

No. XXII.

An Act to amend the Law with respect to the Distillation and Exportation of Spirits distilled in the Colony of New South Wales. [Assented to, 1st October, 1850.]

WHEREAS by an Act of the Governor and Legislative Council of Preamble.
New South Wales, passed in the thirteenth year of Her Majesty's
Reign, intituled, "*An Act to consolidate and amend the Laws relating to* 13 Vict. No. 27.
"*the Distillation, Rectifying, and Compounding of Spirits, and to authorize*
"*and regulate the Warehousing under Bond, and the Exportation free of*
"*Duty, of Spirits distilled within the Colony of New South Wales, and to*
"*repeal certain Laws relating thereto,*" provision is made for the ware-
housing under bond, and the exportation of spirits distilled in the Colony
without payment of duty: And whereas it is expedient to permit the
exportation of such spirits direct from the certified and registered store
attached to any distillery for the reception of spirits when distilled: Be
it therefore enacted by His Excellency the Governor of New South Wales,
with the advice and consent of the Legislative Council thereof, That it
shall be lawful to remove any such spirits from the certified and registered
store as aforesaid, and to ship the same in any ship or vessel for removal
to any port within the boundaries of the said Colony, or for export to
places beyond the boundaries of the Colony, upon the distiller or exporter
entering into the like bonds and passing the like entries as are by the
said Act required to be entered into and passed with respect to spirits
distilled in the Colony, and removed from a bonded warehouse for ship-
ment, either to any port within the boundaries of the Colony or to places
beyond the boundaries thereof, as the case may be.

Spirits may be
shipped for removal
to ports within the
boundaries of the
Colony, or for export
to other places, upon
entering into bond
and passing entries.

II. And be it enacted, That the return of Colonial distilled spirits,
which by the ninety-eighth clause of the said recited Act is directed to
be made and published within one month after the thirty-first day of
December in each year, shall, in addition to the particulars therein
directed, contain a statement of all Colonial distilled spirits exported
during the previous year, direct from such registered stores as aforesaid,
under the provisions of this Act, without having been warehoused.

Return of Colonial
distilled spirits
imported under this
Act.

III. And be it enacted, That in all licensed distilleries, where
wine is the material to be distilled from, and such wine has been taken
from the store certified and registered for the reception of material to be
used in the process of distillation to any distillery, it shall be lawful for
the distiller, at his discretion, either to convey the said wine into the
under-back or mash-tun of the distillery, or to pump it into the wash
charger within one hour after it is received from the said store.

Where wine is the
material to be dis-
tilled from.

IV. Provided always, and be it enacted, That all such wine shall,
upon its receipt into the certified and registered store as aforesaid, and
also on its removal therefrom for the purpose of distillation, be gauged in
the presence and to the satisfaction of an Inspector of Distilleries, who
shall take an account thereof.

Wine, upon its re-
ceipt into stores, and
upon its removal
therefrom for the
purpose of distilla-
tion, to be gauged.

Passed the Legislative Council, this twenty-fifth }
day of September, one thousand eight hun- }
dred and fifty. }
WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,
GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

No. XXIII.

No. XXIII.

An Act to amend the Law for regulating places of Public Exhibition and Entertainment. [Assented to, 1st October, 1850.]

Preamble.

WHEREAS it is expedient to repeal the law at present in force with respect to the regulating of places of public exhibition and entertainment; and to make further provisions for that purpose: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That from and after the passing of this Act, a certain Act of the Governor and Legislative Council of the said Colony, passed in the ninth year of the Reign of His late Majesty King George the Fourth, intituled, "*An Act for regulating places of Public Exhibition and Entertainment,*" shall be, and the same is hereby repealed, except so far as regards anything done, or commenced to be done, under the said recited Act.

9 Geo. 4, No. 14, repealed.

Penalty on Stage Entertainments without license;

II. And be it enacted, That from and after the passing of this Act, if any person or persons shall act, represent or perform, or cause to be acted, represented or performed, for hire, gain, or reward, any interlude, tragedy, opera, comedy, stage play, farce, burletta, melodrama, pantomime, or any stage dancing, tumbling, or horsemanship, or any other entertainment of the stage whatsoever, to which admission shall or may be procured by payment of money, or by tickets, or by any other means, token, or consideration, as the price, hire, or rent of admission; or if any person or persons shall take or receive, or cause to be taken or received, any money, goods, or valuable thing whatsoever, by way of rent, fee, or reward, for the use or hire of any house, room, building, or place wherein any such entertainments of the stage as aforesaid shall be acted, represented, performed, or exhibited; or, being the owner or occupier thereof, shall knowingly permit, or suffer the same to be so used and applied, every such person shall, in case the place wherein the same shall be acted, represented, performed, or exhibited, be without the written authority or license of the Colonial Secretary, or, where the place is within the District of Port Phillip, of His Honor the Superintendent of Port Phillip, upon being lawfully convicted, forfeit and pay for every such offence any sum not exceeding fifty pounds.

and unlicensed Houses, &c., exhibiting any Entertainments of the Stage, &c., to be deemed disorderly; and all persons found therein to be deemed rogues and vagabonds.

III. And be it enacted, That every house, room, building, garden, or place, wherein any such entertainments of the stage as aforesaid shall be acted, represented, performed, or exhibited, unless the same be authorized and licensed by the Colonial Secretary, or by His Honor the Superintendent of Port Phillip, as hereinbefore mentioned, shall be deemed a disorderly house, room, building, or place; and it shall and may be lawful for any constable, with such assistance as may be necessary, being authorized by warrant under the hand of any Justice or Justices of the Peace, which warrant any such Justice is hereby empowered and authorized to issue upon complaint being made to him on oath, that there is reason to suspect that any house, room, building, garden, or place, is used for the purposes aforesaid, without being duly licensed, to enter into such house, room, building, garden, or place, and to seize every person found therein; and every person so found shall be deemed to be a rogue and vagabond, and shall be liable and subject to all such penalties and punishments as are inflicted on, or are appointed for, the punishment of rogues and vagabonds.

Proof of being duly licensed to lie on the party accused.

IV. And be it enacted, That in any proceedings to be instituted against any person for having or keeping an unlicensed Theatre, or other house, room, building, garden, or place as aforesaid, or for acting for hire in an unlicensed Theatre, or other house, room, building, garden, or place, if it shall be proved that such Theatre, or other house, room, building, garden, or place is used for the public performance of entertainments of the stage as hereinbefore described, the burden of proof that such Theatre, or other house, room, building, garden, or place is

is duly licensed or authorized shall lie on the party accused, and until the contrary shall be proved such Theatre, or other house, room, building, garden, or place, shall be taken to be unlicensed: Provided always, and be it enacted, that no person shall be liable to be prosecuted for any offence against this Act, unless such prosecution shall be commenced within three calendar months next after the offence committed.

V. And be it enacted, That it shall be lawful for the Colonial Secretary, or His Honor the Superintendent of Port Phillip, (within that District) whenever either of them shall be of opinion that it is fitting for the preservation of good manners, decorum, or of the public peace so to do, to forbid by writing under his hand the acting or presenting any stage play, or any act, scene, or entertainment of the stage as hereinbefore mentioned or part thereof, or any prologue or epilogue or any part thereof in such Theatres or other places for which an authority or license may have been granted by either of them, in pursuance of the authority respectively vested in them by this Act; and every person who shall for hire act or present, or cause to be acted or presented, any stage play or other entertainment as aforesaid, or any act, scene or part thereof, or any prologue or epilogue or part thereof contrary to such prohibition as aforesaid, shall for every such offence, forfeit and pay any sum not exceeding fifty pounds; and every authority or license (in case there be any such) by or under which the Theatre was opened in which such offence shall have been committed, shall become absolutely void.

Colonial Secretary, or Superintendent of Port Phillip, may revoke license.

Penalty for performing any stage play, &c., after such revocation.

VI. And be it enacted, That all offences against this Act may be heard and determined, and every forfeiture and penalty in respect thereof be awarded and imposed, by or before any two Justices of the Peace, in a summary way, in the manner prescribed by the Act of the Governor and Legislative Council of New South Wales, passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled "*An Act* 5 Wm. IV., No. 22. "*to regulate summary proceedings before Justices of the Peace,*" or according to the law in force for the time being regulating summary proceedings before Justices of the Peace; and any person feeling aggrieved by any summary judgment or conviction under this Act, may appeal therefrom in the manner provided by the said Act, or any other law in force for the time being in that behalf: Provided always, that in all cases in which any penalty or forfeiture hereby imposed, is made recoverable before any Justices of the Peace, it shall and may be lawful for any Justice to whom complaint shall be made of any offence against this Act, to summon the party complained against before any two Justices, and on such summons, such Justices are hereby empowered to hear and determine the matter of such complaint, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing shall have been exhibited or taken by or before any such Justice or Justices; and all such proceedings by summons without information shall be as good, valid, and effectual, to all intents and purposes, as if an information in writing had been exhibited; and in all proceedings under this Act the informer or party prosecuting shall be deemed and taken to be a competent witness.

Proceedings under this Act to be in a summary way.

5 Wm. IV., No. 22.

Appeal given.

Informer competent witness.

VII. And be it enacted, That all fines, forfeitures, and penalties imposed by this Act, shall be paid, one moiety to Her Majesty, Her Heirs and Successors, for the public uses of the said Colony, and in the support of the Government thereof, and shall be applied in such manner as may be from time to time directed by any Acts of the said Governor and Legislative Council; and the other moiety to the use of the informer or party prosecuting, who shall be entitled to his or her costs and charges over and above such fines, forfeitures, and penalties, to be ascertained and assessed by the Justice or Justices before whom the case is heard.

Application of penalties.

VIII. And be it enacted, That throughout this Act, every word and term used in the singular number or masculine gender only, shall be construed equally to imply and include the plural number, and females as well as males, and *vice versa*, unless there be something in the context repugnant to such construction.

Interpretation clause.

IX.

Limitation of actions.

IX. And be it enacted, That no action at law shall lie against any Justice of the Peace, constable, or other peace officer, for or on account of any matter or thing whatsoever done, or to be done, or commanded by him in the execution of his duty or office under this Act, against any party or parties offending, or suspected to be offending against the provisions of this Act, unless there be direct proof of corruption or malice, and unless such action be commenced within three calendar months next after the cause of action or complaint shall have arisen; and if any person shall be sued for any matter or thing which he has so done, or shall have done in the execution of this Act, he may plead the general issue, and give the special matter in evidence.

Passed the Legislative Council, this twentieth day of September, one thousand eight hundred and fifty.

CHARLES NICHOLSON, Speaker.

WM. MACPHERSON, CLERK OF THE COUNCIL.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,

Govt. House, Sydney, 1st October, 1850.

GOVERNOR.

No. XXIV.

An Act to continue for three years from the thirty-first day of December next, and from thence until the end of the next Session of the Legislative Council, an Act, intituled, "An Act to give a preferable Lien on Wool from season to season, and to make Mortgages of Sheep, Cattle, and Horses valid without delivery to the Mortgagee, and to substitute for a limited time other provisions in lieu thereof." [Assented to, 1st October, 1850.]

Preamble.

11 Vict. No. 4.

continued until 31st December, 1853, and from thence until the end of the next Session of the Legislative Council.

Liens or mortgages transferable by indorsement; rights of indorsees.

In every case, before or after passing of this Act, in which amount of mortgage shall have been paid, mortgagor may register the receipt, but without prejudice to any previous sale or subsequent mortgage.

WHEREAS an Act passed in the eleventh year of Her Majesty's Reign, intituled, "An Act to give a preferable Lien on Wool from season to season, and to make Mortgages of Sheep, Cattle, and Horses valid without delivery to the Mortgagee, and to substitute for a limited time other provisions in lieu thereof," will expire on the thirty-first day of December next, and it is expedient that the said Act be further continued: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That the said Act, and every clause, matter, and thing therein contained, is hereby re-enacted, and shall be and continue in force until the thirty-first day of December which will be in the year one thousand eight hundred and fifty-three, and from thence until the end of the next Session of the Legislative Council or Assembly (as may be) of the said Colony.

II. And be it enacted, That all liens of wool or mortgages of live stock shall be transferable by indorsement; and every indorsee thereof shall have the same right, title, and interest therein respectively as the original licence or mortgagee.

III. And be it enacted, That in every case where, before or after the passing of this Act, the amount of principal and interest, or of the balance of principal and interest due upon any mortgage of live stock, shall have been, or shall be paid to the person entitled to receive the same, or his agent in that behalf, and a receipt in writing for the amount so paid shall have been, or shall be given, signed by the party so entitled, or by his agent, acknowledging such payment to be in satisfaction of the mortgage, it shall be lawful for the mortgagor, his executors, administrators, or assigns, to cause a copy of such receipt, duly verified by affidavit, to be registered at Sydney, in the office of the officers of the Supreme Court appointed to execute the duties of the late office of Registrar General, or at Melbourne, in the office of the Deputy Registrar of the Supreme Court for the District Port Phillip, as the case may require, on production to those officers, or either of them, as the case may require, of the original receipt, and of the mortgage deed to which the same shall relate; and, from and after the time of the registration of

of any such verified receipt, such payment shall operate as an extinction of the mortgage, and of the right and interest thereby created, to all intents and purposes whatsoever, but without prejudice nevertheless to any previous sale or sales, or any conveyance in pursuance thereof, under such mortgage deed, and without prejudice to any second or subsequent mortgage affecting the same live stock, or any part thereof, then duly registered, unless every party thereto shall by writing under his or her hand, at the foot of such receipt as aforesaid, have signified his or her assent to the registration of such receipt.

Passed the Legislative Council, this thirtieth }
day of August, one thousand eight hundred }
and fifty. }

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,

Govt. House, Sydney, 1st October, 1850.

GOVERNOR.

No. XXV.

An Act to continue two Acts passed in the ninth and eleventh years of the reign of Her present Majesty, respectively intituled, "*An Act to amend and consolidate the laws between Masters and Servants in New South Wales,*" and "*An Act to amend an Act, intituled, 'An Act to amend and consolidate the laws between Masters and Servants in New South Wales.'*" [Assented to, 1st October, 1850.]

WHEREAS by an Act passed in the ninth year of the reign of Her present Majesty Queen Victoria, intituled, "*An Act to amend and consolidate the laws between Masters and Servants in New South Wales,*" it was amongst other things enacted, that the said Act should commence and take effect from the date of its passing, and should be and continue in force until the thirty-first day of December, in the year one thousand eight hundred and forty-eight: And whereas by a certain other Act made and passed in the eleventh year of the reign of Her said present Majesty, intituled, "*An Act to amend an Act, intituled, 'An Act to consolidate and amend the laws between Masters and Servants in New South Wales,'*" it was amongst other things enacted, that the said Act should commence and take effect from and after the first day of August then next, and that the said Act and the hereinbefore first recited Act should be and continue in force until the thirty-first day of December, in the year of our Lord one thousand eight hundred and fifty: And whereas it is desirable that the duration of the said two Acts should be continued and extended: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That the duration of the said two recited Acts shall be extended, and that the same shall continue and be in force until the thirty-first day of December, in the year of our Lord one thousand eight hundred and fifty-two.

Passed the Legislative Council, this twenty-fourth }
day of September, one thousand eight hundred }
and fifty. }

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,

GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

No. XXVI.

An Act for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year One thousand eight hundred and fifty-one; and for further appropriating the said Revenue. [Assented to, 1st October, 1850.]

Preamble.

5 & 6 Vic. c. 76.

