of England.

(L. S.) C. CHICHESTER.

*Acting Governor, Lieut.-Colonel 81st Regiment.*

Counterfeit-  
ing current  
gold, or copper  
coin, felony.

**W**HEREAS it is expedient that the Laws against Offences relating to the Coin should be assimilated to the Laws of England, and consolidated into this Ordinance: Be it therefore enacted by His Excellency the Governor and Commander-in-Chief of the said Island and its Dependencies, by and with the advice and consent of the Council of Government thereof, That if any person shall falsely make or counterfeit any coin resembling or apparently intended to resemble or pass for any of the Queen's current gold or silver or copper coin, or the gold, silver, or copper coin of any foreign state, prince, or country, ordered or permitted by lawful authority to be current in this Colony, every such offender shall be guilty of felony, and being convicted thereof, shall be liable to be transported for life or for any term not less than ten years; and every such offence shall be deemed to be complete, although the coin so made or counterfeited shall not be in a fit state to be uttered, or the counterfeiting thereof shall not be finished or perfected.

Counterfeit-  
ing foreign  
coin.

2. And be it further enacted, That if any person shall make coin, or counterfeit any kind of coin not the proper coin of the Realm, nor permitted to be current in this Colony as aforesaid, but resembling or made with intent to resemble or look like any gold, silver, or copper coin of any foreign prince, state, or country, or pass for any such foreign coin, such offender shall be guilty of felony, and shall be liable to be transported for any term not less than ten years, or to be imprisoned for any term not exceeding four years.

Colouring  
counterfeit  
coin or any  
pieces of metal  
with intent to  
make them  
pass for gold

3. And be it further enacted, That if any person shall gild silver or copper, or shall, with any wash or material capable of producing the colour of gold, or of silver, or of copper, wash, colour, or case over any coin whatsoever resembling or apparently intended to resemble or pass

for any of the Queen's current gold, silver, or copper or silver coin. coin, or any gold, silver, or copper coin of any foreign prince, state, or country, whether ordered or permitted to be current in this Colony or not; or if any person shall gild silver or copper, or with any wash or material capable of producing the colour of gold, or of silver, or of copper, wash, colour, or case over any piece of silver, or copper, or of coarse gold, or coarse silver, or of any metal, or mixture of metals, or mixture of metal or metals with any other substance or substances, being of a fit size and figure to be coined, and with the intent that the same shall be coined into false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's gold, silver, or copper coin, or any gold, silver, or copper coin of any foreign prince, state, or country, whether ordered or permitted to be current in this Colony or not; or if any person shall gild, or with any wash, colour, or materials capable of producing the colour of gold, wash, colour, or case over any of the Queen's current silver coin, or any such silver coin of any foreign prince, state, or country as aforesaid, or file, or in any manner alter any such coin with intent to make the same resemble or pass for any of the Queen's gold coin, or any such gold coin of any foreign prince, state, or country as aforesaid; or if any person shall Colouring or altering genuine coin with intent to make it pass for a higher coin. gild or silver, or shall with any wash or materials capable of producing the colour of gold or silver, wash, colour, or case over any of the Queen's copper coin, or the copper coin of any such foreign prince, state, or country as aforesaid, with intent to make the same resemble or pass for any of the Queen's gold or silver coin, or any such gold or silver coin of any foreign prince, state, or country as aforesaid, every such offender shall be guilty of felony, and shall be liable to be transported for any term not less than ten years, or to be imprisoned for any term not exceeding four years.

\* \* \* \* \*

*Sec. 4 is repealed by Ordinance 1 of 1874.*

5. And be it further enacted, That if any person shall Buying or selling counter- buy, sell, receive, pay, or put off, or offer to buy, sell,

feit coin under  
the value of  
which the  
same purports  
to be.

Importing  
counterfeit  
coin.

Uttering  
counterfeit  
coin.

Uttering, ac-  
companied by  
possession of  
other counter-  
feit coin, or fol-  
lowed by se-  
cond offence.

receive, pay, or put off any false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current gold, silver, or copper coin, or any gold, silver, or copper coin of any foreign prince, state, or country, ordered or permitted to be current in this Colony as aforesaid, at or for a lower rate or value than the same would be worth if it were the true coin which its denomination imports, or which it was coined or counterfeited for; or if any person shall import into this Colony from beyond the seas any false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's gold, silver, or copper coin, or any gold, silver, or copper coin of any foreign prince, state, or country, whether the same be ordered or permitted to be current in this Colony or not, knowing the same to be false or counterfeit, every such offender shall be guilty of felony, and being convicted thereof, shall be liable to be transported for any term not less than ten years, or to be imprisoned for any term not exceeding four years.

