

## Imperial Acts Adopting Ordinance 1849

**An Ordinance for adopting certain Acts of the Imperial Parliament.** <sup>1</sup>

### **Preamble**

Whereas in the sixth and seventh years of the reign of Her present Majesty, certain Acts of the Imperial Parliament were passed, intituled respectively —

*An Act for removing doubts as to the punishment which may be awarded under the provisions of an Act of the fourth and fifth years of Her present Majesty, for taking away the punishment of death in certain cases for offences therein specified;* <sup>2</sup>

*An Act to amend the Laws relating to pound breach and rescue in certain cases;* <sup>3</sup>

and whereas in the seventh and eighth years of the reign of Her present Majesty, a certain other Act of the Imperial Parliament was passed intituled —

*An Act to amend the law as to burning farm buildings;* <sup>4</sup>

and whereas in the eighth and ninth years of the reign of Her present Majesty, certain other Acts of the said Imperial Parliament were passed intituled respectively —

*An Act to amend the law of real property;* <sup>5</sup>

*An Act to facilitate the conveyance of real property;* <sup>6</sup>

*An Act to facilitate the granting of certain leases;* <sup>7</sup>

and whereas in the ninth and tenth years of the reign of Her present Majesty, certain other Acts of the said Parliament were passed, intituled respectively —

*An Act for preventing malicious Injuries to person and property by Fire, or by explosive or destructive substances;*<sup>8</sup>

*An Act to abolish deodands;*<sup>9\*</sup>

*An Act for compensating the families of persons killed by accident;*<sup>10</sup>

and whereas in the tenth and eleventh years of the reign of Her said Majesty, certain other Acts of the said Parliament were passed, intituled respectively —

*An Act for extending the provisions of the Law respecting threatening letters, and accusing parties with a view to extort money;*<sup>11</sup>

*An Act for the more speedy trial and punishment of juvenile offenders;*<sup>12</sup>

and whereas it is expedient to adopt and apply the said several recited Acts in the Administration of Justice in Western Australia:

Be it therefore enacted, by His Excellency the Governor of Western Australia and its Dependencies, with the advice and consent of the Legislative Council thereof,

**Recited Imperial Acts adopted**

that the said recited Acts and every clause, provision and enactment therein respectively contained, except the fifteenth section of the “*Act respecting malicious injuries to persons by fire or by explosive or destructive substances,*” shall be and the same is hereby adopted and directed to be applied in the administration of justice, so far as they can be applied respectively to the circumstances of this colony.

**Short title**

This Ordinance may be cited as the *Imperial Acts Adopting Ordinance 1849*.

*[Paragraph inserted by No. 10 of 1970 s.3.]*

**Notes**

<sup>1</sup> This is a compilation of the *Imperial Acts Adopting Ordinance 1849* and includes all amendments effected by the other Acts referred to in the following Table.

**Table of Acts**

| Act  | Number and Year       | Assent        | Commencement  | Miscellaneous   |
|--|-----------------------|---------------|---------------|---|
| <i>Imperial Acts Adopting Ordinance 1849</i> | 12 Vict., No. 21 1849 | 11 May 1849   | 11 May 1849   | Short title subsequently given (see note under last paragraph of Ordinance) |
| <i>Statute Law Revision 1970</i> section 3   | 10 of 1970            | 29 April 1970 | 29 April 1970 |   |

<sup>2</sup> This adopted Act (6 & 7 Vict. c. 10), so far as it was a part of the law of WA, was subsequently repealed by the *Criminal Law Consolidation Ordinance 1865* (29 Vict. No. 5) s 5 [Assent 7 July 1865].

<sup>3</sup> This adopted Act (6 & 7 Vict. c. 30), so far as it was a part of the law of WA, was subsequently repealed by the *Cattle Trespass, Fencing, and Impounding Act 1882* (46 Vict. No. 7) s 1 [Assent 21 September 1882].

<sup>4</sup> This adopted Act (7 & 8 Vict. c. 62), so far as it was a part of the law of WA, was subsequently repealed by the *Criminal Law Consolidation Ordinance 1865* (29 Vict. No. 5) s 5 [Assent 7 July 1865].

<sup>5</sup> This adopted Act (8 & 9 Vict. c. 106), so far as it was a part of the law of WA, was subsequently repealed by the *Property Law Act 1969* s 4 [Assent 19 May 1969; Commencement 1 August 1969].

<sup>6</sup> This adopted Act (8 & 9 Vict. c. 119), so far as it was a part of the law of WA, was subsequently repealed by the *Property Law Act 1969* s 4 [Assent 19 May 1969; Commencement 1 August 1969].

<sup>7</sup> This adopted Act (8 & 9 Vict. c. 124), so far as it was a part of the law of WA, was subsequently repealed by the *Property Law Act 1969* s 4 [Assent 19 May 1969; Commencement 1 August 1969].

<sup>8</sup> This adopted Act (9 & 10 Vict. c. 25), so far as it was a part of the law of WA, was subsequently repealed by the *Criminal Law Consolidation Ordinance 1865* (29 Vict. No. 5) s 5 [Assent 7 July 1865].

<sup>9</sup> This adopted Act (9 & 10 Vict. c. 62) is reproduced in part B of this publication. See 'Deodands abolition (1846)' (Imp).

- <sup>10</sup> This adopted Act (9 & 10 Vict. c. 93), so far as it was a part of the law of WA, was subsequently repealed by the *Fatal Accidents Act 1959* s. 2 [Assent 8 October 1959].
- <sup>11</sup> This adopted Act (10 & 11 Vict. c. 66), so far as it was a part of the law of WA, was subsequently repealed by the *Criminal Law Consolidation Ordinance 1865* (29 Vict. No. 5) s 5 [Assent 7 July 1865].
- <sup>12</sup> This adopted Act (10 & 11 Vict. c. 82), so far as it was a part of the law of WA, was subsequently repealed by the *Criminal Code Act 1902* (1 & 2 Edw. VII No. 14) s 3 [Assent 19 February 1902; Commencement 1 May 1902].