CIVIL ESTABLISHMENTS, viz:—

Governor;

Legislative Council;

Post Offices, Sydney District;

Post Offices, Port Phillip District;

Colonial Storekeeper;

Port Master, Sydney;

Telegraphs, Sydney District;

Light House, South Head;

Floating Light, Port Jackson;

Pilot, Wollongong;

WHEREAS by a certain Act of Parliament passed in the fifth and sixth year of the reign of Her present Majesty Queen Victoria, intitled, "*An Act for the Government of New South Wales and Van Diemen's Land,*" it was among other things enacted, that the Governor of the said Colony of New South Wales, with the advice and consent of the Legislative Council, should have authority to make laws for the peace, welfare, and good government of the said Colony; and that, with the deductions and subject to the provisions therein contained, the whole of Her Majesty's Revenue within the said Colony, arising from taxes, duties, rates, and imposts, levied on Her Majesty's subjects within the said Colony, should be appropriated to the public service within the said Colony, by Ordinances to be for that purpose enacted by the Governor, with the advice and consent of the Legislative Council of the said Colony, and in no other manner: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied any sum or sums of money not exceeding thirty-three thousand two hundred and fifteen pounds, thirteen shillings, and two-pence, to defray the salaries, allowances, and contingencies of the Civil Establishments of the said Colony, unprovided for by Schedule B of the said recited Act of Parliament, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding one thousand two hundred and eighty-five pounds, six shillings, and three-pence, to defray the salaries, allowances, and contingencies of His Excellency the Governor's Establishment; and any sum or sums of money not exceeding three thousand nine hundred and sixty-seven pounds and four-pence, to defray the salaries and contingencies of the Legislative Council Establishment; and any sum or sums of money not exceeding seven thousand and fifty-seven pounds and sixpence, to defray the salaries, allowances, and contingencies of the Post Office Establishment in the Sydney District; and any sum or sums of money not exceeding three thousand five hundred and forty-three pounds, to defray the salaries, allowances, and contingencies of the Post Office Establishment at Port Phillip; and any sum or sums of money not exceeding nine hundred and forty-two pounds, seven shillings, and sixpence, to defray the salaries and contingencies of the Colonial Storekeeper's Establishment; and any sum or sums of money not exceeding one thousand three hundred and seventy pounds, one shilling, and three-pence, to defray the salaries and contingencies of the Port Master's Establishment; and any sum or sums of money not exceeding three hundred and eleven pounds, to defray the salaries and contingencies of the Telegraph Stations in the Sydney District; and any sum or sums of money not exceeding four hundred and sixty-two pounds, five shillings, to defray the salaries and contingencies of the Light House Establishment at the South Head of Port Jackson; and any sum or sums of money not exceeding five hundred and ninety-nine pounds, five shillings, to defray the salaries and contingencies of the Floating Light Establishment within the Heads of Port Jackson; and any sum or sums of money not exceeding seventy-four pounds, fifteen shillings, to defray the salary and contingent expenses of the Establishment of the Pilot in charge of the Basin at Wollongong; and

and any sum or sums of money not exceeding four hundred and seventy-seven pounds, to defray the salaries, allowances, and contingencies of the Harbour Master's Establishment at Newcastle; and any sum or sums of money not exceeding seven hundred and ninety-six pounds, two shillings, and sixpence, to defray the salaries and contingencies of the Harbour Master's Establishment at Moreton Bay; and any sum or sums of money not exceeding one thousand nine hundred and fifteen pounds, fifteen shillings, to defray the salaries and contingencies of the Harbour Master's Establishment at Port Phillip; and any sum or sums of money not exceeding four hundred and thirteen pounds, seventeen shillings, and sixpence, to defray the salaries and contingencies of the Light House Establishment at Gellibrand's Point, Port Phillip; and any sum or sums of money not exceeding seven hundred and four pounds, ten shillings, to defray the salaries and contingencies of the Light House Establishment at Shortland's Bluff, Port Phillip; and any sum or sums of money not exceeding seven hundred and ninety-six pounds, ten shillings, to defray the salaries and contingencies of the Light House Establishment at Cape Otway, Port Phillip; and any sum or sums of money not exceeding two hundred and sixty-seven pounds, two shillings, and sixpence, to defray the salaries and contingencies of the Telegraph Stations at Port Phillip; and any sum or sums of money not exceeding one thousand eight hundred and eighty-one pounds, seventeen shillings, and sixpence, to defray the salaries and contingencies of the Colonial Architect's Establishment, Sydney, with the understanding that the offices of second Clerk of Works and second Foreman of Works are to continue provisional and temporary; and any sum or sums of money not exceeding one thousand and six pounds, fifteen shillings, and ten-pence, to defray the salaries, allowances, and contingencies of the Colonial Architect's Establishment at Port Phillip; and any sum or sums of money not exceeding six hundred and thirty-five pounds, to defray the salaries, allowances, and contingencies of the Establishment of the Superintendent of Bridges at Port Phillip; and any sum or sums of money not exceeding nine hundred and sixteen pounds, fourteen shillings, to defray the salaries and contingencies of the Establishment of the Botanic Gardens, Sydney; and any sum or sums of money not exceeding six hundred and seventeen pounds, two shillings, and sixpence, to defray the salaries and contingencies of the Establishment of the Botanic Gardens, Melbourne, Port Phillip; and any sum or sums of money not exceeding one hundred and sixty-one pounds, five shillings, to defray the salaries and contingencies of the Establishment for keeping in order the Outer Government Domain, Sydney; and any sum or sums of money not exceeding two thousand seven hundred and fourteen pounds, to defray the salaries, allowances, and contingencies of the Government Printing Establishment, Sydney; and any sum or sums of money not exceeding three hundred pounds, to defray the salaries and contingencies of the Powder Magazine Establishment at Melbourne, Port Phillip.

Harbour Master,
Newcastle;Harbour Master,
Moreton Bay;Harbour Master,
Port Phillip;Light House, Gelli-
brand's Point, Port
Phillip;Light House, Short-
land's Bluff, Port
Phillip;Light House, Cape
Otway, Port Phillip;Telegraphs, Port
Phillip;

Colonial Architect;

Colonial Architect,
Port Phillip;Superintendent of
Bridges, Port Phillip;Botanic Gardens,
Sydney;Botanic Gardens,
Melbourne;Outer Domain,
Sydney;Government Printing
Office, Sydney;Powder Magazine,
Melbourne.

CORONERS, viz :—

II. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding nine hundred and forty-three pounds, three shillings, and nine-pence, to defray the salaries of Coroners within the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding seven hundred and sixty-three pounds, seventeen shillings, and sixpence, to defray the salaries of the Establishment of Coroners in the Sydney District; and any sum or sums of money not exceeding one hundred and seventy-nine pounds, six shillings, and three-pence, to defray the salaries of the Establishment of Coroners in the Port Phillip District.

Sydney District;

Port Phillip District.

III. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding nine hundred and forty-nine pounds, to defray the salaries and contingencies of the Education Establishments of the said Colony, for the year one thousand eight hundred and

EDUCATION ESTAB-
LISHMENTS, viz :—

Protestant Orphan School ;

Roman Catholic Orphan School.

MEDICAL ESTABLISHMENTS, viz :—

Health Officer and Clerk to Medical Board ;

Lunatic Asylums ; Tarban Creek and Parramatta ;

Lunatic Asylum, Melbourne ;

Hospitals, Port Phillip.

POLICE ESTABLISHMENTS, viz :—

Inspector General and Provincial Inspectors ;

City of Sydney ;

City of Melbourne ;

Water Police, Sydney ;

Water Police, Port Phillip ;

Rural Police within the Settled Districts ;

and fifty-one, as hereinafter more particularly expressed ; that is to say, any sum or sums of money not exceeding five hundred and ninety-four pounds, to defray the salaries and contingencies of the Protestant Orphan School at Parramatta ; and any sum or sums of money not exceeding three hundred and fifty-five pounds, to defray the salaries and contingencies of the Roman Catholic Orphan School at Parramatta.

IV. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding three thousand one hundred and seventy-five pounds, five shillings, to defray the salaries, allowances, and contingencies of the Medical Establishments of the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed ; that is to say, any sum or sums of money not exceeding three hundred and twenty-five pounds, to defray the salaries of the Health Officer, and Clerk to the Medical Board at Port Jackson ; and any sum or sums of money not exceeding one thousand seven hundred and forty-six pounds, seventeen shillings, and sixpence, to defray the salaries, allowances, and contingencies of the Lunatic Asylums at Tarban Creek and Parramatta ; and any sum or sums of money not exceeding seven hundred and fifty-four pounds, seventeen shillings, and sixpence, to defray the salaries, allowances, and contingencies of the Lunatic Asylum, at Melbourne, Port Phillip ; and any sum or sums of money not exceeding three hundred and forty-eight pounds, ten shillings, to defray the salaries and contingencies of the Hospital Establishments at Port Phillip.

V. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied any sum or sums of money not exceeding fifty-eight thousand two hundred and ninety-five pounds, and seven-pence, to defray the salaries, allowances, and contingencies of the Police Establishments of the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed ; that is to say, any sum or sums of money not exceeding three thousand five hundred and forty-five pounds, twelve shillings, and sixpence, to defray the salaries, allowances, and contingencies of the Establishment of the Inspector General and Provincial Inspectors of Police, as recommended by the Select Committee on Police ; and any sum or sums of money not exceeding eight thousand nine hundred and sixty-three pounds, twelve shillings, and sixpence, to defray the salaries, allowances, and contingencies of the Police Establishment in the City of Sydney, including the increased expenditure of two thousand three hundred and sixty-four pounds, recommended by the Select Committee on Police ; and any sum or sums of money not exceeding four thousand three hundred and fifty-four pounds, to defray the salaries, allowances, and contingencies of the Police Establishment in the City of Melbourne, Port Phillip ; and any sum or sums of money not exceeding one thousand three hundred and fifty-nine pounds, six shillings, and three-pence, to defray the salaries, allowances, and contingencies of the Water Police Establishment, Sydney ; and any sum or sums of money not exceeding three hundred and fifty-eight pounds, ten shillings, to defray the salaries and contingencies of the Water Police Establishment, Port Phillip ; and any sum or sums of money not exceeding twenty-four thousand four hundred and ninety-eight pounds, fifteen shillings, to defray the salaries, allowances, and contingencies of the Rural Police Establishments within the Settled Districts of the Colony, including the District of Port Phillip, being seventeen thousand eight hundred and seventy pounds, five shillings, for the Sydney District, including the increased expenditure of two hundred and five pounds, six shillings, and three-pence, recommended by the Select Committee on Police, and six thousand six hundred and twenty-eight pounds, ten shillings, for the Port Phillip District ; and any sum or sums of money not exceeding thirteen thousand two hundred and eighty-five pounds, sixteen shillings, and three-pence, to defray the salaries, allowances, and contingencies

gencies of the Police Establishments beyond the Settled Districts of the Colony, including the Police Establishments beyond the Settled Districts in the Port Phillip District, being eight thousand nine hundred and seventy-five pounds, ten shillings, for the Sydney District, and four thousand three hundred and ten pounds, six shillings, and three-pence, for the Port Phillip District; and any sum or sums of money not exceeding seven hundred and sixty-four pounds, to defray the salaries, allowances, and contingencies of the Native Police Establishment in the Sydney District; and any sum or sums of money not exceeding one thousand one hundred and sixty-five pounds, eight shillings, and one penny, to defray the salaries, allowances, and contingencies of the Native Police Establishment in the Port Phillip District.

Police beyond the Settled Districts;

Native Police, Sydney District;

Native Police, Port Phillip District.

VI. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding eight thousand five hundred and nineteen pounds, seven shillings, and sixpence, to defray the salaries and contingencies of the Gaol and Penal Establishments of the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding one thousand six hundred and thirty pounds, seven shillings, and sixpence, to defray the salaries and contingencies of the Sydney Gaol Establishment; and any sum or sums of money not exceeding seven hundred and ninety-three pounds, three shillings, and nine-pence, to defray the salaries and contingencies of the Parramatta Gaol Establishment; and any sum or sums of money not exceeding five hundred and fifty-four pounds, thirteen shillings, and nine-pence, to defray the salaries and contingencies of the Bathurst Gaol Establishment; and any sum or sums of money not exceeding six hundred and seventy-three pounds, fifteen shillings, to defray the salaries and contingencies of the Maitland Gaol Establishment; and any sum or sums of money not exceeding five hundred and eighty-three pounds, eight shillings, and nine-pence, to defray the salaries and contingencies of the Goulburn Gaol Establishment; and any sum or sums of money not exceeding six hundred and three pounds, thirteen shillings, and nine-pence, to defray the salaries and contingencies of the Moreton Bay Gaol Establishment; and any sum or sums of money not exceeding one thousand two hundred and twenty-six pounds, eighteen shillings, and nine-pence, to defray the salaries and contingencies of the Melbourne Gaol Establishment; and any sum or sums of money not exceeding six hundred and eighty-nine pounds, eight shillings, and nine-pence, to defray the salaries and contingencies of the Geelong Gaol Establishment; and any sum or sums of money not exceeding one thousand three hundred pounds, seven shillings, and sixpence, to defray the salaries and contingencies of the Penal Establishment at Cockatoo Island; and any sum or sums of money not exceeding four hundred and sixty-three pounds, ten shillings, to defray the salaries and contingencies of the Penal Establishment at Port Phillip.

GAOL AND PENAL ESTABLISHMENTS, viz:—

Sydney;

Parramatta;

Bathurst;

Maitland;

Goulburn;

Moreton Bay;

Melbourne;

Geelong;

Penal Establishment, Cockatoo Island;

Penal Establishment, Port Phillip.

VII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding one hundred and sixty pounds, to defray the salary and contingent expenses of the Colonial Agent General, for the year one thousand eight hundred and fifty-one.

COLONIAL AGENT GENERAL.

VIII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding five hundred pounds, to defray Pensions and retired Allowances in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding four hundred pounds, to defray Pensions to the Widows of Sir Francis Forbes and Sir James Dowling, late Chief Justices of New South Wales, being two hundred pounds each; and any sum or sums of money not exceeding one hundred pounds, as an allowance to Mr. John Eyre, retired Teacher of the Church of England School at Parramatta.

PENSIONS AND ALLOWANCES, viz:—

Ladies Forbes and Dowling;

Mr. John Eyre.

IX.

CORONERS, EXCLUSIVE
OF ESTABLISHMENTS,
VIZ :—

Sydney District;

Port Phillip District.

CHARITABLE AL-
LOWANCES, VIZ :—

Free Paupers in
Colonial Hospitals ;

Sydney Infirmary ;

Benevolent Society,
Sydney ;

Hospitals, Sydney
District ;

Outfit to New
Hospital, Maitland ;

Repairs to
Hospital, Brisbane ;

Benevolent Asylum,
Melbourne ;

Benevolent Asylum
and Hospital,
Geelong ;

Hospital, Melbourne.

EDUCATION, EXCLU-
SIVE OF ESTABLISH-
MENTS, VIZ :—

Protestant Orphan
School ;

Roman Catholic
Orphan School ;

Denominational
Schools, Sydney
District, viz. :—

Church of England ;
Presbyterian ;
Wesleyan ;
Roman Catholic.

IX. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding one thousand five hundred and sixty-five pounds, to defray the expense of Coroners of the said Colony, exclusive of Establishments, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed ; that is to say, any sum or sums of money not exceeding one thousand two hundred pounds, to defray the expense of Coroners, exclusive of Establishments in the Sydney District ; and any sum or sums of money not exceeding three hundred and sixty-five pounds, to defray the expense of Coroners, exclusive of Establishments, in the Port Phillip District.

X. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding nine thousand seven hundred and sixty pounds, to defray the charge for Charitable Allowances in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed ; that is to say, any sum or sums of money not exceeding nine hundred pounds, for the support of Free Paupers in the Colonial Hospitals in the Sydney District ; and any sum or sums of money not exceeding seven hundred and sixty pounds, in aid of Sydney Infirmary and Dispensary, on condition of an equal amount being raised by private subscriptions ; and any sum or sums of money not exceeding two thousand five hundred pounds, in aid of the Benevolent Society, Sydney, on condition of a sum of one thousand pounds being raised by private subscriptions ; and any sum or sums of money not exceeding one thousand eight hundred pounds, in aid of Hospitals at Parramatta, Windsor, Bathurst, Newcastle, Maitland, Port Macquarie, Goulburn, Yass, and Brisbane, being two hundred pounds each, on condition of sums to an equal amount being raised by private subscriptions ; and any sum or sums of money not exceeding two hundred pounds, for outfit and aid to the new Hospital at Maitland ; and any sum or sums of money not exceeding two hundred pounds, for repairs to the Hospital at Brisbane ; and any sum or sums of money not exceeding three thousand four hundred pounds, in aid of Charitable Institutions at Port Phillip, being five hundred pounds towards the erection of the Benevolent Asylum at Melbourne, on condition of an equal amount being raised by private subscriptions ; five hundred pounds towards the outfit of the said Asylum ; and one thousand pounds towards the maintenance of the same, on condition of an equal amount being raised by private subscriptions ; five hundred pounds towards the erection of the Benevolent Asylum and Hospital at Geelong, on condition of an equal amount being raised by private subscriptions ; and three hundred pounds towards the maintenance of the same, on condition of an equal amount being raised by private subscriptions ; and six hundred pounds in aid of the Hospital at Melbourne, on condition of sums to an equal amount being raised by private subscriptions.