6. And be it further enacted, That if any person shall tender, utter, or put off any false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current gold, silver, or copper coin, or the gold, silver or copper coin of any foreign prince, state, or country, whether the same be ordered or permitted to be current in this Colony or not, knowing the same to be false or counterfeit, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be imprisoned for any term not exceeding one year; and if any person shall tender, utter, or put off any false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current coin, or any such coin of any foreign prince, state, or country, knowing the same to be false or counterfeit, and such person shall, at the time of such tendering, uttering, or putting off, have in his possession, besides the false or counterfeit coin so tendered, uttered, or put off, one or more piece or pieces of false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current coin, or any such coin of any foreign prince, state, or country, or shall, either on the day of such tendering, uttering, or putting

off, or within the space of ten days then next ensuing, tender, utter, or put off any more or other false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current coin, or any coin of any foreign prince, state, or country, knowing the same to be false or counterfeit, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding two years; and if any person who shall have been convicted of any of the misdemeanors hereinbefore enumerated, shall afterwards commit any of the said misdemeanors, such person shall be deemed guilty of felony, and on conviction thereof shall be liable to be transported for any term not less than ten years, or to be imprisoned for any term not exceeding four years.

Second offence  
felony.

7. And be it further enacted, That if any person shall have in his custody or possession three or more pieces of false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current gold, silver, or copper coin, or any gold, silver, or copper coin of any foreign prince, state, or country, whether the same be ordered or permitted to be current in this Colony or not, knowing the same to be false or counterfeit, and with intent to utter or put off the same, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years; and if any person so convicted shall afterwards commit the like misdemeanor, such person shall be deemed guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported for any term not less than ten years, or to be imprisoned for any term not exceeding four years.

Having three  
or more pieces  
of counterfeit  
coin in posses-  
sion with in-  
tent, &c.

Second offence  
felony.

8. And be it further enacted, That when any person who shall have been convicted of any offence against this Ordinance shall afterwards be indicted for any offence against this Ordinance, committed subsequent to such conviction, -the production of the previous indictment, and the minute or note of the conviction and judgment of the Court thereon, purporting to be signed by the proper officer of the Court, shall, upon proof of the identity of the person of the offender, be sufficient evidence of the previous indictment and conviction,

Evidence of  
prior convic-  
tion.

without proof of the signature or official character of the person by whom such minute or note may appear to have been signed.

Making,  
mending, or  
having in pos-  
session any  
coining tools.

9. And be it further enacted, That if any person shall knowingly and without lawful authority (the proof of which authority shall lie on the party accused,) make or mend, or begin or proceed to make or mend, or buy or sell, or shall knowingly and without lawful excuse (the proof of which excuse shall lie on the party accused) have in his custody or possession any puncheon, counter puncheon, matrix, stamp, die, pattern, or mould, in or upon which there shall be made or impressed, or which will make or impress, or which shall be intended to make or impress the figure, stamp, or apparent resemblance of both or either of the sides of any of the Queen's current gold, silver, or copper coin, or any gold, silver, or copper coin of any foreign prince, state, or country, whether ordered or permitted to be current in this Colony or not; or any part or parts of both or either of such sides; or if any person shall, without lawful authority (the proof of which authority shall lie on the party accused), make or mend, or begin or proceed to make or mend, or buy or sell, or shall without lawful excuse (the proof of which shall lie on the party accused), have in his custody or possession any edger, edging tool, collar, instrument, or engine adapted and intended for the marking of coin round the edges with letters, grainings, or other marks of figures apparently resembling those on the edges of any of the Queen's current gold, silver, or copper coin, or of any such gold, silver, or copper coin of any foreign prince, state, or country as aforesaid, such person knowing the same to be so adapted and intended as aforesaid; or if any person shall without lawful authority, to be proved as aforesaid, make or mend, or begin or proceed to make or mend, or buy or sell, or shall without lawful excuse, to be proved as aforesaid, have in his custody or possession any press for coinage, or any cutting engine for cutting by force of a screw, or of any other contrivance, round blanks out of gold, silver, or other metal, such person knowing such press to be a press for coinage, or knowing such engine to have been used or to be intended to be used for or in order to the counterfeiting of any of the Queen's

gold, silver, or copper coin, or any such gold, silver, or copper coin of any foreign prince, state, or country, as aforesaid, every such offender shall be guilty of felony, and being convicted thereof, shall be liable to be transported for any term not less than ten years, or to be imprisoned for any term not exceeding four years.

