

ANNO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXXIX.

An Act to amend the Laws relating to burning or destroying Buildings and Ships.

[17th *July* 1837.]

WHEREAS it is expedient to amend so much of an Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to malicious Injuries to Property*, and also so much of an Act passed in the Ninth Year of the same Reign, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to malicious Injuries to Property*, as relates to any Person who shall unlawfully and maliciously set fire to any of the Buildings or Erections therein respectively mentioned; and so much of the same Acts as relates to any Person who shall unlawfully and maliciously set fire to any Mine of Coal or Cannel Coal; and so much of the same Acts as relates to any Person who shall unlawfully and maliciously set fire to or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, or who shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or of any Goods on board the same, or any Person that hath underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same; and so much of the same Acts as relates to any Person who shall exhibit any false Light or Signal with Intent to bring any Ship or Vessel into Danger, or who shall unlawfully and maliciously do any thing

7 & 8 G. 4. c. 30.

9 G. 4. c. 56.

tending to the immediate Loss or Destruction of any Ship or Vessel in distress, or destroy 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, or who shall by Force prevent or impede any Person endeavouring to save his Life from such Ship or Vessel (whether he shall be on board or shall have quitted the same); and so much of the same Acts or either of them as relates to any Person who shall unlawfully or maliciously set fire to any Stack of Corn, Grain, Pulse, Straw, Hay, Coals, Turf, Charcoal, or Wood; and so much of the same Acts as relates to the Punishment of Principals in the Second Degree and of Accessaries before and after the Fact respectively to such of the Felonies punishable under those Acts as are herein-before referred to: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts as is herein-before referred to shall continue in force until and throughout the Thirtieth Day of *September* One thousand eight hundred and thirty-seven, and shall from and after that Day be repealed, except as to Offences committed before or upon the said Thirtieth Day of *September*, which shall be dealt with and punished as if this Act had not been passed.

Repeal of Provisions in recited Acts.

Setting fire to a Dwelling House any Person being therein.

II. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Dwelling House, any Person being therein, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Setting fire to a Church or Chapel, House, Warehouse, &c.

III. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Church or Chapel, or to any Chapel for the Religious Worship of Persons dissenting from the United Church of *England* and *Ireland*, or shall unlawfully and maliciously set fire to any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, or Granary, or to any Building or Erection used in carrying on any Trade or Manufacture, or any Branch thereof, whether the same or any of them respectively shall then be in the Possession of the Offender, or in the Possession of any other Person, with Intent thereby to injure or defraud any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Setting fire to Ships or Vessels with Intent to commit Murder.

IV. And be it enacted, That whosoever shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, either with Intent to murder any Person, or whereby the Life of any Person shall be endangered, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Hanging out false Lights

V. And be it enacted, That whosoever shall unlawfully exhibit any false Light or Signal, with Intent to bring any Ship or Vessel into

Danger, or shall unlawfully and maliciously do any thing tending to the immediate Loss or Destruction of any Ship or Vessel in distress, shall be guilty of Felony, and being convicted thereof shall suffer Death. to cause Shipwreck.

VI. And be it enacted, That whosoever shall unlawfully and maliciously set fire to or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, or shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or of any Goods on board the same, or any Person that hath underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years. Setting fire to Ships or Vessels with Intent to destroy the same.

VII. And be it enacted, That whosoever shall by Force prevent or impede any Person endeavouring to save his Life from any Ship or Vessel which shall be in distress, or wrecked, stranded, or cast on shore, (whether he shall be on board or shall have quitted the same,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years. Impeding any Person endeavouring to save his Life from any Ship wrecked, &c.

VIII. And be it enacted, That whosoever shall unlawfully and maliciously destroy 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, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years nor less than Ten Years, or to be imprisoned for any Term not exceeding Three Years. Destroying Wrecks or any Articles belonging thereto.

IX. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Mine of Coal or Cannel Coal shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years. Setting fire to Coal Mines.

X. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Stack of Corn, Grain, Pulse, Tares, Straw, Haulm, Stubble, Furze, Heath, Fern, Hay, Turf, Peat, Coals, Charcoal, or Wood, or any Steer of Wood, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Offender, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years. Setting fire to Agricultural Produce, &c.

XI. And

Punishment of Accessaries.

XI. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree and every Accessary before the Fact shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Offences punishable by Imprisonment.

XII. 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 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 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.

Not to affect Powers of 5 & 6 W. 4. c. 38. and 6 G. 4. c. 64.

XIII. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, or in an Act made and passed in the Fourth Year of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales.

Offences committed within the Admiralty Jurisdiction.

XIV. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

Not to extend to Scotland.

XV. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Commencement of Act.

XVI. And be it enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

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