XI. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding twenty-one thousand two hundred and fifty-one pounds, to defray the charge for Education, exclusive of Establishments, in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed ; that is to say, any sum or sums of money not exceeding two thousand one hundred pounds, to defray the expense of the Protestant Orphan School at Parramatta, exclusive of the Establishment ; and any sum or sums of money not exceeding one thousand one hundred and forty-five pounds, to defray the expense of the Roman Catholic Orphan School at Parramatta, exclusive of the Establishment ; and any sum or sums of money not exceeding eight thousand three hundred and fifty pounds, in support of Denominational Schools in the Sydney District, to be expended under the direction of the Board of Inspection, being :—four thousand and twenty pounds for Church of England Schools, one thousand nine hundred pounds for Presbyterian Schools, five hundred and seventy pounds for Wesleyan Schools, and one thousand eight hundred and sixty pounds for Roman Catholic Schools ;

Schools; and any sum or sums of money not exceeding two hundred and fifty pounds, to defray the expenses of the Denominational School Board, in Sydney District; and any sum or sums of money not exceeding three thousand and fifty-six pounds in support of Denominational Schools in the Port Phillip District, to be expended under the direction of the Local Board of Inspection; being one thousand one hundred and eighty-one pounds for Church of England Schools, four hundred and eleven pounds for Presbyterian Schools, eighty-eight pounds for Free Church Schools, three hundred and sixty-six pounds for Wesleyan Schools, one hundred and seventy pounds for Independent Schools, and eight hundred and forty pounds for Roman Catholic Schools; and any sum or sums of money not exceeding three hundred and fifty pounds, to defray the expense of the Denominational School Board at Port Phillip; and any sum or sums of money not exceeding three thousand five hundred pounds, towards the support of National Schools within the Settled Districts of the Colony,—being two thousand pounds, for National Schools within the Settled Districts, in the Sydney District, and one thousand five hundred pounds for National Schools within the Settled Districts in the Port Phillip District; and any sum or sums of money not exceeding two thousand five hundred pounds for the establishment of Schools beyond the Settled Districts of the Colony—being one thousand five hundred pounds for the Establishment of National Schools beyond the Settled Districts in the Sydney District, and one thousand pounds for the Establishment of National Schools beyond the Settled Districts in the Port Phillip District.

XII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding four thousand seven hundred and ninety-eight pounds, eighteen shillings, and nine-pence, to defray the charge for Medical expenses, exclusive of Establishments, in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding one hundred pounds, to defray the expense of maintaining the Vaccine Establishment in the City of Sydney; and any sum or sums of money not exceeding three thousand three hundred and twenty-three pounds, eighteen shillings, and nine-pence, to defray the expense of the Lunatic Asylums at Tarban Creek and Parramatta, exclusive of the Establishments; and any sum or sums of money not exceeding one thousand two hundred and forty-five pounds, to defray the expense of the Lunatic Asylum at Melbourne, exclusive of the Establishment; and any sum or sums of money not exceeding one hundred and thirty pounds, to defray the expense of the Hospitals at Port Phillip, exclusive of the Establishments.

XIII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding seventeen thousand one hundred and eighty-nine pounds eleven shillings and three-pence, to defray the charge for Police of the said Colony exclusive of Establishments, for the year one thousand eight hundred and fifty-one as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding one hundred pounds to defray the expense of the Inspector General of Police, exclusive of the Establishment; any sum or sums of money not exceeding eight hundred and fifty-eight pounds, to defray the expense of Police, exclusive of the Establishment, in the City of Sydney; and any sum or sums of money not exceeding one hundred and ninety-four pounds, to defray the expense of Police, exclusive of the Establishment, in the City of Melbourne, Port Phillip; and any sum or sums of money not exceeding one hundred and three pounds, to defray the expense of the Sydney Water Police, exclusive of the Establishment; and any sum or sums of money not exceeding fifty-seven pounds, ten shillings, to defray the expense of the Port Phillip Water Police, exclusive of the Establishment; and any sum or sums of money not exceeding three thousand three hundred and sixty-two pounds, to defray the expense of Police within the Settled Districts, exclusive of the Establishments, in the Sydney District; and any sum or sums of money not exceeding one thousand five hundred and seventy-two pounds, to defray

Denominational School Board, Sydney District; Denominational Schools, Port Phillip District, viz. :— Church of England; Presbyterian; Free Church; Wesleyan; Independent; Roman Catholic. Denominational School Board, Port Phillip.

National Schools within the Settled Districts, viz. :— Sydney District; Port Phillip District; National Schools beyond the Settled Districts, viz. :— Sydney District; Port Phillip District.

MEDICAL, EXCLUSIVE OF ESTABLISHMENTS, viz. :—

Vaccine Institution; Lunatic Asylums, Sydney District;

Lunatic Asylum, Melbourne, Port Phillip; Hospitals, Melbourne, Port Phillip.

POLICE, EXCLUSIVE OF ESTABLISHMENTS, viz. :—

Inspector General;

City of Sydney;

City of Melbourne;

Sydney Water Police;

Port Phillip Water Police;

Rural Police, Sydney District.

Rural Police, Port Phillip District; defray the expense of Police within the Settled Districts, exclusive of the Establishments, in the Port Phillip District; and any sum or sums of money not exceeding two thousand two hundred and thirty-seven pounds one shilling and three-pence, to meet the expense of a supply of clothing from England, for the Police within the Settled Districts of the Colony, being one thousand seven hundred and eighty-seven pounds one shilling and three-pence, for Police within the Settled Districts in the Sydney District, and four hundred and fifty pounds for Police within the Settled Districts in the Port Phillip District; and any sum or sums of money not exceeding three hundred pounds, to meet demands on the Police Reward Fund within the Settled Districts of the Colony, being two hundred pounds for the Police within the Settled Districts in the Sydney District, and one hundred pounds for the Police within the Settled Districts in the Port Phillip District; and any sum or sums of money not exceeding one thousand one hundred and fourteen pounds, to meet the expense of the Police beyond the Settled Districts, exclusive of the Establishments in the Sydney District; and any sum or sums of money not exceeding nine hundred and twenty-seven pounds, to defray the expense of Police, exclusive of Establishments, beyond the Settled Districts in the Port Phillip District; and any sum or sums of money not exceeding two thousand pounds, as a reserve for the maintenance of the Mounted Police, and for other Police purposes, in the Port Phillip District; and any sum or sums of money not exceeding one thousand five hundred and thirty pounds, to defray the expense of the Native Police, exclusive of the Establishments, in the Sydney District; and any sum or sums of money not exceeding two thousand eight hundred and thirty-five pounds, to defray the expense of the Native Police, exclusive of the Establishments, in the Port Phillip District.

GAOLS, EXCLUSIVE OF ESTABLISHMENTS, viz:—

XIV. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding eleven thousand and fifty-five pounds, ten shillings, and sixpence, to defray the charge for the Gaols of the said Colony, exclusive of Establishments, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding one thousand nine hundred and seventy-five pounds, to defray the expense of the Sydney Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding four hundred and ninety-seven pounds, to defray the expense of the Parramatta Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding four hundred and thirty-six pounds, to defray the expense of the Bathurst Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding four hundred and ninety pounds, to defray the expense of the Maitland Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding three hundred and fifty-eight pounds, eight shillings, to defray the expense of the Goulburn Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding four hundred and thirty pounds, to defray the expense of the Moreton Bay Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding one thousand six hundred and thirty-two pounds, to defray the expense of the Melbourne Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding seven hundred and seventeen pounds, to defray the expense of the Geelong Gaol, exclusive of the Establishment; and any sum or sums of money not exceeding two thousand seven hundred and thirty-five pounds, two shillings, and sixpence, to defray the expense of the Penal Establishment at Cockatoo Island, exclusive of the Establishment; and any sum or sums of money not exceeding one thousand seven hundred and eighty-five pounds, to defray the expense of the Penal establishment at Port Phillip, exclusive of the Establishment.

RENT, viz:—

XV. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding six hundred and sixteen pounds, ten shillings, to defray the charge for Rent of Buildings used for Police and other purposes of the said Colony, for the year one thousand eight

eight hundred and fifty-one, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding two hundred and sixty-seven pounds, ten shillings, to meet the Rent of Buildings temporarily occupied as Colonial Treasury and Audit Office, in the Sydney District, and as Post Office at Geelong, in the Port Phillip District; and any sum or sums of money not exceeding three hundred and twenty-nine pounds, to meet the Rent of Buildings temporarily occupied as Court and Watch Houses, in the Sydney District; and any sum or sums of money not exceeding twenty pounds, to meet the Rent of a Building temporarily occupied as Police Office at Belfast, in the Port Phillip District.

Colonial Treasury
and Audit Office,
Sydney;
Post Office, Geelong;
Court and Watch
Houses, Sydney
District;
Police Office, Belfast,
Port Phillip.

XVI. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding two thousand nine hundred and ninety-seven pounds, to defray the charge of Transport for the under-mentioned Establishments of the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding fifty pounds, to defray the Travelling expenses of the Port Master; and any sum or sums of money not exceeding two hundred pounds, to defray the conveyance of Stores; and any sum or sums of money not exceeding one hundred pounds, to defray the expense of the Transport by sea of Stores for the Cape Otway Light House; and any sum or sums of money not exceeding two hundred pounds, to defray the Travelling expenses of the Colonial Architect and other Officers of his Department; and any sum or sums of money not exceeding two hundred pounds, to defray the Travelling expenses of the Colonial Architect and the Superintendent of Bridges at Port Phillip, being one hundred pounds each; and any sum or sums of money not exceeding thirty pounds, to defray the Travelling expenses of the Director of the Botanic Gardens, Sydney, while employed in collecting plants, seeds and specimens; and any sum or sums of money not exceeding thirty pounds, to defray the passage by water of officers, servants, and others attached to and the conveyance of stores for the Lunatic Asylums at Tarban Creek and Parramatta; and any sum or sums of money not exceeding twenty pounds, to defray the expense of conveyance from the Gaol to the Lunatic Asylum at Melbourne; and any sum or sums of money not exceeding two hundred pounds to defray the travelling expenses of Coroners and Surgeons in the Sydney District; and any sum or sums of money not exceeding seventy pounds, to defray the travelling expenses of Coroners and Surgeons in the Port Phillip District; and any sum or sums of money not exceeding fifty pounds, to defray the travelling expenses of the Inspector General of Police when actually on duty; and any sum or sums of money not exceeding nine hundred and thirty-two pounds, to defray the carriage of stores, the escort of prisoners, and other transport expenses of police within the Settled Districts in the Sydney District; and any sum or sums of money not exceeding four hundred and sixty-five pounds, to defray the carriage of stores, the escort of prisoners, and other transport expenses of Police within the Settled Districts in the Port Phillip District; and any sum or sums of money not exceeding two hundred and fifty pounds, to defray the passage and escort of prisoners beyond the Settled Districts in the Sydney District; and any sum or sums of money not exceeding two hundred pounds to defray the passage and escort of prisoners beyond the Settled Districts in the Port Phillip District.

TRANSPORT, viz:—

Port Master;

Conveyance of
Stores;

Light House, Cape
Otway;

Colonial Architect,
Sydney;

Colonial Architect,
Port Phillip;

Botanic Gardens,
Sydney;

Lunatic Asylums at
Tarban Creek and
Parramatta;

Lunatic Asylum,
Melbourne;

Coroners, &c.,
Sydney District;

Coroners, &c., Port
Phillip District;

Inspector General of
Police;

Police, Sydney
District;

Police, Port Phillip
District;

Police beyond the
Settled Districts,
Sydney District;

Police beyond the
Settled Districts,
Port Phillip District.

CONVEYANCE OF
MAILS, viz:—

Within the Settled
Districts, Sydney
District;

Beyond the Settled
Districts, in the
Sydney District;

XVII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied any sum or sums of money not exceeding twenty-five thousand one hundred pounds, to defray the charge for the Conveyance of Mails in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding eight thousand five hundred and seventy-five pounds, to defray the expense of the Conveyance of Mails within the Settled Districts, in the Sydney District; and any sum or sums of money not exceeding two thousand nine hundred pounds, to defray the expense of the Conveyance of Mails beyond the Settled Districts, in the Sydney District.

Sydney

Within the Settled Districts, Port Phillip District;

Beyond the Settled Districts, in the Port Phillip District;

Steam from and to Singapore.

PUBLIC WORKS AND BUILDINGS, viz:—

Public Works, Sydney District, viz.:

Dry Dock;

Dredging Machine;

Breakwater, Newcastle;

Water to Parramatta;

Artesian Well;

Public Wharf, Newcastle;

Public Buildings, Sydney District, viz.:

Colonial Treasury and Audit Office;

Government Printing Office;

Roman Catholic Orphan School at Parramatta;

Accommodation for Military Guard;

Gaols, Sydney District, viz.:

Sydney;

Parramatta;

Cockatoo Island;

Police Buildings, Sydney District, viz.:

Sydney;

Bathurst;

West Maitland;

Cassilis;

Queanbeyan;

Bathurst.

Improvement of Hyde Park;

Improvement of Outer Government Domain;

Sydney District; and any sum or sums of money not exceeding six thousand six hundred and twenty-five pounds, to defray the expense of the Conveyance of Mails within the Settled Districts, in the Port Phillip District; and any sum or sums of money not exceeding one thousand pounds, to defray the expense of the Conveyance of Mails beyond the Settled Districts in the Port Phillip District; and any sum or sums of money not exceeding six thousand pounds, towards defraying the expense of establishing Steam Communication, via Torres' Straits, by vessels which shall make Sydney the first port of arrival and the last of departure from and to Singapore.

XVIII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied any sum or sums of money not exceeding thirty-five thousand two hundred and thirty-eight pounds, eight shillings, and nine-pence, to defray the charge for Public Works and Buildings in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding six thousand four hundred and seventy-five pounds, to defray the expense of Public Works in the Sydney District,—being three thousand pounds towards the construction of the Dry Dock at Cockatoo Island, one thousand pounds to defray the expense of the employment of the Dredging Machine, one thousand pounds for upholding and keeping in repair the Breakwater at Newcastle, the further sum of one thousand pounds towards constructing the Works required for supplying Water to the Inhabitants of Parramatta, two hundred and twenty-five pounds towards meeting the expense of making the Artesian Well, and two hundred and fifty pounds towards the improvement of the Public Wharf at Newcastle; and any sum or sums of money not exceeding two thousand three hundred pounds to defray the expense of Public Buildings in the Sydney District,—being one thousand five hundred pounds for erecting an enclosing Wall and Out-offices at the New Colonial Treasury and Audit Office, three hundred pounds for erecting Buildings at the Government Printing Office for accommodating the Accountant and Foreman, and a further sum of five hundred pounds for erection of additional Buildings at the Roman Catholic Orphan School at Parramatta; and any sum or sums of money not exceeding one thousand one hundred and fifty-eight pounds, four shillings, and one penny, to provide accommodation for the Military Guard to be retained in the Sydney District; and any sum or sums of money not exceeding six hundred and thirty-two pounds for Gaol Buildings in the Sydney District,—being two hundred pounds for repairing and setting up the Machinery of the Treadmill and providing such new portions as may be necessary, one hundred pounds for providing iron grating doors for the Parramatta Gaol, and one hundred and thirty-two pounds for lining the cell doors of the said Gaol with sheet iron, and two hundred pounds for erecting Overseer's Quarters and a Storehouse at Cockatoo Island; and any sum or sums of money not exceeding one thousand nine hundred and twenty-one pounds, to defray the expense of Police Buildings in the Sydney District,—being four hundred pounds for erecting a Watch House near the Benevolent Asylum, in the City of Sydney; four hundred pounds for erecting a Watch House at Bathurst; four hundred pounds for erecting a Watch House at West Maitland; the further sum of one hundred and fifty pounds for erecting a Court and Watch House at Cassilis; the further sum of one hundred and fifty pounds for erecting a Court and Watch House at Queanbeyan; the further sum of three hundred pounds for erecting Escort and Station Houses, and one hundred and twenty-one pounds for fencing in the Court House Reserve, at Bathurst; and any sum or sums of money not exceeding two hundred pounds, to be expended upon the improvement of Hyde Park, under the superintendence of the Committee of Management; and any sum or sums of money not exceeding three hundred pounds for the improvement of the Outer Government Domain, Sydney,—being, one hundred and fifty pounds for the construction of Drains, one hundred pounds for the repair of Gates and Fences, and

