



ANNO NONO

VICTORIÆ REGINÆ,

No. 1.

*By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT,
Baronet, Lieutenant-Governor of the Island of Van Diemen's
Land and its Dependencies, with the Advice of the Legislative
Council.*

AN ACT to remove Doubts in certain Cases of Arson.

WHEREAS by an Act of the Imperial Parliament passed in its Session during the seventh and eighth years of the reign of His late Majesty King George the Fourth intituled *An Act for consolidating and amending the Laws in England relative to malicious Injuries to Property* and which Act is in force in this Island and its Dependencies it is by the Seventeenth Section of the same Act amongst other things enacted that if any person shall unlawfully and maliciously set fire to any stack of corn grain furze straw hay or wood every such offender shall be guilty of Felony and being convicted thereof shall suffer death as a felon—AND WHEREAS Hay is commonly made in this Island and its Dependencies from other substances than those used for that purpose in England and it is doubtful whether such other substances as aforesaid are included (within the meaning of the said Act of Parliament) in the term Hay and it is expedient for the protection of such property in this Island and its Dependencies that such doubt should be settled—BE IT ENACTED by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council of the said Island that where any person or persons shall be prosecuted under the said Act of Parliament for setting fire to any stack of Hay the Indictment or Information shall be deemed and taken to be supported by proof of such person or persons having set fire to any stack of wheat barley oats rye vetches clover lucerne tares or furze cut in a green or unripe state and dried for Hay as fodder for cattle or of any admixture of the said substances or any two or more of them together or any admixture of the said substances or either of them with grass.

E. EARDLEY-WILMOT.

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

ADAM TURNBULL, *Clerk of the Council.*