— 1845. —

No. 1 of 1845, *repealed* by No. 40 of 1932. [1.1.33.]

— 1851. —

No. 1 of 1851, *repealed* by No. 25 of 1930. [5.12.30.]

— 1852. —

No. 1 of 1852.

[*Originally* No. 2 of 1852.]

An Ordinance to increase the powers of magistrates as regards publicans, boarding-house keepers, and others, with the view of suppressing desertion in His Majesty's forces, naval and military.

[18th May, 1852.]

WHEREAS the offence of desertion from His Majesty's forces, naval and military, serving in this Colony, has of late considerably increased; AND WHEREAS such offence has heretofore had inception in, and facility of commission from, public and boarding-houses and other places:—

Short title.

1. This Ordinance may be cited as the Suppression of Desertion Ordinance, 1852.

Interpretation.

2. In this Ordinance, " sailor " shall be deemed to extend to every person serving for the time being in any ship then under the orders of the Commander-in-Chief of His Majesty's ships and vessels employed on the China Station.

Penalty on publican or boarding-house keeper inducing soldier or sailor to desert.

3. Any publican or keeper of a boarding-house, or any other person whatsoever, who—

(1) by words or by any other means whatsoever, directly or indirectly procures any soldier, sailor, or marine to desert; or

(2) by words or by any other means whatsoever, attempts to procure or persuade any soldier, sailor, or marine to desert; or

(3) knowing that any soldier, sailor, or marine is about to desert, aids or assists him in deserting; or

(4) knowing any soldier, sailor, or marine to be a deserter, conceals such deserter, or aids or assists such deserter in concealing himself,

shall be guilty of a misdemeanor, and shall upon summary conviction be liable to a fine not exceeding one thousand dollars.

Portion of penalty payable to informer.

4. A portion not exceeding one-half of every such fine shall be payable to the person by whose information or evidence the conviction of such offender is made.

Forfeiture of licence on conviction

5. Any publican or keeper of a boarding-house who is convicted of any one or more of the above-mentioned offences shall, in addition to the penalty above provided, forthwith forfeit any licence then held by him as a publican or boarding-house keeper, and he shall be and is hereby declared incapable of holding thereafter any licence as such publican or boarding-house keeper.

Case may be referred to Supreme Court.

6. Nothing in this Ordinance shall prevent a magistrate acting under this Ordinance from sending any case arising out of any of the said offences for trial to the Supreme Court, which he may consider should be investigated there.

— 1853. —

[*Originally* No. 2 of 1853.]

No. 1 of 1853.

An Ordinance for the removal of doubts regarding the right of aliens to hold and transfer property within this Colony.

[17th November, 1853.]

WHEREAS doubts have arisen regarding the right of aliens to hold and transfer property within this Colony:—