fifty

fifty pounds for repairing and widening the Bridge near the Botanic Gardens; and any sum or sums of money not exceeding ninety-five pounds, for repairs and alterations in the Botanic Gardens, Sydney,—being fifty pounds for keeping in repair the Gates and Fences, and forty-five pounds for converting sheds in the Gardens into a room for the delivery of Lectures; and any sum or sums of money not exceeding one thousand pounds, to defray the expense of casual repairs to Colonial Public Buildings in the Sydney District; and any sum or sums of money not exceeding six hundred pounds, to defray the expense of casual repairs to Police Buildings within the Settled Districts in the Sydney District; and any sum or sums of money not exceeding two hundred pounds, to defray the expense of casual repairs to Police Buildings beyond the Settled Districts in the Sydney District; and any sum or sums of money not exceeding four hundred pounds, for providing Furniture for Colonial Public Offices in the Sydney District; and any sum or sums of money not exceeding five thousand three hundred and thirty pounds, to defray the expense of Public Works in the Port Phillip District,—being two hundred and fifty pounds for extending the jetty at Williams' Town; the further sum of one thousand pounds, for constructing a Wharf at Geelong, deepening the Basin, and making approaches to the said Wharf, six hundred and eighty pounds for Buoys, Anchors, and Chains, for the East and West Channels and for Geelong Bay, one hundred pounds towards cleaning out a Lagoon near the Botanic Gardens at Melbourne, two thousand pounds to provide a Diving Bell and Vessel for the Improvement of the Yarra River and Corio Bar, eight hundred pounds for the employment of the Steam Dredge and Punts, and five hundred pounds for enclosing, fencing, and laying out the intended new General Cemetery at Melbourne; and any sum or sums of money not exceeding five thousand four hundred and fifty pounds, to defray the expense of the Public Buildings in the Port Phillip District,—being one thousand six hundred pounds for building an Enclosing Wall to the New Wing of the Lunatic Asylum, one thousand pounds for building a Store, Laundry, and Bath Rooms, at the said Asylum, three hundred pounds towards the erection of a Government House, five hundred pounds for building additional Offices to the Supreme Court House at Melbourne, three hundred pounds for building a Fire-proof Room for the custody of documents in the Supreme Court, six hundred pounds for building Additions to the Custom House, Geelong, two hundred pounds for building Quarters for the Customs' Boats' Crews at Geelong, two hundred and fifty pounds for building a Customs' Gauging Shed at Portland, one hundred pounds for building Quarters for the Keeper of the Light at Shortland's Bluff, two hundred and fifty pounds for building Quarters for the Keeper of the Light at Williams' Town, two hundred pounds for building a Stamp Room at the Post Office, Melbourne, and one hundred and fifty pounds for building a Green House in the Botanic Gardens, Melbourne; and any sum or sums of money not exceeding three hundred and fifty-two pounds, four shillings, and eight-pence, to provide accommodation for the Military Guard to be retained in the Port Phillip District; and any sum or sums of money not exceeding four thousand seven hundred pounds towards building a New Wing to the Melbourne Gaol, two hundred pounds for repairs to said Gaol, the further sum of two thousand pounds towards building the Gaol at Geelong, and five hundred pounds for building Barracks for prisoners at the Penal Establishment; and any sum or sums of money not exceeding two thousand two hundred and seventy-five pounds for Police Buildings in the Port Phillip District,—being four hundred pounds for building a Watch House at Richmond, four hundred pounds for building a Watch House at Brighton, four hundred pounds for building a Watch House at Pentridge, two hundred and fifty pounds for building a Watch House at Warnambool, and two hundred and fifty pounds for building a Watch House at Port Fairy, three hundred and seventy-five pounds for building Court Houses for five Benches beyond the Settled Dis-

Botanic Gardens;

Repairs to Public Buildings, Sydney District;

Police Buildings, Sydney District;

Beyond the Settled Districts;

Furniture for Public Offices, Sydney District.

Public Works, Port Phillip District, viz.:

Jetty, Williams' Town;

Geelong Wharf;

Botanic Gardens, Melbourne;

Yarra River and Corio Bar;

Steam Dredge and Punts;

New General Cemetery, Melbourne.

Public Buildings, Port Phillip District; viz. :—

Lunatic Asylum;

Government House;

Supreme Court, Melbourne;

Custom House, Geelong;

Customs, Geelong; Portland;

Shortlands' Bluff;

Williams' Town;

Post Office, Melbourne;

Botanic Gardens, Melbourne.

Accommodation for Military Guard.

Gaol Buildings, Port Phillip District, viz.:

Melbourne Gaol;

Geelong Gaol;

Penal Establishment.

Police Buildings, Port Phillip District, viz.:

Richmond;

Brighton;

Pentridge;

Warnambool;

Port Fairy;

Court Houses, &c.

tricts

Repairs to Public Buildings and Fences, Port Phillip District, viz.:

Public Works;

Public Buildings;

Police Benches;

Government Fences.
Furniture.

ROADS, STREETS, AND BRIDGES, viz.:

Roads, &c., within the Settled Districts, Sydney District, where Tolls established;

Where Tolls are not collected;

Roads, &c., beyond the Settled Districts, Sydney District;

Government Lamps, Sydney;

Queanbeyan Bridge;

Bridge over Paterson River;

Roads and Bridges in the Port Phillip District, viz.:

Richmond;

Beach Road near the Little Hill;
Foot Bridge across the Yarra.

Roads, &c., within the Settled Districts; Beyond the Settled Districts.

MISCELLANEOUS SERVICES, viz.:

Government Printing Office, Melbourne;

Printing Paper;

Newspapers;

Electoral Lists, viz.:

Sydney District;

Port Phillip District.

Meteorological Tables, viz.:

Sydney District;
Port Phillip District.
Pounds and Poundkeepers, within the Settled Districts, Sydney and Port Phillip Districts.

tracts, at seventy-five pounds each; and the further sum of two hundred pounds for erecting Escort Station Houses; and any sum or sums of money not exceeding one thousand four hundred and fifty pounds, to defray the expense of repairs to Public Works, buildings, and fences in the Port Phillip District,—being five hundred pounds for repairs to public works, six hundred pounds for repairs and additions to public buildings, two hundred and fifty pounds for repairs and additions to District Police Benches, and one hundred pounds for repairs to Government fences; and any sum or sums of money not exceeding four hundred pounds, for furniture for Public Offices at Port Phillip.

XIX. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding fifteen thousand six hundred pounds, to defray the charge for Roads, Streets, and Bridges, in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding one thousand five hundred pounds, for constructing, upholding, and repairing the Public Roads, Bridges, and Ferries, on which Tolls have been established within the Settled Districts in the Sydney District; and any sum or sums of money not exceeding three thousand pounds, for making and repairing Public Roads and Bridges, on which Tolls are not collected within the Settled Districts, in the Sydney District; and any sum or sums of money not exceeding one thousand five hundred pounds, for the formation of Roads and Bridges beyond the Settled Districts, in the Sydney District; and any sum or sums of money not exceeding two hundred pounds, to defray the expense of lighting the Government Lamps in the City of Sydney; and any sum or sums of money not exceeding three hundred pounds, for the erection of a Bridge over the Queanbeyan River, in the Sydney District; and any sum or sums of money not exceeding one hundred and fifty pounds for erecting a Bridge over the Paterson River; and any sum or sums of money not exceeding eight thousand nine hundred and fifty pounds, to defray the expense of Roads and Bridges in the Port Phillip District,—being two thousand pounds, towards constructing a Bridge over the Yarra Yarra, at Richmond, two hundred and fifty pounds, for constructing a Bridge and for other improvements on the Beach Road, near the Little Hill, two hundred pounds, for erecting a Foot Bridge across the Yarra, near the Botanic Gardens, five thousand pounds, for the formation of Roads and Bridges within the Settled Districts, and one thousand five hundred pounds for the formation of Roads and Bridges beyond the Settled Districts.

XX. And be it enacted, That out of the produce of the said taxes, duties, rates and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding ten thousand eight hundred and ninety pounds to defray the charge for Miscellaneous Services in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding two thousand pounds, for the establishment of a Government Printing Office at Port Phillip; and any sum or sums of money not exceeding one thousand pounds, for Paper for Printing for the Public Service generally; and any sum or sums of money not exceeding one hundred and fifty pounds, for Newspapers for Record and for the Secretary of State; and any sum or sums of money not exceeding three hundred and thirty pounds, for preparing the Electoral Lists of the Colony,—being one hundred and eighty pounds for the Sydney District, and one hundred and fifty pounds for the Port Phillip District; and any sum or sums of money not exceeding one hundred and thirty pounds, to defray the expense of compiling Meteorological Tables,—being one hundred pounds for Sydney District, and thirty pounds for the Port Phillip District; and any sum or sums of money not exceeding one hundred pounds, for the erection of Pounds, and allowances to Poundkeepers, within the Settled Districts in the Sydney and Port Phillip Districts,—being fifty pounds each;

each; and any sum or sums of money not exceeding one hundred pounds, for the erection of Pounds, and allowance to Poundkeepers, beyond the Settled Districts in the Sydney and Port Phillip Districts,—being fifty pounds each; and any sum or sums of money not exceeding one thousand eight hundred pounds, by way of remuneration to Pilots; and any sum or sums of money not exceeding thirty pounds, to defray the expense of Provisions to be left at Booby Island for the relief of Shipwrecked persons; and any sum or sums of money not exceeding three hundred pounds, towards the Establishment of Public Gardens at Geelong; and any sum or sums of money not exceeding two thousand eight hundred pounds, to meet the expense of taking the Census in the year 1851,—being two thousand one hundred and fifty pounds for the Sydney District, and six hundred and fifty pounds for the Port Phillip District; and any sum or sums of money not exceeding one hundred pounds, to provide a Queen's Plate to be run for annually at Homebush, or such other Racecourse in the County of Cumberland, and under such rules and regulations, as the Australian Jockey Club, with the sanction of His Excellency the Governor, shall devise; and any sum or sums of money not exceeding fifty pounds, as premiums for the best samples of Cotton, of not less than ten pounds weight, to be grown in the Colony, being thirty pounds for the best and twenty pounds for the second best samples, to be exhibited in Sydney, in the year one thousand eight hundred and fifty-one; and any sum or sums of money not exceeding two thousand pounds, to meet Unforeseen Expenses in cases of emergency, and to be hereafter accounted for, being one thousand five hundred pounds for the Sydney District, and five hundred pounds for the Port Phillip District.

Beyond the Settled Districts in the Sydney and Port Phillip Districts.
Pilots;

Provisions at Booby Island;

Public Gardens, Geelong;

Taking the Census, viz. :—

Sydney District;
Port Phillip District.

Queen's Plate.

Premium for Samples of Cotton.

Unforeseen Expenses, viz. :—

Sydney District;
Port Phillip District;

XXI. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding two thousand seven hundred pounds, to defray the charge for Drawbacks and Refund Duties in the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two thousand one hundred pounds, to meet Drawbacks,—being one thousand eight hundred pounds for the Sydney District, and three hundred pounds for the Port Phillip District; and any sum or sums of money not exceeding six hundred pounds, to meet Refund Duties,—being five hundred and fifty pounds for the Sydney District, and fifty pounds for the Port Phillip District.

DRAWBACKS AND REFUND DUTIES
viz. :—

Drawbacks, Sydney District;

Port Phillip District;

Refund Duties,
Sydney District;
Port Phillip District.

XXII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied, any sum or sums of money not exceeding nine hundred and fifty pounds to defray the charge for Grants in aid of the Public Institutions of the said Colony, for the year one thousand eight hundred and fifty-one, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding three hundred pounds, in aid of the Colonial Museum, Sydney; and any sum or sums of money not exceeding two hundred pounds, in aid of the Sydney Mechanics' School of Arts; and any sum or sums of money not exceeding three hundred pounds, as a Donation in aid of the School of Arts, Brisbane, Moreton Bay; and any sum or sums of money not exceeding one hundred and fifty pounds, in aid of the Mechanics' Institution at Melbourne, Port Phillip.

GRANTS IN AID OF PUBLIC INSTITUTIONS,
viz. :—

Museum, Sydney;

School of Arts,
Sydney;

School of Arts,
Brisbane;

Mechanics' Institute,
Melbourne.

XXIII. And be it enacted, That out of the produce of the said taxes, duties, rates, and imposts, there shall and may be issued and applied any sum or sums of money not exceeding twenty thousand two hundred and thirty-two pounds, one shilling, and four pence, for defraying the Supplementary Charge on the Colonial Treasury of the said Colony, for the year one thousand eight hundred and fifty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two hundred and sixty-four pounds, twelve shillings, and sixpence, to meet the Supplementary Charge of the Legislative Council Establishment; and any sum or sums of money not exceeding one hundred and ninety-one pounds, eight

SUPPLEMENTARY CHARGE FOR 1850,
viz. :—

Legislative Council;

Colonial Architect, Sydney;	eight shillings, to meet the Supplementary Charge of the Colonial Architect's Establishment in the Sydney District; and any sum or sums of money
Lunatic Asylum, Parramatta;	not exceeding sixty-one pounds, ten shillings, to meet the Supplementary Charge of the Lunatic Asylum at Parramatta; and any sum or sums of money
Male Orphan School, Liverpool;	not exceeding three hundred pounds, to meet the Supplementary Charge of the Male Orphan School, at Liverpool; and any sum or sums of money
Denominational School Board, Sydney District;	not exceeding fifty pounds, to meet the Supplementary charge for travelling and other expenses of the Denominational School Board, in the Sydney District; and any sum or sums of money not exceeding one hundred
Mounted Police re- joining Regiments;	and sixty pounds, to reimburse thirty-two men of the Mounted Police, in the Sydney District, for expenses consequent on their rejoining their regiments, being five pounds each; and any sum or sums of money
Medals to deserving Mounted Policemen, Sydney District;	not exceeding fifteen pounds, to meet the expense of ten silver Medals, at one pound, ten shillings each, to be bestowed on the most meritorious men of the Mounted Police Corps, in the Sydney District; and any sum or sums
Commandant Native Police, Sydney District;	of money not exceeding one hundred and thirty pounds, to meet an increase to the pay of the Commandant of the Native Police in the Sydney District,—
Native Police, Syd- ney District;	being from one hundred and twenty pounds, to two hundred and fifty pounds; and any sum or sums of money not exceeding five hundred pounds, to meet
Cockatoo Island;	deficiency in the amount voted for the establishment of the Native Police in the Sydney District; and any sum or sums of money not exceeding one thousand
Toll House, &c., Penrith Road;	and ninety-six pounds and ten-pence, to meet deficiency in the amount voted for the Penal Establishment at Cockatoo Island, the expense of the increased Civil Force required on the reduction of the Military Guard, and the
Queen's Wharf, Brisbane;	expense of a New Mess House and of fitting the Prisoners' Dormitories with separate sleeping places; and any sum or sums of money not exceeding two
Artesian Well;	hundred pounds, to cover the expense of erecting a Toll House and Gate on the Penrith Road; and any sum or sums of money not exceeding
New Treasury and Audit Office;	one hundred pounds, to form a Queen's Wharf at Brisbane; and any sum or sums of money not exceeding one hundred pounds, towards the
Erection of Baths, &c., Sydney Gaol;	expense of boring an Artesian Well; and any sum or sums of money not exceeding the further sum of five hundred pounds for completing the
Sydney Museum;	main building of the New Treasury and Audit Office, Sydney; and any sum or sums of money not exceeding five hundred pounds, for the erection of
Repairs, &c., to Colonial Public Buildings, Sydney District; South Creek Bridge, Windsor;	Baths and the supply of Water to the different Wards of the Sydney Gaol; and any sum or sums of money not exceeding nine hundred and
Survey of River Brisbane;	seventy-four pounds, two shillings, and ten-pence, to meet the expense of Plumbers', Painters', and Glaziers' Work at, and the balances due to Con-
Rent of Colonial Treasury and Audit Office;	tractors employed upon, the Sydney Museum; and any sum or sums of money not exceeding the further sum of two thousand five hundred pounds,
Paper for Printing;	for casual repairs, additions, and alterations to Colonial Public Buildings in the Sydney District; and any sum or sums of money not exceeding
Postages for Public Departments;	one thousand pounds, to erect a substantial Bridge over the South Creek, at the entrance to the Town of Windsor; and any sum or
Post Office, Port Phillip;	sums of money not exceeding one hundred pounds, for completing a Survey of and Report upon the Navigation of the River Brisbane; and any sum or sums of money not exceeding three hundred and
Postage, Clerk of Works, Port Phillip;	eighteen pounds, seventeen shillings, and two-pence, to defray the rent of the Buildings temporarily occupied as Colonial Treasury and Audit Office; and any sum or sums of money not exceeding one hundred and twenty
Boat for Harbour Master, Port Phillip;	pounds, to meet deficiency in the amount voted for Paper for Printing in the Sydney District; and any sum or sums of money not exceeding
Denominational Schools, Port Phillip;	three hundred pounds, to meet deficiency in the amount voted for Postages for Public Departments in the Sydney District; and any sum or sums of money not exceeding four hundred and ninety pounds, to meet the Supple-
	mentary expense of the Post Office Establishment at Port Phillip; and any sum or sums of money not exceeding thirty-five pounds, to meet the expense
	of Postage in the Establishment of the Clerk of Works at Port Phillip; and any sum or sums of money not exceeding thirty-seven pounds to defray the
	cost of a new boat for the Harbour Master at Port Phillip; and any sum or sums of money not exceeding the further sum of four hundred and sixty-six
	pounds for the support of Denominational Schools at Port Phillip; and
	any

