

Commencement of Act.

XII. And be it enacted, That this Act shall commence and take effect on the first day of May one thousand eight hundred and forty two.

CAP. XXXV.

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

Passed 4th April 1842.

Preamble.

‘WHEREAS it is expedient to amend the Laws relating to the burning and destroying of Buildings and Ships, by repealing the second and third Sections of an Act passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act for amending the Laws relative to malicious injuries to Property*, and by repealing the thirteenth and fourteenth Sections of an Act passed in the third year of the Reign of Her present Majesty, intituled *An Act relating to Wrecked Property*, and by making other provisions on this subject ;

1 W. 4, c. 16.

1 W. 4, c. 16, in part repealed.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said several Sections of the said Acts hereinbefore mentioned, shall continue and be in force until and throughout the thirtieth day of April one thousand eight hundred and forty two, and shall from and after that day be repealed, except as to offences committed before or upon the said thirtieth day of April, which shall be dealt with and punished as if this Act had not been passed.

Setting fire to a dwelling house.

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, &c. or any house, stable, &c.

III. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Church, Chapel, or Meeting House for the exercise of any mode or form of religious worship whatever, or shall unlawfully and maliciously set fire to any house, stable, coach-house, out-house, ware-house, office, shop, mill, malt-house, 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, shall be guilty of Felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned for the term of the natural life of such offender, or for any term not less than three years.

Setting fire to a Church, &c. or any house, stable, &c. accompanied with riot.

IV. And be it enacted, That if any persons riotously and tumultuously assembled together, to the disturbance of the public peace, shall unlawfully and with force demolish, pull down, or destroy, or begin to demolish, pull down or destroy any Church, Chapel, or Meeting House for the exercise of any mode or form of religious worship, or any house, stable, coach-house, out-house, ware-house, office, shop, mill, malt-house, hop-oast, barn, or granary, or any building or erection used in carrying on any trade or manufacture or any branch thereof, or any machinery, whether fixed or moveable, prepared for or employed in any manufacture, or in any branch thereof, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned for the natural life of such offender, or for any term not less than three years.

Setting fire to ships or vessels, with intent to commit murder.

V. 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 to cause shipwrecks.

VI. 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 anything 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.

Setting fire to ships or vessels, with intent to destroy the same.

VII. 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 completed 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 imprisoned for the term of the natural life of such offender, or for any other term not less than three years.