

WESTERN AUSTRALIA

ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ

No. 8

An Ordinance to amend 'An Ordinance for the better Prevention of Offences.' (Imperial Act, 14 & 15 Vic., c. 19.) [Assented to 18th November, 1859.]

Preamble

WHEREAS it is expedient to amend the Ordinance of the Legislative Council 16 Victoria, No. 6, of 1852, intituled 'An Ordinance for the better Prevention of Offences': Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, that the first section of the said recited Ordinance shall be and the same is hereby repealed, and the following section shall be substituted in lieu thereof, namely: That if any person shall be found by night or by day armed with any dangerous or offensive weapon or instrument whatsoever with intent to break or enter into any dwelling-house or other building whatsoever and to commit a felony therein, or if any person shall be found by night or by day having in his possession without lawful excuse (the proof of which excuse shall lie on such persons) any picklock-key, crow, jack, bit or other implement of housebreaking, or if any person shall be found by night having his face blackened or otherwise disguised with intent to commit any felony, or if any person shall be found by night or by day in any dwelling-house or other building whatsoever with intent to commit any felony therein, every such offender shall be guilty of a misdemeanour, and being convicted thereof shall be liable at the discretion of the Court to be imprisoned with or without hard labour for any term not exceeding three years.

1st Section of No. 6, of 1852, repealed

Any person found by night or by day armed, &c., or having in his possession implements of housebreaking, or having by night his face disguised, or being found by night or by day in any house, with intent to commit any felony therein, shall be guilty of a misdemeanour

A. E. KENNEDY,  
GOVERNOR AND COMMANDER-IN-CHIEF.