any sum or sums of money not exceeding forty pounds, to defray the pay of a Night Watchman at the Lunatic Asylum, at Port Phillip; and any sum or sums of money not exceeding sixty pounds as an allowance in lieu of forage for two horses to the Superintendent of Police at Melbourne, Port Phillip; and any sum or sums of money not exceeding seventy pounds, to reimburse fourteen men of the Mounted Police at Port Phillip for expenses consequent on their rejoining their Regiments; and any sum or sums of money not exceeding one hundred and ninety-one pounds, twelve shillings, and sixpence, to defray the pay of three additional Turnkeys at the Gaol at Melbourne, Port Phillip, at three shillings and sixpence each per diem; and any sum or sums of money not exceeding four hundred and ninety-two pounds, fifteen shillings, to defray the expense of the Gaol Establishment at Geelong, Port Phillip; and any sum or sums of money not exceeding three hundred and fifty pounds, five shillings, to defray the supplementary expense of the Police at Geelong, Port Phillip; and any sum or sums of money not exceeding the further sum of two thousand three hundred pounds, to defray the supplementary expense of Public Works and Buildings at Port Phillip; and any sum or sums of money not exceeding the further sum of four thousand pounds, to defray the supplementary expense of Roads and Bridges at Port Phillip; and any sum or sums of money not exceeding nine hundred pounds, in aid of the Hospital at Melbourne, Port Phillip; and any sum or sums of money not exceeding five hundred and eighty-nine pounds, seventeenth shillings, and sixpence, to meet the deficiency in the amount voted for the support of Free Paupers in the Colonial Hospitals, in the Sydney District; and any sum or sums of money not exceeding the further sum of fifty pounds, for the improvement of Hyde Park, and to be expended under the superintendence of the Committee of Management; and any sum or sums of money not exceeding three hundred and seventy-eight pounds, to provide accommodation for the Military Guard to be retained in the Colony, being two hundred and ninety pounds for the Sydney District, and eighty-eight pounds for the Port Phillip District; and any sum or sums of money not exceeding one hundred pounds, for completing certain Works at the Botanic Gardens, Melbourne; and any sum or sums of money not exceeding two hundred pounds, as compensation to Mr. John Moring for losses sustained by him in consequence of his having while employed as Collector unintentionally omitted certain names from the Electoral Lists.

Night Watchman, Lunatic Asylum, Port Phillip;
 Forage Allowance in Superintendent of Police, Melbourne;
 Mounted Police, Port Phillip, rejoining Regiments;
 Additional Turnkeys, Gaol, Melbourne;
 Gaol, Geelong;
 Police, Geelong;
 Public Works and Buildings, Port Phillip;
 Roads and Bridges, Port Phillip;
 Hospital, Melbourne;
 Free Paupers, in Colonial Hospitals;
 Hyde Park;
 Accommodation for Military Guard, viz.— Sydney District; Port Phillip District; Botanic Gardens, Melbourne;
 Compensation to Mr. John Moring.

XXIV. And be it enacted, That the Treasurer of the said Colony shall issue and pay the said several sums to such persons for the purposes hereinbefore mentioned, upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall from time to time order and direct; and that the payments so to be made shall be charged upon and payable out of the Revenues of the said Colony.

Treasurer to pay under Governor's Warrant;

XXV. And be it enacted, That the said Treasurer shall in his accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid, and that the receipt or receipts of the respective persons to whom the same shall be so paid shall be a full and valid discharge to the said Treasurer in passing his said accounts, for any such sum or sums as shall be therein mentioned, and that he shall and do receive credit for the same accordingly.

and to receive credit for the same.

Passed the Legislative Council this twenty-fifth day of September, one thousand eight hundred and fifty.

CHARLES NICHOLSON,
 Speaker.

WM. MACPHERSON, CLERK OF THE COUNCIL.

In the name and on the behalf of Her Majesty, I assent to this Act.

CH^s. A. FITZ ROY,
 GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

No. XXVII.

An Act to amend the Law of Dower in certain respects.

[Assented to 1st October, 1850.]

Preamble.

No claim for Dower maintainable against a purchaser, unless wife resident in the Colony before sale, or fact of marriage known to purchaser.

WHEREAS titles to land in New South Wales are often unfairly prejudiced by claims of Dower made or maintainable by women who have never resided with their husbands in the said Colony, and of whose existence the purchasers of such land had no notice at the time of the sale thereof, by the husbands of such women: And whereas titles to land, subject to contingent claims of Dower, are prejudiced to an extent beyond the just maintenance of such claims, and improvements upon property after sale thereof by the husbands of the claimants, are injuriously retarded by the apprehension of such claims being extended to the additional value resulting from such improvements: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That no claim to Dower, on the part of the widow of any deceased owner of land, shall have any force at Law or in Equity, against any person claiming by purchase from such owner for valuable consideration, unless it shall be proved that the claimant resided in New South Wales with, and as the wife of, such deceased owner before his sale of the land; or that the purchaser had notice before or at the time of sale, of the fact of the deceased owner having been married to the claimant; and in case the defendant resisting such claim shall derive title through the original purchaser from such deceased owner, it shall not be sufficient to prove such knowledge on the part of the original purchaser, without also shewing that before the defendant purchased the land, either the claimant had resided with her husband in the said Colony, or the defendant had become acquainted with the said fact of marriage.

Claim for Dower against a purchaser limited to one third of rent, or estimated rent, at time of sale.

II. And be it enacted, That the claim to Dower out of any land by the widow of any person who has or shall have alienated such land for valuable consideration, shall be limited to one third of the estimated rent for the time being of such land, considered as if remaining in the state of improvement in which the same shall have been at the time of such alienation, and shall not be recoverable by metes and bounds, but shall be assignable by a Court of Equity only, with liberty nevertheless to such Court to direct the trial at law of any issue of fact on which the assessment of the claim shall depend.

Passed the Legislative Council, this twenty-sixth }
day of September, one thousand eight hun- }
dred and fifty. }
WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,

GOVERNOR

Govt. House, Sydney, 1st October, 1850.

No. XXVIII.

An Act for the confirmation of certain Marriages in the Colony of New South Wales. [Assented to, 1st October, 1850.]

WHEREAS Marriages have in certain instances been had and celebrated in New South Wales by Presbyterian and other Protestant Ministers, or those who at the time of such Marriages had been such, between persons being of the same or different religious persuasions: And whereas doubts are entertained as to the validity of such Marriages, and it is expedient to remove such doubts and to confirm such Marriages: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That all Marriages had and celebrated in New South Wales and its Dependencies before the passing of this Act, by Presbyterian or other Protestant Ministers, or by those who at the time of such Marriages had been such, shall be, and shall be adjudged, and taken to have been and to be, of the same force and effect in law, as if such Marriages had been had and duly solemnized by Clergymen of the United Church of England and Ireland, and of no other force or effect whatsoever.

Preamble.

All Marriages solemnized before passing of this Act by Presbyterian or other Protestant Ministers, to be as valid as Marriages solemnized by Clergymen of the United Church of England and Ireland.

II. Provided always and be it enacted, That nothing in this Act contained shall extend or be construed to extend to or affect any Marriage deemed invalid by any Court of competent jurisdiction before the passing of this Act; nor any Marriage where either of the parties shall at any time afterwards during the life of the other party have lawfully intermarried with any other person; nor any Marriage respecting which any criminal prosecution shall be depending at the time of the passing of this Act.

Proviso as to certain Marriages.

III. Provided further and be it enacted, That nothing in this Act contained shall extend or be construed to extend to or affect any act done before the passing of this Act under the authority of any Court, or in the administration of any personal estate or effects or the execution of any will or testament, or the performance of any trust.

Proviso as to acts under authority of any Court.

Passed the Legislative Council, this twenty-fifth day of September, one thousand eight hundred and fifty.

WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,
GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

No. XXIX.

An Act to make effectual provision for the Apprenticing of Female Children, admitted and to be admitted into "The Sydney Female School of Industry," to the Secretary for the time being of the said Society, and to authorize such Secretary to apprentice such Children to other persons. [Assented to, 1st October, 1850.]

WHEREAS a Society has for many years existed in the City of Sydney, called "The Sydney Female School of Industry," which has for its object the moral and religious improvement of poor female children: And whereas by an Act passed in the tenth year of the Reign of His Majesty King George the Fourth, by the then Governor and Legislative Council of New South Wales, intituled, "An Act to enable the

Preamble.

10 Geo. IV., No. 4, sections 4, 5, and 6,
"Members"

"Members of a certain Society, denominated 'The Sydney Female School of Industry,' to sue and be sued in the name of the Secretary for the time being thereof, and also to enable the said Society to receive Apprentices," certain provisions were made respecting (among other things) the apprenticing, to the Secretary for the time being of the said Society of poor female children, and respecting the adjudication of complaints arising between such apprentices and the Secretary for the time being of the said Society: And whereas by an Act passed in the eighth year of the Reign of Her present Majesty, by the then Governor and Legislative Council of the said Colony, intituled, "*An Act to regulate and amend the Law of Orphan and other Apprentices in the Colony of New South Wales,*" so much of the said first recited Act as relates to the punishment of such apprentices as aforesaid was repealed: And whereas it is necessary to make such provisions for the apprenticing of poor female children to the Secretary for the time being of the said Society, and to authorize the assignment of such children to other persons, as are herein contained: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That from and after the passing of this Act, it shall be lawful for the Secretary for the time being of the said Society to accept and take any female child who shall not be under the age of five years, nor above the age of ten years, as an apprentice, (whether such child shall have been admitted into or shall be an inmate of the said Sydney Female School of Industry or not,) to learn and be instructed in such matters and things as shall be specified in or agreed upon by the instrument of apprenticeship by which such child shall be bound for any period of time not exceeding seven years.

8 Vict., No. 2,
section 10.

Secretary of the
Society empowered
to take apprentices.

Mode of binding.

II. And be it enacted, That any such child shall and may be bound as an apprentice to the Secretary for the time being of the said Society, by an instrument in writing, which instrument of apprenticeship shall be executed by the Secretary for the time being of the said Society, and by the child to be bound thereby; and if such child shall, at the time of the execution of such instrument of apprenticeship, have a father of competent understanding who shall then have a known and usual place of abode in the City of Sydney, or within forty miles therefrom, and who shall not then be suffering imprisonment, or other punishment under, or performing any sentence in pursuance of a conviction for any crime, and who shall not then be an inmate receiving eleemosynary or gratuitous support or relief, in any public or charitable institution, then such instrument of apprenticeship shall be executed also by the father of such child; and if such child shall not then have a father of competent understanding, who shall then have a known and usual place of abode in the said City of Sydney, or within forty miles therefrom, and who shall not then be suffering imprisonment, or other punishment under, or performing any sentence, in pursuance of a conviction for any crime, and who shall not then be an inmate receiving eleemosynary or gratuitous support, or relief, in any public or charitable institution, and such child shall then have a mother of competent understanding, who shall then have a known and usual place of abode in the said City of Sydney, or within forty miles therefrom, and who shall not then be suffering imprisonment or punishment under, or performing any sentence in pursuance of a conviction for any crime, and who shall not then be an inmate receiving eleemosynary or gratuitous support or relief in any public or charitable institution, then such instrument of apprenticeship shall be executed by the mother of such child, whether such mother shall be a married woman or not; and if such child shall not then have either a father or a mother of competent understanding, who shall then have a known and usual place of abode in the said City of Sydney, or within forty miles therefrom, and who shall not then be suffering imprisonment or other punishment under, or performing any sentence, in pursuance of a conviction for any crime, and who shall not then be an inmate receiving eleemosynary or gratuitous support or relief in any public or charitable institution, then such instrument of apprenticeship shall be valid, binding,

and

and effectual, to all intents and purposes whatsoever, if executed by the Secretary for the time being of the said Society, and by the child to be bound thereby.

III. And be it enacted, That upon any such instrument of apprenticeship being so executed as aforesaid, the child who shall be thereby bound, shall thereupon become, and be to all intents and purposes, the apprentice of the Secretary for the time being of the said Society, so long as such instrument of apprenticeship shall remain or be in force; and for the purpose of giving full effect to such instrument of apprenticeship, and of creating the relation of mistress and apprentice, between the Secretary for the time being of the said Society, and the child to be bound thereby, the matters and things which such child shall be thereby expressed to be bound to be taught, and instructed in, shall be deemed to be a trade exercised and carried on by the Secretary for the time being of the said Society.

Upon execution of instrument, child to become apprentice, and matters which apprentice shall be bound to learn to be deemed a trade.

IV. And be it enacted, That it shall be lawful for the Secretary for the time being of the said Society, by an instrument of assignment in writing, to assign to any person or persons any child who shall be bound by any such instrument of apprenticeship as aforesaid, for the residue, or any portion of the residue, of the term for which any such child shall have been by such instrument of apprenticeship bound, provided such person or persons to whom such child shall be so assigned shall so long live, to be taught and instructed in any such art, trade, calling, business, or occupation, or matters, or things, whether of a scientific, literary, domestic, household, manual, menial, or other nature, and upon such terms in all respects as shall be expressed in the instrument of assignment, by which such assignment shall be made; and upon any such instrument of assignment being executed by the Secretary for the time being of the said Society, and the person or persons to whom such child shall thereby be assigned, such child shall so long as such instrument of assignment shall remain or be in force and no longer, cease to be the apprentice of the Secretary for the time being of the said Society, and shall thereupon become, and be to all intents and purposes, the apprentice of the person, or persons, to whom such child shall be assigned by such instrument of assignment, so long as such instrument of assignment shall remain, or be in force; and for the purpose of giving full effect to such assignment, and creating the relation of master and apprentice, or mistress and apprentice, between the person, or persons, to whom any such child shall be assigned by any such instrument of assignment and such child, the art, trade, calling, business, or occupation, or matters, or things which such child shall be thereby expressed to be assigned to be taught and instructed in, shall be deemed to be a trade exercised and carried on by the person, or persons, to whom such child shall be thereby assigned.

Power to Assign Apprentices.

V. Provided always, and be it enacted, That every such instrument of assignment shall be valid, binding, and effectual, to all intents and purposes whatsoever, if executed by the Secretary for the time being of the said Society, and the person or persons to whom such child shall be thereby assigned, although the same shall not be executed by such child or any other person or persons, and whether such child or any other person or persons shall be a party or parties thereto or not.

Parties necessary to assignment.

VI. Provided always, and be it enacted, That no child who shall be bound by any such instrument of apprenticeship as aforesaid, shall be bound to serve thereunder, or under any such instrument of assignment as aforesaid, after she shall have attained the age of twenty-one years.

Apprentice not bound to serve after attaining twenty-one years of age.

