



ANNO OCTAVO

VICTORIÆ REGINÆ,

No. 9.



*By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT,
Baronet, Lieutenant-Governor of the Island of Van Diemen's
Land and its Dependencies, with the Advice of the Legislative
Council.*

*AN ACT to repeal so much of an Act of this Island
passed in the Eighth Year of the Reign of His late
Majesty King William the Fourth intituled An Act
for extending to this Colony sundry Statutes passed for
the Amendment of the Criminal Law as precludes trans-
ported Offenders from making full Defence by Counsel
or Attorney when upon Trial summarily before any
Justice or two Justices only and to make other provision
in lieu thereof.*

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WHEREAS an Act of this Island was passed in the eighth year of **PREAMBLE.**
the reign of His late Majesty King William the Fourth intituled *An*
Act for extending to this Colony sundry Statutes passed for the Amend-
ment of the Criminal Law and by the said Act the Act of the Imperial
Parliament passed in the sixth and seventh years of the reign of
His late Majesty King William the Fourth intituled *An Act for*
enabling Persons indicted of Felony to make their Defence by Counsel or
Attorney was extended to this Colony but it is by the said Act of this
Island provided that no transported offender under an existing sentence
should be entitled to make defence by Counsel or Attorney when upon
trial summarily before any Justice or two Justices only—**AND**
WHEREAS since the passing of that Act the condition of transported

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offenders holding the indulgence of a Ticket-of-Leave has been greatly ameliorated by an Act of the Imperial Parliament passed in the sixth year of the reign of Her present Majesty intituled *An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets-of-Leave* and it is now expedient that transported offenders holding the indulgence of a Ticket-of-Leave should be admitted to the full benefit of the said Act of the Imperial Parliament passed in the sixth and seventh years of the reign of His said late Majesty King William the Fourth—BE IT THEREFORE ENACTED by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that from and after the time when this Act shall come into operation in all cases of summary conviction transported offenders holding the indulgence of a Ticket-of-Leave being accused shall be admitted to make their full answer and defence and to have all witnesses examined and cross-examined by Counsel or Attorney any thing in the said recited Act of this Island to the contrary in any wise notwithstanding.

Ticket-of-Leave holders permitted to be defended by Counsel in cases of summary conviction.

E. EARDLEY-WILMOT.

Passed the Legislative Council, this twenty-third day of September, one thousand eight hundred and forty-four,

ADAM TURNBULL, *Clerk of the Councils.*