



ANNO SEXTO

GULIELMI IV. REGIS.

No. 15.

By His Excellency Colonel GEORGE ARTHUR, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.

AN ACT to confer on the Commandant of Flinder's Islands the Powers of a Justice of the Peace and to provide for the Removal of Persons trespassing on any of the Islands in Bass's Straits.

WHEREAS Flinder's Island one of the Dependencies of Van Diemen's Land has been set apart for the reception of the Aborigines of this Colony and it is expedient that the person who may be at any time acting as Commandant of that Island should whilst exercising the duties of that office possess the powers of a Magistrate of the Territory—

PREAMBLE.

BE IT THEREFORE ENACTED by His Excellency Colonel GEORGE ARTHUR Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council that the person now holding and every other person who shall hereafter hold the office of Commandant of the said Island called Flinder's Island or who shall in fact by whatever name at any time exercise the duties of Commandant of that Island by authority of the Lieutenant-Governor of this Colony shall severally or lawfully may whilst in the said Island or any other part of Bass's Straits and holding the said office or exercising the said duties as aforesaid possess exercise and enjoy all the powers privileges and authorities of or which may be exercised and enjoyed by a Justice of the Peace of and for the Island of Van Diemen's Land and its Dependencies to and for all intents and purposes whatsoever.

Person acting as Commandant of Flinder's Island to have the powers of a Justice of the Peace.

Unauthorized persons remaining on any of the Islands in Bass's Straits, after being required to depart.

II. AND WHEREAS for the purpose of preventing frequent disturbances and for the better security of property on the said Island called Flinder's Island it is expedient to prevent Sealers and others from trespassing without proper authority on the Islands in Bass's Straits—BE IT ENACTED that if at any time after the first day of July next any Sealer or other person shall without the express permission of the Lieutenant-Governor enter any Port or Place within the said Island called Flinder's Island or any other of the Islands in Bass's Straits and shall not immediately or as soon as possible afterwards (being thereto required by any such Commandant or person exercising the duties of that office as aforesaid or by any Constable acting under his directions) depart from and out of such Island or if any such Sealer or other person having in fact so departed shall afterwards (unless compelled by stress of weather or other unavoidable necessity) return to such Island without the consent of the Lieutenant-Governor or of such Commandant as aforesaid such Sealer or person shall forfeit and pay a penalty or sum of not less than Five pounds nor more than Fifty pounds and shall also or lawfully may by such Commandant or any Constable or person in that behalf appointed by him be arrested and as soon as conveniently may be afterwards be sent to Hobart Town or Launceston within this Island together with all Boats and other articles if any belonging to him to be there detained until his said offence shall have been inquired into and determined or the amount of the Penalty incurred by him shall have been paid or reasonable security been given or tendered by him to some Police or Assistant Police Magistrate for its payment.

Proceeding for such Offence.

III. AND BE IT ENACTED that every such Offence may upon Information in that behalf exhibited be in a summary way inquired into and determined and the said Fine or Penalty be awarded and imposed by and before any two Justices of the Peace and any person aggrieved by any summary Conviction under this Act may appeal therefrom in the manner provided respectively by the Act intituled *An Act to regulate Summary Proceedings before Justices of the Peace.*

GEORGE ARTHUR.

Passed the Legislative Council this sixteenth day of May one thousand eight hundred and thirty-six,

ADAM TURNBULL, *Clerk of the Council.*