VII. And be it enacted, That every person who shall be Secretary for the time being of the said Society shall, notwithstanding such person shall be or shall become a married woman, have full power to execute any such instrument of apprenticeship as aforesaid, and any such instrument of assignment as aforesaid, and to exercise authority over, and to govern, restrain, coerce, and correct any child who shall be bound by any such instrument of apprenticeship to the Secretary for the time being of the said Society, and to commence, take, carry on, and prosecute, and to defend

Marriage of Secretary not to affect her powers.

defend and oppose all prosecutions, actions, suits, proceedings, matters, and things whatsoever, in, about, touching, concerning, or relating to any such instrument of apprenticeship, or to any such instrument of assignment, as aforesaid, or any breach of any of the provisions thereof respectively, or any misbehaviour of any child who shall be bound or assigned by any such instrument of apprenticeship, or instrument of assignment, as aforesaid, or the enticing, or taking away, or employing, or harbouring, or the being concerned or engaged in enticing or taking away, or employing or harbouring of any child who shall be bound or assigned by any such instrument of apprenticeship, or instrument of assignment, as aforesaid, or any illegal act which may be done or committed by any person in relation to any such instrument of apprenticeship, or instrument of assignment as aforesaid respectively, or any child to be bound or assigned thereby respectively, or to the Secretary for the time being of the said Society, and in, about, touching, concerning, or relating to any right, duty, cause, matter, or thing created by, or arising out, or in consequence of, any such instrument of apprenticeship, or any such instrument of assignment, as aforesaid, or the relation of mistress and apprentice, or master and apprentice, thereby respectively created, or connected therewith respectively, in like manner, to all intents and purposes whatsoever, as if such Secretary for the time being of the said Society were or had continued sole and unmarried.

Powers of Secretary
to vest in her
successor.

VIII. And be it enacted, That when any person who shall have been Secretary for the time being of the said Society, shall cease to be such Secretary, all powers, authorities, rights, liabilities, and duties, which shall have belonged to, or been vested in, or shall have devolved upon, or could be done or exercised by such person, as such Secretary for the time being of the said Society, whilst such person was such Secretary, in relation to any such instrument of apprenticeship, or to any such instrument of assignment, as aforesaid, or any child who shall be bound or assigned thereby respectively, or any prosecution, action, suit, proceeding, matter, or thing, in, about, touching, concerning, or relating to any such instrument of apprenticeship or instrument of assignment, or any breach of any of the provisions thereof respectively, or any misbehaviour of any child who shall be bound or assigned by any such instrument of apprenticeship or instrument of assignment as aforesaid respectively, or the enticing or taking away, or employing or harbouring, or the being concerned or engaged in enticing or taking away, or employing or harbouring, of any child who shall have been bound or assigned by any such instrument of apprenticeship or instrument of assignment respectively, or any illegal act which may be done or committed by any person, in relation to any such instrument of apprenticeship or instrument of assignment respectively, or any child to be bound or assigned thereby respectively, or to the Secretary for the time being of the said Society, or to any right, duty, cause, matter, or thing created by, or arising out, or in consequence of, any such instrument of apprenticeship or any such instrument of assignment as aforesaid, or the relation of mistress and apprentice or master and apprentice thereby respectively created, or connected therewith respectively, shall thereupon immediately cease to belong to, or be vested in, or be incumbent upon the person so ceasing to be the Secretary for the time being of the said Society as aforesaid, and shall, as soon as some other person shall become Secretary for the time being of the said Society, immediately, absolutely, belong to, vest in, and devolve upon such other person, who shall so become such Secretary for the time being of the said Society, in such manner and so that all such powers, authorities, rights, liabilities, and duties as aforesaid shall always solely and exclusively belong to, and be solely and exclusively vested in and be incumbent on the Secretary for the time being of the said Society, to the exclusion of every other person who may have previously been such Secretary for the time being of the said Society.

When no Secretary,
Matron to have
power to act.

IX. Provided always and be it enacted, That in case there shall be an interval of time between the time when any person who shall be
the

the Secretary for the time being of the said Society, shall cease to be such Secretary, and the time when some other person shall become the Secretary for the time being of the said Society, then all such powers, authorities, rights, liabilities, and duties, as last aforesaid, shall, during all such interval of time, and no longer, absolutely belong to, vest in, and devolve upon the Matron for the time being of the said Society, who shall, notwithstanding she may be, or may become a married woman, have full power to act in relation thereto, in all respects, as if she were, or had continued, sole and unmarried.

X. And be it enacted, That every person who shall be Matron for the time being of the said Society shall, whilst she shall be, and continue such Matron, as aforesaid, have all such and the same full power as the Secretary for the time being of the said Society, to exercise authority over, and to govern, restrain, coerce, and correct any child who shall be bound by any such instrument of apprenticeship, as aforesaid, to the Secretary for the time being of the said Society, and that notwithstanding such Matron shall be, or shall become a married woman, in like manner as if she were, or had continued, sole and unmarried,

Matron to have powers of a Mistress over the Apprentices.

XI. And be it enacted, That as soon as conveniently may be, after the passing of this Act, Notice shall be inserted in the *Government Gazette* of the said Colony, of the name of the Secretary for the time being of the said Society, and of the name of the Matron for the time being of the said Society, and as often as any other person shall become Secretary for the time being of the said Society, or Matron for the time being of the said Society, Notice of the name of such other person, so being such Secretary or such Matron, as the case may be, shall, as soon as conveniently may be thereafter, be inserted in the said *Government Gazette*, and it shall be the duty of the Secretary for the time being of the said Society, to cause such Notices to be inserted in the said *Government Gazette*, and such Notices may be in the form or to the effect following, (that is to say,) "Sydney Female "School of Industry, A. B.," (*here insert the Christian and Surname of the Secretary or Matron*), [as the case may be] "is now the " (*Secretary or Matron*), [as the case may be,] "of the abovenamed Society, Dated this " (*here insert the date of such Notice*), "A. B.," (*here insert the name of the Secretary for the time being of the said Society*), "Secretary of the said Society," and the Notice which shall last appear in such *Government Gazette* shall be good *prima facie* evidence, that the person therein named is the Secretary or Matron (as the case may be) for the time being of the said Society.

Notice to be given in *Government Gazette* of names of Secretary and Matron.

XII. And be it enacted, That every such instrument of apprenticeship, and every such instrument of assignment as aforesaid, shall be valid, binding, and effectual, if the same shall be in writing, and signed by the parties by whom it is hereby provided that the same respectively shall be executed, and it shall not be necessary that any such instrument of apprenticeship, or any such instrument of assignment shall be by indenture or other deed; and if the same respectively shall purport to be by indenture or other deed, it shall not be necessary that the same shall be indented, or sealed, or delivered by any party thereto, and every such instrument of apprenticeship and every such instrument of assignment shall be valid, binding, and effectual, to all intents and purposes whatsoever, as against every party thereto who shall sign the same, notwithstanding such party shall be illiterate, or blind, or from any other cause unable to read the same, although such instrument of apprenticeship or of assignment may not be read over or explained to him, or her, unless it shall be proved that some fraud or imposition was practised to induce him or her to sign the same.

Not necessary for instrument to be by deed, or for special attestation of marksman.

XIII. And be it enacted, That every such instrument of apprenticeship as aforesaid, may be in the form or to the effect hereinafter provided, (that is to say) in case the father or mother of the child to be bound thereby, shall be a party to such instrument of apprenticeship, then such instrument of apprenticeship may be in the form or to the effect following, (that is to say) "This Indenture, made the " (*here insert the date*), "between A. B." (*here and wherever the letters A. B. occur herein, insert the Christian and Surname of the father or mother* [as the case may be]

Form of Instrument of Apprenticeship.

*be] of the child to be bound thereby) " of " (here insert the place of abode and occupation, or supposed place of abode or occupation of such father or mother) [as the case may be] " and C.D. " (here and wherever the letters C.D. occur herein, insert the Christian and Surname of the child to be bound thereby) " the daughter of the said A.B., which said C.D. is now an infant " above the age of " (here insert the supposed age of the said child at the last anniversary of her birth) " years, and who is under the age of " (here insert the supposed age which such child will be at the next anniversary of her birth) " years, of the first part; and E.F. " (here insert the Christian and Surname of the Secretary for the time being of the said Society) " the Secretary for the time being of ' The Sydney Female School of Industry, ' of " the second part: Witnesseth, That in consideration of the said Secretary " for the time being of the said Society taking and receiving the said C.D. " as such Apprentice as hereinafter mentioned, " (here state or refer to any other consideration which may be given, or may be agreed to be given, by the Secretary for the time being of the said Society) " and of the covenants " herein contained on the part of the said Secretary for the time being of " the said Society; The said A.B. and the said C.D. do, and each of them " doth, put, place, and bind the said C.D. Apprentice to the Secretary for " the time being of the said Society, to be taught and instructed according " to the rules and regulations for the time being of the said Society, in the " matters and things hereinafter specified (that is to say) " (*household work, plain needlework, knitting, spinning, reading, writing, and the first four rules of Arithmetic*) [or such other matters and things as shall be specified in or agreed upon by such Instrument,] " and to serve the Secretary for " the time being of the said Society, as such Apprentice, from the day of " the date hereof, for the full term of " (here insert the number of years for which such child shall be thereby bound,) " years thence next ensuing: And " the said A.B. for " (*himself or herself*) [as the case may be] " and for " (*his or her*) [as the case may be] " heirs, executors, and administrators, doth " covenant with the said Secretary for the time being of the said Society, " in manner following, (that is to say), That the said C.D. at all times " during the continuance of the aforesaid term, for which the said C. D. " is hereby bound as aforesaid, and whilst this Indenture shall remain or " be in force, shall in all respects serve and behave, and demean herself " towards the Secretary for the time being of the said Society as such Apprentice, as aforesaid, and as an Apprentice ought; and that in case " the said C.D. shall not so serve, demean, and behave herself, the said " A.B., " (*his or her*) [as the case may be] " heirs, executors, or administrators, shall, and will for every default which shall be made therein by " the said C.D., upon demand, pay to the Secretary for the time being of " the said Society, the sum of " (here insert such sum of money as shall be agreed upon) " of lawful British money, " (here insert any other covenants or agreements which may be agreed to be entered into by the Father or Mother [as the case may be] of the child to be bound thereby): " And this Indenture also witnesseth, That in consideration of the premises " (here state or refer to any other consideration, which may be given, or may be agreed to be given by the Father or Mother [as the case may be] of the child to be bound thereby,) " the said Secretary for the time being of the said Society, doth accept " and take the said C. D. as such Apprentice as aforesaid, for the term " aforesaid, and doth covenant and agree with the said A. B., and " (*his or her*) [as the case may be] " heirs, executors, and administrators, and " with the said C. D., that the Secretary for the time being of the said " Society, shall, and will teach and instruct the said C. D., or cause the " said C. D. to be taught and instructed during the said term, and whilst " this Indenture shall remain or be in force, according to the rules and " regulations for the time being of the said Society, in the matters and " things hereinbefore specified or agreed upon, and also shall and will, " during the said term, and whilst this Indenture shall remain or be in " force, lodge, feed, clothe, and maintain the said C. D., or cause the said " C. D., to be lodged, fed, clothed, and maintained in the School house of " the said Society, and according to the rules and regulations for the time being*

being of the said Society," (*here insert any other covenants or agreements which may be agreed to be entered into by the Secretary for the time being of the said Society, and any other provisions or conditions which may be agreed upon between the parties to the said Instrument of Apprenticeship.*)

"In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written;" and in case neither the father nor mother of the child shall be a party to the said Instrument of Apprenticeship, then such Instrument of Apprenticeship may be in the form or to the effect following, (that is to say,) "This Indenture, made the" (*here insert the date,*) "between C. D." (*here, and wherever the letters C. D. occur herein, insert the Christian and Surname of the child to be bound thereby,*) "who is now an infant above the age of" (*here insert the supposed age of the said child at the last anniversary of her birth,*) "years, and who is under the age of" (*here insert the supposed age which such child will be at the next anniversary of her birth,*) "years, of the first part, and E. F." (*here insert the Christian and Surname of the Secretary for the time being of the said Society,*) "the Secretary for the time being of the 'Sydney Female School of Industry' of the second part: Witnesseth, That in consideration of the said Secretary for the time being of the said Society taking and receiving the said C. D. as such Apprentice as hereinafter mentioned," (*here state or refer to any other consideration which may be given or may be agreed to be given by the Secretary for the time being of the said Society,*) "and of the covenants herein contained on the part of the said Secretary for the time being of the said Society, The said C. D. doth put, place, and bind herself Apprentice to the Secretary for the time being of the said Society, to be taught and instructed according to the Rules and Regulations for the time being of the said Society, in the matters and things hereinafter specified, (that is to say,) (*household work, plain needle-work, knitting, spinning, reading, writing, and the first four Rules of Arithmetic,*) [*or such other matters and things as shall be specified in or agreed upon by such Instrument,*] "and to serve the Secretary for the time being of the said Society, as such Apprentice, from the day of the date hereof, for the full term of" (*here insert the number of years for which such child shall be thereby bound.*) "years thence next ensuing: And this Indenture also witnesseth, That in consideration of the premises" (*here state or refer to any other consideration which may be given by or on behalf of the child to be bound thereby,*) "the said Secretary for the time being of the said Society doth accept and take the said C. D. as such Apprentice as aforesaid, for the term aforesaid, and doth covenant and agree with the said C. D. that the Secretary for the time being of the said Society shall and will teach and instruct the said C. D., or cause the said C. D. to be taught and instructed during the said term, and whilst this Indenture shall remain or be in force according to the Rules and Regulations for the time being of the said Society, in the matters and things hereinbefore specified or agreed upon, and also shall and will, during the said term, and whilst this Indenture shall remain or be in force, lodge, feed, clothe, and maintain the said C. D., or cause the said C. D. to be lodged, fed, clothed, and maintained in the School-house of the said Society, and according to the Rules and Regulations of the said Society for the time being" (*here insert any other covenants or agreements agreed to be entered into by the Secretary for the time being of the said Society, and any other provisions or conditions which may be agreed upon between the parties to the said Instrument of Apprenticeship*): "In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written;" and every such instrument of apprenticeship as aforesaid, which shall be in the form or to the effect hereinbefore provided, shall be binding and effectual to all intents and purposes whatsoever: Provided always, that nothing herein contained shall render it obligatory to use or follow the form hereby provided for any such instrument of apprenticeship as aforesaid, but that every such instrument of apprenticeship, although the same shall not be in the said form, or to the effect

Any other legal form
to be valid.

of

of the said form, shall be as binding and effectual, to all intents and purposes whatsoever, as if no such form had been hereby provided.

Form of instrument
of Assignment.