10. And be it enacted, That if any person shall find or discover in any place whatever, or in the possession of any person having the same without lawful excuse, any false or counterfeit coin resembling or apparently intended to resemble or pass for any of the Queen's current gold, silver, or copper coin, or the gold, silver, or copper coin of any foreign prince, state, or country, whether the same be ordered or permitted to be current in this Colony or not, or any instrument, tool, or engine whatsoever, adapted and intended for the counterfeiting of any such coin, it shall be lawful for the person so finding or discovering, and he is hereby required to seize the same and to carry the same forthwith before some Justice of the Peace; and where it shall be proved, on the oath of a credible witness, before any Justice of the Peace, that there is reasonable cause to suspect that any person has been concerned in counterfeiting any such gold, silver, or copper coin, or has in his custody or possession any such counterfeit coin, or any instrument, tool, or engine whatsoever, adapted and intended for the counterfeiting of any such coin, it shall be lawful for such Justice, by warrant under his hand, to cause any place whatsoever belonging to or in the occupation or under the control of such suspected person to be searched, either in the day or in the night; and if any such counterfeit coin, or any such instrument, tool, or engine, shall be found in any place so searched, to cause the same to be seized and carried forthwith before the said Justice, or some other Justice of the Peace; and whenever any such counterfeit coin, or any such instrument, tool, or engine as aforesaid, shall in any case whatever be seized and carried before a Justice of the Peace, he shall cause the same to be secured, for the purpose of being produced in evidence against any person who may be prosecuted for any offence against this Ordinance; and all counterfeit coin, and all instruments, tools, and engines adapted and intended for the counterfeiting of

False or counterfeit coin, in instruments, &c., to be seized, and party found in possession of the same, to be taken before a Justice of the Peace.

Justice may issue a search warrant.

coin, after they shall have been produced in evidence, or where they shall have been seized and shall not be required to be produced in evidence, shall forthwith be delivered up to the Attorney-General of the Colony, or to any person authorized by him to receive the same.

In cases of imprisonment, Court may award hard labour and solitary confinement.

11. And be it further enacted, That if any person shall be convicted of any offence punishable under this Ordinance for which imprisonment may be awarded, it shall be lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labour in the Royal Gaol during the whole or any portion or portions of such imprisonment, and also to direct that the offender shall be kept in solitary confinement for any portion or portions of such imprisonment or imprisonment with hard labour, not exceeding one month at any one time, and not exceeding three months in any one year, as to the Court in its discretion shall seem meet.

Rules of interpretation as to current coin, counterfeit coin, and criminal possession.

12. And be it further enacted, That where the Queen's current gold coin, or the Queen's current gold or silver coin, or the Queen's current gold, silver, or copper coin, is mentioned in any part of this Ordinance, the same shall be deemed to include and intend any gold coin, or any gold or silver coin, or any gold, silver, or copper coin respectively, coined in any of her Majesty's mints, and lawfully current in this Colony, or in any of her Majesty's dominions, and that any of the Queen's current coin, or any coin of any foreign prince, state, or country, 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 pass for any of the Queen's current coin, or any coin of any foreign prince, state, or country, of a higher denomination, shall be deemed and taken to be a counterfeit coin, within the meaning of those parts of this Ordinance wherein mention is made of false or counterfeit coin resembling or apparently intended to resemble or pass for the Queen's current gold, silver, or copper coin or the gold, silver, or copper coin of any foreign prince, state, or country; and that where the having any matter or thing in the custody or possession of any person is in this Ordinance expressed to be an offence, if any person shall have any such matter or thing in his personal custody or possession, or shall knowingly and wilfully

have any such matter or thing in any dwelling-house, or any building, lodging, apartment, field, or other place, open or enclosed, whether belonging to or occupied by himself or not, and whether such matter or thing shall be so had for his own use or benefit, or for that of another, every such person shall be deemed and taken to have such matter or thing in his custody and possession, within the meaning of this Ordinance.

13. And be it enacted, that this Ordinance shall take effect from and immediately after the promulgation thereof.

Passed in Council this thirty-first day of December, one thousand eight hundred and forty-two.

THOMAS F. JOHNSTON,  
*Clerk of Council.*

---

## No. 15.—1842.

AN ORDINANCE for Assimilating the Laws with respect to Riots and Unlawful and Tumultuous Assemblies to the Laws of England in like cases.

(L. S.) C. CHICHESTER,

*Acting Governor, Lieut.-Colonel 81st Regiment.*

WHEREAS it is expedient that the Laws in this Colony with respect to Riots and Unlawful and Tumultuous Assemblies should be assimilated to the Laws of England in like cases: Now therefore be it enacted by His Excellency the Governor and Commander-in-Chief of the said Island and its Dependencies, by and with the advice and consent of the Council of Government thereof, That if any persons to the number of twelve or more, being unlawfully, riotously and tumultuously assembled together to the disturbance of the public peace, and being required or commanded by one or more Magistrate or Magistrates, by Proclamation under the Queen's name, in the form hereinafter directed, to disperse themselves and peaceably to depart to their habitations, or to their lawful business, shall, to the

Twelve persons or more unlawfully assembled, and not dispersing after being commanded by a Magistrate, by Proclamation, to be adjudged felons.