



ANNO NONO

GEORGII IV. REGIS.

No. 1.

*By His Excellency Colonel GEORGE ARTHUR, Lieutenant-Governor of the Island of Van Diemen's Land, with the advice of the Legislative Council,*

*AN ACT for vesting subject to the Regulations and Restrictions hereinafter mentioned in the Principal Superintendent of Convicts for the time being certain of the Powers Authorities and Jurisdictions given to the several Justices of the Peace of this Island in and by an Act of Parliament passed in the Sixth Year of the Reign of His present Majesty intituled An Act for punishing Offences committed by Transports kept to Labour in the Colonies and better regulating the Powers of Justices of the Peace in New South Wales and for extending the Powers Authorities and Jurisdictions so to be vested as aforesaid.*

**W**HEREAS by an Act passed in the Seventh Year of the Reign of His present Majesty by His Excellency Colonel GEORGE ARTHUR Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council intituled *An Act for the summary Punishment of disorderly conduct in Female Offenders in the service of the Government or of any Inhabitant of Van Diemen's Land and for vesting in the Principal Superintendent of Convicts the like Powers and Authorities as are given to the several Justices of the*

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*Peace by a Law or Ordinance made in the Sixth Year of His Majesty's Reign by His Excellency Sir Thomas Brisbane late Governor of New South Wales with the Advice of the Council of that Colony intituled An Act for the summary Punishment of disorderly conduct in any Offender in the service of Government or of any Inhabitant of New South Wales or Van Diemen's Land and by the present Act certain Jurisdictions Powers and Authorities were vested in the Principal Superintendent of Convicts in this Island for the time being—AND WHEREAS the said Act will expire on the day of the date hereof and it is expedient to make further and other Provisions in respect of the matters aforesaid therein contained and in lieu thereof —*

NOW THEREFORE BE IT ENACTED by His Excellency Colonel GEORGE ARTHUR Lieutenant-Governor of the Island of Van Diemen's Land and its dependencies with the advice of the Legislative Council that all and every the Powers Authorities and Jurisdictions which in and by a certain Act passed in the Parliament of the United Kingdom of Great Britain and Ireland in the Sixth Year of the Reign of His present Majesty intituled *An Act for punishing Offences committed by Transports kept to labour in the Colonies and better regulating the Powers of Justices of the Peace in New South Wales* are vested in any one or more Justice or Justices of the Peace in and for this Colony or in or for any District or County thereof to be by such Justice or Justices exercised in a summary way for the taking cognizance of complaints made against any Felons or other offenders who had been or should be transported to New South Wales or its Dependencies and whose sentences had not expired or been remitted for drunkenness disobedience of orders neglect of work absconding or desertion abusive language to their her or his Employers or Overseers insubordination or other turbulent or disorderly conduct or for punishing such Offences or any of them shall be and the same are hereby vested in the said Principal Superintendent of Convicts for the time being.

II. AND BE IT FURTHER ENACTED that it shall and may be lawful for the said Principal Superintendent to exercise all and every the same Powers Authorities and Jurisdictions for the taking cognizance of and punishing all and every of the Offences herein-before specified which shall have been or which shall be committed by any person or persons convicted in this Colony and being under sentence or order of Transportation therein.

III. AND BE IT FURTHER ENACTED that it shall and may be lawful for the said Principal Superintendent and he is hereby empowered to administer an Oath or Oaths in all cases where it shall be necessary or proper so to do for the purposes of this Act.

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IV. AND BE IT FURTHER ENACTED that it shall and may be lawful for the said Principal Superintendent without the preferment of any complaint and without examination of any witness or witnesses to convict any such offender as aforesaid being in the service of the Government of any of the Offences aforesaid committed by him or her within the view of the said Principal Superintendent and upon every such conviction to order the infliction of such punishment upon the offender convicted as by the present Act is herein-before authorized in a like case—PROVIDED that all such Jurisdictions Powers and Authorities as are hereby committed to the said Principal Superintendent as aforesaid shall in the exercise thereof be subject to and controlled by the regulation and restriction in the said Act of Parliament in that behalf mentioned,

V. PROVIDED ALWAYS that nothing herein contained shall be deemed to authorize the said Principal Superintendent to take cognizance of any Offence committed by any person who at the time of the commission of the same shall be in the private service of him the said Principal Superintendent.

VI. PROVIDED ALSO that the said Principal Superintendent shall make a return on Monday in every Week to the Governor Lieutenant-Governor or other person administering the Government for the time being of this Colony of all Convictions made and all Punishments ordered by him under the Authority of this Act during the week preceding every such return.

GEORGE ARTHUR,

Passed the Legislative Council this first day of August one thousand eight hundred and twenty-eight,

JOHN MONTAGU, *Clerk of the Council.*

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JAMES BARNARD, GOVERNMENT PRINTER, HOBART TOWN. 1839.

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