XIV. And be it enacted, That every such instrument of assignment, as aforesaid, may be made by indorsement on the instrument of apprenticeship by which the child to be assigned shall have been bound as aforesaid, or on a copy of such instrument of apprenticeship, and may be in the form, or to the effect hereinafter provided, (that is to say,) "This Indenture made the" (*here insert the date,*) "between E. F.," (*here insert the Christian and Surname of the Secretary for the time being of the said Society,*) "the Secretary for the time being of the within-mentioned "Sydney Female School of Industry of the first part, G. H.," (*here, and wherever the letters G. H. occur herein, insert the Christian and Surname, or Christian and Surnames, [as the case may be,] of the person or persons to whom the child to be thereby assigned is to be assigned,*) "of" (*here insert the place of abode and occupation, or places of abode and occupation, or supposed place or places of abode and occupation, [as the case may be,] of the person or persons to whom the child to be thereby assigned is to be assigned,*) "of the second part, and the within named C. D.," (*here, and wherever the letters C. D. occur herein, insert the Christian and Surname of the child to be assigned thereby,*) "of the third part: Witnesseth, that in consideration of "the said G. H. taking and receiving the said C. D. as such apprentice "as hereinafter mentioned" (*here state any other consideration which may be given or may be agreed to be given to the person or persons to whom such child is to be assigned,*) "and of the covenants "herein-contained on the part of the said G. H.: The said Secretary for "the time being of the said Society doth assign and put, place, and bind "the said C. D. apprentice to the said G. H., to be taught and instructed "in" (*here state the art, trade, calling, business, or occupation, or matters or things which the said child shall be thereby assigned to be taught and instructed in,*) "and to serve the said G. H. as such apprentice from the "day of the date hereof," (*for all the residue now to come of the within mentioned term of years, or for such shorter period as may be agreed upon and expressed in such instrument of assignment,*) [*as the case may be*] "if the "said G. H. shall so long live. And this Indenture also witnesseth, that "in consideration of the premises," (*here state any consideration which may be given or which may be agreed to be given to the person or persons to whom such child is to be assigned*) "the said G. H. doth accept and "take the said C. D. as such apprentice as aforesaid, during the term for "which the said C. D. is hereby assigned as aforesaid; and the said "G. H. for" (*himself or herself or themselves*) [*as the case may be,*] "and "for" (*his or her, or their and each of their*) [*as the case may be,*] "heirs, "executors, and administrators" (*doth, or do and each of them doth*) [*as the case may be,*] "covenant with the said Secretary for the time being of "the said Society, and with the said C. D. in manner following, that is "to say, that the said G. H. shall and will during the said term for which "the said C. D. is hereby assigned as aforesaid, teach and instruct the "said C. D., or cause the said C. D. to be taught and instructed in the" (*art, trade, calling, business, or occupation, or matters or things*) [*as the case may be*] "hereinbefore specified or agreed upon, and also shall and will "during the said term for which the said C. D. is hereby assigned as "aforesaid, and whilst this Indenture shall remain or be in force, well "and sufficiently lodge, feed," (*and, if agreed upon, clothe,*) "and maintain "the said C. D., or cause the said C. D. to be well and sufficiently lodged, "fed", (*and, if agreed upon, clothed,*) "and maintained, and shall and will, "during the said term for which the said C. D. is hereby assigned as "aforesaid, and whilst this Indenture shall remain or be in force, find and "provide the said C. D. with all such medicines and medical and surgical "advice and assistance as she may require, and shall and will during all "the said term for which the said C. D. is hereby assigned as aforesaid, "and whilst this Indenture shall remain or be in force, pay particular "attention or cause particular attention to be paid to the moral and "religious culture and education, and the advancement in piety of the
" said

“ said C. D., and shall and will at all times during the said term for
 “ which the said C. D. is hereby assigned as aforesaid, and whilst this
 “ Indenture shall remain or be in force, allow the said C. D. to attend
 “ Divine Service in the Church of England once every Sunday at the
 “ least, and shall and will at all reasonable times allow the said C. D. to
 “ attend to and upon such religious ordinances and observances as are
 “ enjoined by the said Church of England,” (*here insert any other covenants
 or agreements as to payment of wages to the child assigned thereby, or as to
 any other matter which may be agreed to be entered into by the person or
 persons to whom such child is thereby assigned, and any other provisions or
 conditions which may be agreed upon between the parties to such assignment:*)
 “ In witness whereof the said parties to these presents have hereunto set
 “ their hands and seals the day and year first above written;” and every
 such instrument of assignment as aforesaid, which shall be made by
 indorsement as aforesaid, and shall be in the form or to the effect
 hereinbefore provided, shall be binding and effectual to all intents
 and purposes whatsoever: Provided always, that nothing herein Any other legal form
to be valid.
 contained shall render it obligatory to observe the mode, or to use or
 follow the form hereby provided, for any such instrument of assignment
 as aforesaid, but that every such instrument of assignment, although the
 same shall not be by indorsement as aforesaid, or in the said form, or to
 the effect of the said form, shall be as binding and effectual, to all intents
 and purposes whatsoever, as if no such form had been hereby provided.

XV. And be it enacted, That all recitals and statements in any Recitals in such
instruments to be
evidence.
 such instrument of apprenticeship as aforesaid, or in any such instrument
 of assignment as aforesaid, shall, as between all persons who shall execute
 the same respectively and their respective privies in law and fact, be
 conclusive evidence, and as to all other persons shall be good *prima facie*
 evidence of the facts therein recited or stated, in all prosecutions, actions,
 suits, and proceedings whatsoever, whether civil or criminal, or of a civil
 or criminal nature, or partly of a civil and partly of a criminal nature;
 and every Secretary for the time being of the said Society shall, within
 the meaning of this clause, be deemed to be a privy in law of every per-
 son who shall have previously been Secretary for the time being of the
 said Society, and who shall have executed any such instrument of ap-
 prenticeship or any such instrument of assignment as aforesaid.

XVI. And be it enacted, That in all cases where any such If neither father nor
mother of apprentice
a party to instrument
of apprenticeship the
same to be deemed
evidence that such
apprentice had no
father or mother
whose execution
thereof was necessary
under this Act.
 instrument of apprenticeship as aforesaid shall be executed by the Secre-
 tary for the time being of the said Society, and the child to be bound
 thereby, and neither the father nor the mother of such child shall in such
 instrument be expressed to be a party thereto, the fact of no father or
 mother of such child being therein expressed to be a party thereto shall
 be good *prima facie* evidence in all prosecutions, actions, suits, and pro-
 ceedings whatsoever, whether civil or criminal, or of a civil or criminal
 nature, or partly of a civil and partly of a criminal nature, that such
 child at the time of the execution of such instrument of apprenticeship,
 had neither a father nor a mother whose execution thereof was necessary
 within the provisions of this Act to give effect to such instrument of
 apprenticeship.

XVII. And be it enacted, That if any complaint shall be made A Justice of the
Peace, on complaint
of Secretary of the
Society, or of the
apprentice, or any
person on behalf of
the apprentice, to
have power to cancel
instrument of
apprenticeship.
 to any Justice of the Peace by the Secretary for the time being of the
 said Society, against any child who shall be bound by any such instrument
 of apprenticeship as aforesaid, against the child who shall be bound as
 an apprentice thereby, for or in respect of any alleged misconduct or
 breach of duty of or by any such child as such apprentice, or in relation
 to the duties of any such child as such apprentice, or in relation to any
 covenant, agreement, matter, or thing in any such instrument of appren-
 ticeship contained or otherwise, in relation to the Secretary for the time
 being of the said Society, or by any child who shall be bound apprentice
 by any such instrument of apprenticeship as aforesaid, or any person on
 behalf of any such child against the Secretary for the time being of the
 said

said Society, for or in respect of any alleged misconduct or breach of duty of or by such Secretary for the time being of the said Society, whether as the mistress of such child or in relation to the duties of such Secretary for the time being of the said Society, as such mistress, or in relation to any covenant, agreement, matter, or thing in any such instrument of apprenticeship contained, or otherwise in relation to such child, it shall be lawful for the Justice to whom such complaint shall be made, or any other Justice of the Peace before whom such complaint shall come on to be heard, to hear and determine such complaint in a summary way, and if upon the hearing of such complaint it shall appear to the Justice hearing the same that the instrument of apprenticeship by which such child shall have been bound as aforesaid ought to be cancelled, it shall and may be lawful for such Justice to make an order that the same shall be cancelled, and upon any such order being made, such instrument of apprenticeship shall cease to be in force, and become and be thenceforth null and void.

No order for such cancellation to affect pre-existing rights.

XVIII. Provided always, and be it enacted, That no such order as aforesaid shall have the effect of taking away, destroying defeating or prejudicing any liability to prosecution or any right of action or other remedy or proceeding, whether civil or criminal, or of a civil or criminal nature, or partly of a civil and partly of a criminal nature, for or in respect of any offence, misbehaviour, act, duty, cause, matter, or thing which shall have been committed, done or omitted, in respect of any such instrument of apprenticeship as aforesaid, or any covenant, agreement, matter or thing therein contained, or any child who shall have been bound thereby, or the Secretary for the time being of the said Society previously to the time when such order shall be made.

A Justice of the Peace on complaint of the person to whom any apprentice shall be assigned, to have power to cancel instrument of assignment.

XIX. And be it enacted, That if any complaint shall be made to any Justice of the Peace, by any person or persons to whom any such child shall be assigned by any such instrument of assignment as aforesaid, against any child who shall be assigned as an apprentice thereby, for, or in respect of any alleged misconduct or breach of duty of or by any such child as such apprentice, or in relation to the duties of any such child as such apprentice, or in relation to any covenant, agreement, matter, or thing, in any such instrument of assignment contained, or otherwise, in relation to the person or persons to whom such child shall be thereby assigned, it shall be lawful for the Justice to whom such complaint shall be made, or any other Justice of the Peace before whom such complaint shall come on to be heard, to hear and determine such complaint in a summary way, and if upon the hearing of such complaint, it shall appear to the Justice hearing the same, that the instrument of assignment by which such child shall have been so assigned as aforesaid, ought to be cancelled, it shall be lawful for such Justice to make an order that the same shall be cancelled, and upon any such order being made such assignment shall cease to be in force, and become and be thenceforth null and void.

A Justice of the Peace on complaint of the Secretary of the Society, or the apprentice, or any person on behalf of the apprentice, against any person to whom the apprentice may be assigned, to have power to cancel the instrument of assignment and to fine the party complained against.

XX. And be it enacted, That if any complaint shall be made to any Justice of the Peace, by the Secretary for the time being of the said Society, or by any child who shall be assigned by any such instrument of assignment as aforesaid, or any person on behalf of any such child, against any person or persons to whom any such child shall be thereby assigned, for or in respect of any alleged ill-treatment, misconduct, or breach of duty, of or by any such person or persons to whom any such child shall be thereby assigned as aforesaid, as the master or masters or the mistress or mistresses of such child, or in relation to the duties of such person or persons to whom any such child shall be thereby assigned as aforesaid, as such master or masters, or mistress, or mistresses, or in relation to any covenant, agreement, matter, or thing in such instrument of assignment contained, or otherwise in relation to such child, it shall be lawful for the Justice to whom such complaint shall be made, or any other Justice of the Peace before whom the same shall come on to be heard, to hear and determine such complaint in a summary way; and if upon the hearing of such complaint it shall

shall appear to the Justice hearing the same that the person or persons thereby complained against has been guilty of, or has committed any such ill-treatment, misconduct, or breach of duty as aforesaid, and such Justice shall convict such person or persons thereof, it shall and may be lawful for such Justice thereupon to punish the person or persons thereby complained against, by imposing and inflicting upon such person or persons a fine of not more than Ten pounds; and if upon such hearing it shall appear to such Justice that the instrument of assignment by which such child shall have been so assigned as aforesaid ought to be cancelled, it shall and may be lawful for such Justice to make an order that the same shall be cancelled, and upon any such order being made such instrument of assignment shall cease to be in force, and become and be thenceforth null and void.

XXI. Provided always, and be it enacted, That no order which shall be made by any Justice of the Peace by virtue of the provisions lastly hereinbefore contained, for the cancellation of any such instrument of assignment shall have the effect of taking away, destroying, defeating, or prejudicing any liability to prosecution or any right of action or other remedy or proceeding, whether civil or criminal, or of a civil or criminal nature, or partly of a civil and partly of a criminal nature, in respect of any offence, act, duty, matter or thing which shall have been committed, done, or omitted, in respect of any such instrument of assignment as aforesaid, or any covenant, agreement, matter, or thing therein contained, or any child who shall have been assigned thereby, or the person or persons to whom such child shall have been assigned thereby, previously to the time when such order shall be made.

No order for such cancellation to effect pre-existing rights.

XXII. And be it enacted, That in all proceedings before any Justice or Justices of the Peace which shall or may be taken, instituted, prosecuted, or carried on, under or by virtue of the provisions hereinbefore contained every person whomsoever shall be a competent witness, notwithstanding he or she may be a party to, or in any way interested in, or respecting, or the wife or husband of any person who shall be a party to or in any way interested in any such proceeding whether as a complainant, prosecutor, informer, or a defendant, or party complained or proceeded against, or in respect of costs or otherwise howsoever.

In all proceedings before Justices of the Peace in respect of matters hereinbefore contained, all persons to be competent witnesses.

XXIII. And be it enacted, That upon any such instrument of assignment as aforesaid, being ordered to be cancelled by any such order as hereinbefore in that behalf provided, or upon any such instrument of assignment expiring either by effluxion of time, or by the death of the person or persons to whom any such child as aforesaid shall have been thereby assigned, the child who shall have been thereby assigned shall thereupon immediately again become the apprentice of the Secretary for the time being of the said Society, under the instrument of apprenticeship by which such child shall have been originally bound to the Secretary for the time being of the said Society, and such instrument of apprenticeship shall thereupon immediately become, and shall thenceforth remain in force for all purposes and to all intents whatsoever, for the residue then to come of the term for which such child shall have been thereby bound in like manner, but not further or otherwise than as if no such assignment as aforesaid of such child had been made.

Upon order being made to cancel instrument of assignment instrument of apprenticeship to revive.

XXIV. And be it enacted, That no person shall entice or take away or employ or harbour, or be aiding or concerned or engaged in enticing or taking away or employing or harbouring any child who shall be bound by any such instrument of apprenticeship, or who shall be assigned by any such instrument of assignment as aforesaid, while such instrument of apprenticeship, or instrument of assignment respectively, shall remain or be in force, and if any person shall entice or take away or employ or harbour, or be aiding or concerned or engaged in enticing or taking away or employing or harbouring any child who shall be bound by any such instrument of assignment as aforesaid, while such instrument of apprenticeship, or instrument of assignment, respectively shall remain

Penalty for enticing away or harbouring Apprentices.

or

or be in force, every person so offending shall forfeit and pay a fine of not more than ten pounds, and every such fine shall and may be sued for and recovered by any person who shall sue for the same, and shall and may be sued for and recovered by information before any Justice of the Peace, which Justice shall hear and determine the matters of such information in a summary way.

Mode of proceeding hereby provided, to be deemed to be cumulative.

XXV. And be it enacted, That all prosecutions, actions, suits, and proceedings for or in respect of any offence, act, duty, matter, or thing which shall or may be committed, done, or omitted in respect of any such instrument of apprenticeship as aforesaid, or any such instrument of assignment as aforesaid, or any covenant, agreement, matter, or thing therein respectively contained, or any child who shall be bound or assigned thereby respectively, or the Secretary for the time being of the said Society, or the person or persons to whom any such child shall be so assigned as aforesaid, shall and may be instituted, commenced, taken, carried on, prosecuted, and carried into effect, in any competent court, and in any legal manner, instead of in the mode of proceeding hereby provided, in like manner as if no mode of proceeding had been hereby provided, it being the intent and meaning of this Act that the mode of proceeding hereby provided in respect of the matters aforesaid shall be cumulative with any other mode of proceeding which may exist in law respecting the same; and that all proceedings to be had and taken in a summary way before any Justice or Justices of the Peace, under this Act, shall be commenced within three calendar months next after the offence has been committed; and in all cases the informer or complaining party shall be taken and is hereby declared to be a competent witness.

Informer a competent witness.

Application of Fines.

XXVI. And be it enacted, That all fines and forfeitures which shall be recovered under or by virtue of the provisions of this Act shall be paid to Her Majesty, Her Heirs and Successors, for the public uses of the said Colony, and in support of the Government thereof, and shall be applied in such manner as may be from time to time directed by any Act or Acts of the said Governor and Legislative Council.

Not to be necessary to prove Instruments by the attesting witnesses.

XXVII. And be it enacted, That in all prosecutions, actions, suits, and proceedings, whether civil or criminal, or of a civil or criminal nature, or partly of a civil and partly of a criminal nature, which shall be instituted, commenced, taken, or carried on by or against the Secretary for the time being of the said Society, or by or against any other person or persons for or in respect of any offence, misbehaviour, act, duty, cause, matter, or thing which shall or may be, or shall or may have been committed, done, or omitted, in respect of any such instrument of apprenticeship, or any such instrument of assignment as aforesaid, or any covenant, agreement, matter, or thing therein respectively contained, or any child who shall be or who shall have been bound or assigned thereby respectively, or the Secretary for the time being of the said Society, or any person or persons to whom any such child shall be or shall have been assigned by any such instrument of assignment as aforesaid, it shall not be necessary for the purpose of proving the execution by any person of any such instrument of apprenticeship, or any such instrument of assignment as aforesaid, to prove such execution thereof respectively by the testimony of any subscribing or attesting witness or witnesses thereto, or to account for the absence or to prove the handwriting of any such subscribing or attesting witness or witnesses, but that the execution by any person of any such instrument of apprenticeship, or any such instrument of assignment as aforesaid, may, notwithstanding such execution thereof respectively, or may appear or purport to be attested by one or more subscribing or attesting witness or witnesses, be proved in like manner as if there were no subscribing or attesting witness thereto.

Proceedings not to abate by the death or removal of Secretary.

