



ANNO QUARTO

## VICTORIÆ REGINÆ,

No. 6.

*By His Excellency SIR JOHN FRANKLIN, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Greek Order of the Redeemer, and a Captain in Her Majesty's Royal Navy, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.*

*AN ACT to amend the Law of this Colony relating to Stealing from Vessels in Distress or Wrecked.*

**W**HEREAS a statute was passed in England in the first year of PREAMBLE. the reign of Her present Majesty intituled *An Act to amend the Laws relating to Robbery and stealing from the Person* by which amongst other things so much of an Act passed in the seventh and eighth years of King George the Fourth intituled *An Act for consolidating and amending the Laws in England relative to Larceny and other Offences connected therewith* as relates to any person who shall plunder or steal any part of any ship or vessel which shall be in distress or wrecked stranded or cast on shore or any goods merchandize or articles of any kind belonging to such ship or vessel and so much of the same Act as relates to the punishment of principals in the second degree and of accessories before and after the fact respectively to such felony hereinbefore referred to are repealed—

AND WHEREAS with certain modifications it is expedient to extend to this Colony the provisions of the said statute passed in the first year of Her present Majesty's reign—

BE IT THEREFORE ENACTED by His Excellency Sir JOHN FRANKLIN Knight Commander of the Royal Hanoverian Guelphic Order Knight of the Greek Order of the Redeemer and a Captain in Her Majesty's Royal Navy Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that so much of the said Act of the seventh and eighth years of King George the Fourth Chapter Twenty-nine as is After 1st October part of 7 & 8 G. 4,

c. 29, repealed. hereinbefore referred to shall continue and be in force until and throughout the First day of **October One** thousand eight hundred and forty and shall from **and after that day** be repealed except as to offences committed before or upon the said First day of October which shall be dealt with and punished as if this Act had not been passed.

Punishment for Wrecking.

II. AND BE IT ENACTED that whosoever shall plunder or steal any part of any ship or vessel which shall be in distress or wrecked stranded or cast on shore or any goods merchandize or articles of any kind belonging to such ship or vessel and be convicted thereof shall be liable at the discretion of the Court to be transported beyond the sea for the term of his or her natural life or for any term not less than seven years or to be imprisoned for any term not exceeding three years.

Punishment of accessories.

III. AND BE IT ENACTED that in the case of every felony punishable under this Act every principal in the second degree and every accessory before the fact shall be punishable with transportation or otherwise in the same manner as the principal in the first degree is by this Act punishable and every accessory after the fact to any felony punishable under this Act (excepting only a receiver of stolen property) shall on conviction be liable to be imprisoned for any period not exceeding two years.

Offences punishable by imprisonment.

IV. AND BE IT ENACTED that where any person shall be convicted of any offence punishable under this Act 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 common Gaol or House of Correction and also to direct that the offender shall be kept in solitary confinement for any portion or portions of such imprisonment or of such imprisonment with hard labour not exceeding three months in one year as to the Court in its discretion shall seem meet.

Construction of the word "property."

V. AND BE IT ENACTED that the word "property" shall throughout this Act be deemed to denote every thing included under the words chattel money or valuable security used in the said Act of the seventh and eighth years of the reign of King George the Fourth.

JOHN FRANKLIN.

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

RONALD C. GUNN, *Clerk of the Council.*