



# Malicious Damage Act 1861

## 1861 CHAPTER 97

### *Injuries by explosive Substances to Buildings and Goods therein*

#### **9 Destroying or damaging a House with Gunpowder, any Person being therein.**

Whosoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy, throw down, or damage the whole or any Part of any Dwelling House, any Person being therein, or of any Building whereby the Life of any Person shall be -endangered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

#### **10 Attempting to destroy Buildings with Gunpowder.**

Whosoever shall unlawfully and maliciously place or throw in, into, upon, under, against, or near any Building any Gunpowder or other explosive Substance, with Intent to destroy or damage any Building, or any Engine, Machinery, Working Tools, Fixtures, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Damage be caused, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.