XXVIII. And be it enacted, That no prosecution, action, suit, or proceeding, whether civil or criminal, or of a civil or criminal nature, or partly of a civil and partly of a criminal nature, which shall be instituted, commenced, taken, or carried on, by, or against the Secretary for the time

being

being of the said Society, or by or against any other person or persons for or in respect of any offence, misbehaviour, act, duty, cause, matter, or thing which shall or may be, or shall or may have been committed, done, or omitted in respect of any such instrument of apprenticeship, or any such instrument of assignment as aforesaid, or any covenant, agreement, matter, or thing therein respectively contained, or any child who shall be or shall have been bound or assigned thereby respectively, or the Secretary for the time being of the said Society, or any person or persons to whom any such child shall be or shall have been assigned by any such instrument of assignment as aforesaid, shall abate, become void, or be prejudiced by reason of the death of any Secretary for the time being of the said Society, or by reason of any person who shall have been the Secretary for the time being of the said Society, ceasing to be such Secretary, but in all cases when and as often as the person who shall be the Secretary for the time being of the said Society shall, by death or otherwise, cease to be such Secretary, and the death of such person, or such person ceasing to be such Secretary would, but for the provision hereby made, cause any such prosecution, action, suit, or proceeding to abate, become void, or be prejudiced, a suggestion or memorandum shall in due course be made, filed, or entered of the fact of such person having so, by death or otherwise, ceased to be such Secretary, and of the name of the person who shall afterwards be or become the Secretary for the time being of the said Society, and thereupon every such prosecution, action, suit, and proceeding shall proceed and be continued, and carried on in like manner as if the person who shall so afterwards be or become such Secretary for the time being of the said Society, had continually been such Secretary, from the time when such prosecution, action, suit, or proceeding was or shall have been instituted, commenced, or initiated.

XXIX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such in and by all Courts, Judges, Justices, and others, within the said Colony and its Dependencies, without being specially pleaded. Act to be deemed a Public Act.

Passed the Legislative Council, this eleventh day of September, one thousand eight hundred and fifty.

WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,

Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,

GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

No. XXX.

An Act to amend the Law relating to the Slaughtering of Sheep, Cattle, and other Animals within certain Towns in the Colony of New South Wales, and for the prevention and removal of certain Nuisances therein. [Assented to, 1st October, 1850.]

WHEREAS by an Act of the Governor and Legislative Council of Preamble. New South Wales, passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled, "*An Act for regulating* 5 Wil. IV., No. 1. *the slaughtering of Cattle,*" certain provisions were made for the licensing of slaughter houses and places for slaughtering cattle: And whereas it is expedient to alter the law in this respect in manner following: Be it therefore enacted by His Excellency the Governor of New South Wales, Premises within limits of any city or town not to be licensed as a slaughter house. with the advice and consent of the Legislative Council thereof, That from and after the passing of this Act, no house or premises situated within the

Existing license may be renewed.

the limits or reputed limits of any city or town to which this Act may be extended, as hereinafter mentioned, or within the distance of one mile from the limits of such city or town, shall be licensed as a slaughter house or place for slaughtering cattle, anything in the said recited Act to the contrary notwithstanding: Provided always, that nothing herein contained shall be construed to prevent the renewal of any license already issued in pursuance of the said Act; subject nevertheless to the provision hereinafter contained with respect to existing slaughter houses and places for slaughtering cattle.

Where cattle may be slaughtered, skinned, scalded, or dressed.

II. And be it enacted, That it shall not be lawful for any person to slaughter, skin, scald, or dress, or cause to be slaughtered, skinned, scalded, or dressed, any animal, in any house or place within the limits or reputed limits of any city or town, to which the provisions of this Act shall be extended as hereinafter provided, other than in such slaughter houses, or places for slaughtering as are now licensed, and shall continue to be licensed under the provisions of the said recited Act; and every person who shall so offend shall forfeit and pay on conviction for every such offence, any sum not exceeding ten pounds.

Penalty for offending.

After five years no license to slaughter to be issued or renewed for any city or town.

III. And be it enacted, That from and after the expiration of five years next after the extension of this Act to any city or town, in manner hereinafter mentioned, no such license shall be issued or renewed for any slaughter house, or place for slaughtering, which at the date of such extension may have been established and licensed within the limits or reputed limits of such city or town, or within the distance of one mile therefrom.

Certain businesses not to be carried on within the limits of any city or town under a penalty not exceeding £50.

IV. And be it enacted, That the business of a blood boiler, bone boiler, fellmonger, slaughterer of horses, or boiler or steamer of animals, or parts of animals, for extracting the tallow or fat therefrom, shall not be carried on in any building or place within the limits of any city or town to which this Act shall be extended; and whosoever offends against this enactment shall forfeit and pay, on conviction for every such offence, before any two or more Justices of the Peace in a summary way, any sum not exceeding fifty pounds, and a further penalty of forty shillings for each day during which the offence is continued.

Further penalty of 40s. each day.

Businesses of an obnoxious or unwholesome nature shall not be newly established within the limits of any city or town, under a penalty not exceeding £50.

V. And be it enacted, That the business of a soap boiler, tallow melter, tripe boiler, tanner or currier, or any other trade or manufacture of an obnoxious or unwholesome nature, dangerous to the health of the inhabitants, shall not be newly established or carried on in any building or place within the limits or reputed limits of any such city or town as aforesaid; and that from and after the first day of January, in the year of our Lord one thousand eight hundred and fifty-six, the business of a soap boiler, tallow melter, tripe boiler, tanner or currier, or other trade or manufacture as aforesaid which has been already established, shall not be continued or carried on in any building or place within the limits or reputed limits of any such city or town as aforesaid; and whosoever offends against this enactment shall forfeit and pay on conviction for every such offence before any two or more Justices of the Peace, in a summary way, any sum not exceeding fifty pounds, and a further penalty of forty shillings for each day during which the offence is continued.

Further penalty of 40s. each day.

Justices to determine what is obnoxious or unwholesome.

VI. Provided always and be it enacted, That if any question shall arise whether any trade or manufacture is of an obnoxious or unwholesome nature, dangerous to the health of the inhabitants, the same shall be determined by the Justices, as incident to the case: Provided also, that notice in writing shall be given to the person engaged in such trade or manufacture, and if he shall discontinue the same after six months after the receipt of such notice, he shall not be liable to any penalty in that regard; and if any person, after having received such notice, and discontinued such trade or manufacture, shall again renew or re-establish the same, he shall be liable to the penalties in that regard imposed by this Act.

Discontinuance of obnoxious trade.

Renewal of obnoxious trade.

Justices may give notice to cleanse buildings used in certain businesses.

VII. And be it enacted, That if upon the certificate of any two legally qualified medical practitioners, verified on oath, it shall appear to any two Justices of the Peace that any shop, building, stall, or place,

kept

kept or used for the sale of butchers' meat, or as a slaughter house, or any place used for carrying on the business of a soap boiler, tallow melter, or tripe boiler, or any place used for carrying on the business of a tanner or currier, or the premises occupied with the same or appurtenant thereto, within the limits of such city or town, is in such a filthy or unwholesome condition that the health of any person is likely to be affected or endangered thereby, or that the whitewashing, cleansing, or purifying of any such place, premises, or appurtenances, would tend to prevent or check infectious or contagious disease, the said two Justices shall give notice, in writing, to the owner or occupier of such place or premises to whitewash, cleanse, or purify the same, as the case may require; and if the person to whom notice is so given fail to comply therewith, within such time as shall be specified in the said notice, he shall be liable to a penalty not exceeding ten pounds for every day during which he continues to make default; and every such notice may be served by affixing a copy thereof on a conspicuous part of the house, place, or premises directed to be whitewashed, cleansed or purified as aforesaid.

Penalty for non-compliance.

VIII. And be it enacted, That whenever it shall be made to appear on oath, to the satisfaction of any Justice of the Peace, that there is reasonable ground for believing that any such shop, building, stall, or place, as is hereinbefore mentioned, is in a filthy or unwholesome condition, it shall be lawful for such Justice to grant a warrant under his hand, authorizing any Inspector of Slaughter Houses, or any Inspector of Police, or Chief Constable, with such assistance as may be necessary, to enter into such shop, building, stall, or place as aforesaid, in the day-time, and view the same and the state and condition thereof.

Justice may issue warrant authorising Inspector of Police, &c., to enter and inspect buildings used in certain businesses.

IX. And be it enacted, That the said Justices may, if they shall think fit, cause such slaughter houses, and other places, premises, or appurtenances as aforesaid, or any part thereof, to be whitewashed, cleansed, or purified, and the expense incurred by them in so doing shall be repaid by the owner or occupier thereof, and in default of repayment shall be recoverable in the summary manner hereinafter provided for the recovery of penalties incurred under this Act.

Or Justices may cause such buildings to be cleansed at expense of owner or occupier.

X. And be it enacted, That any Inspector or Chief Constable of the Police Force of such city or town, may, and they are hereby respectively empowered at all reasonable times, with or without assistants, to enter into and inspect any shop, building, stall, or place kept or used for the sale of butchers' meat, or as a slaughter house, and to examine any animal, carcass, meat, or flesh which may be therein; and in case any animal, carcass, meat, or flesh appear to him to be intended for the food of mankind, and to be unfit for such food, the same may be seized; and if it appear to a Justice of the Peace, upon the evidence of a competent person, that any such animal, carcass, meat, or flesh is unfit for the food of mankind, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for sale, or used for such food; and the person to whom such animal, carcass, meat, or flesh belongs, or in whose custody the same is found, shall be liable to a penalty not exceeding ten pounds for every animal or carcass, piece of meat, or flesh so found.

Power to Inspectors of Police, &c.

XI. And be it enacted, That every slaughter house within the limits of any such city or town shall be thoroughly washed and cleansed within one hour after any animal or animals shall be slaughtered therein, and that the blood, offal, and filth of all such animals as may be slaughtered in any slaughter house, or the premises or appurtenances thereunto belonging, shall be removed once at least in every twenty-four hours; and any owner or occupier of any slaughter house who shall neglect to comply with this enactment shall forfeit and pay, on conviction, for every such offence, before any two or more Justices of the Peace in a summary way, any sum not exceeding ten pounds.

Slaughter houses to be cleansed within one hour after animals slaughtered therein, under a penalty.

XII. And be it enacted, That the finding of any animal on the premises of any butcher or other person under circumstances denoting an intention of slaughtering such animal, shall be deemed evidence of such slaughtering, unless otherwise disproved by the person accused,

Animal found on premises under certain circumstances shall be deemed evidence of slaughtering.

XIII.

Act not to affect present law as to nuisances.

XIII. And be it declared and enacted, That nothing in this Act shall be construed to render lawful any act, matter, or thing whatsoever, which but for this Act would be deemed to be a nuisance, nor to exempt any person from any action, liability, prosecution, or punishment to which such person would have been otherwise subject in respect thereof.

5 Will. IV., No. 1, not repealed except as herein specified.

XIV. And be it enacted, That nothing in this Act contained shall be construed to repeal or alter the provisions of the said recited Act passed in the fifth year of His late Majesty's reign, in any other particular than is herein specified.

Public meeting may be convened by Police Magistrate or Bench of Magistrates, on application in writing signed by not less than twenty-five inhabitants.

XV. And be it enacted, That whenever application to that effect in writing shall be made to the Police Magistrate, or the Bench of Magistrates, of any city or town, (except the City of Sydney,) such application being signed by not less than twenty-five inhabitants of such city or town qualified in manner hereinafter mentioned, it shall be lawful for such Police Magistrate or Bench of Magistrates to call a public meeting of the inhabitants of such city or town, being qualified nevertheless in manner hereinafter mentioned, at such time and place therein, as he or they may deem most convenient for taking into consideration the expediency of extending to such city or town the operation of this Act; and public notice of every such meeting shall be given, at least seven days before the holding thereof, by posting the same on the Court House, or otherwise, as he or they shall direct.

Persons entitled to vote at such meeting.

XVI. And be it enacted, That the persons entitled to sign such application as aforesaid, and the persons entitled to vote at any such meeting, shall be those persons who at the time of such signing or voting reside within the limits of such city or town, and whose names appear on the list in force for the time being of persons entitled to vote at elections for Members of the Legislative Council.

Who shall preside at such meeting.

XVII. And be it enacted, That the Police Magistrate, if there be one, or if there be no Police Magistrate, then the Senior Magistrate, or any other Magistrate usually attending the Petty Sessions of such city or town, shall preside at such meeting.

Governor may extend the provisions of this Act to any city or town.

XVIII. And be it enacted, That if at such public meeting a resolution be adopted by a majority in number thereof in favor of the extension of the provisions of this Act to such city or town, the same shall be forthwith communicated by the Police Magistrate, Magistrate, or other person presiding at such meeting, to the Colonial Secretary, for the information of His Excellency the Governor, and thereupon it shall be competent for the Governor, with the advice of the Executive Council, in his discretion nevertheless, to issue a Proclamation under his hand, extending the provisions of this Act to such city or town; and upon and after the publication in the *New South Wales Government Gazette*, of such Proclamation as aforesaid, all and singular the provisions of this Act shall apply to the city or town therein named, as fully in all respects as if such city and town had been specifically named in this Act.

Presiding Magistrate may call for a show of hands.

XIX. And for the purpose of determining whether the majority in number at any such meeting is in favor of the extension of the provisions of this Act to such City or Town: Be it enacted, That the Police Magistrate, or presiding Magistrate shall call for a show of hands of those respectively who are in favor of and opposed to the extension of the Act aforesaid, and he shall declare which has the majority, and his decision shall be final, unless a scrutiny be demanded.

Scrutineers to be appointed if a Scrutiny demanded.

XX. Provided always, and be it enacted, That if a scrutiny be then and there demanded by not less than five persons duly qualified to vote at such meeting as aforesaid, the fact of such qualification to be decided by the Police Magistrate or presiding Magistrate, then the said Police Magistrate or presiding Magistrate shall cause a scrutiny to be made in manner following, that is to say, the said Police Magistrate or presiding Magistrate shall appoint from amongst the persons present, and qualified to vote, two scrutineers, one from amongst those who are favorable to the extension of this Act as aforesaid, and one from amongst those opposed to such extension, and the scrutineers so appointed shall there-

upon

upon take an account of the number of persons voting for and against such extension as aforesaid, and return the same to the Police Magistrate or presiding Magistrate, who shall, from the numbers so returned to him, declare which has the majority: Provided further, that in case of an equality of votes the Police Magistrate or presiding Magistrate shall have a casting vote, and that the decision so given, in either case, shall be final.

XXI. And be it enacted, That if any question arise as to the right of any person present at such meeting to vote thereat in manner aforesaid, the same shall, for the purposes of this Act, be determined in a summary way by the scrutineers appointed as aforesaid: Provided always, that in case of a difference of opinion between the scrutineers, in respect of any of the matters aforesaid, the fact or question shall be finally determined by the Police Magistrate, or Presiding Magistrate, as the case may be.

Right of voting to be determined summarily by scrutineers;

or, if scrutineers differ in opinion, by Presiding Magistrate.

XXII. And be it enacted, That it shall be competent to His Excellency the Governor, for the time being, to declare, by notice in the *New South Wales Government Gazette* what shall, for the purposes of this Act, be the boundaries of any city or town to which this Act shall be or shall have been so extended.

Governor may declare what shall, for the purposes of this Act, be the boundaries of any city or town.

XXIII. And be it enacted, That all actions or suits in respect of any matter or thing done in pursuance of the provisions of this Act shall be brought within three calendar months after the cause thereof, and the defendant may plead the general issue, and give the special matter in evidence; and if the plaintiff shall become nonsuited, or shall discontinue the action, or if upon a verdict or demurrer judgment shall be given against the plaintiff, the defendant shall receive treble costs, and have remedy of the plaintiff as any defendant can have in other cases, where costs are given by law.

Actions to be brought within three months.

Treble costs if plaintiff nonsuited.

XXIV. And be it enacted, That no prosecution, suit, or complaint, shall be brought under or by virtue of this Act, by reason of the breach of any of the provisions thereof, after the lapse of three months from the occurrence of the matter, or thing, to which such prosecution, suit, or complaint may relate.

Actions cannot be brought after the lapse of three months

XXV. And be it enacted, That all offences against this Act, not otherwise provided for, may be heard and determined, and every forfeiture and penalty in respect thereof be awarded and imposed, by or before any two Justices, or (where this Act so directs) by and before any one Justice, in a summary way, in the manner prescribed by the Act of the Governor and Legislative Council of New South Wales, passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled, "*An Act to regulate summary proceedings before Justices of the Peace*," or according to the law in force for the time being regulating summary proceedings before Justices of the Peace; and any person feeling aggrieved by any summary judgment or conviction under this Act may appeal therefrom in the manner provided by the said Act, or any other law in force for the time being in that behalf: Provided always, that in all cases in which any penalty or forfeiture hereby imposed is made recoverable before any Justice or Justices of the Peace, it shall and may be lawful for any Justice to whom complaint shall be made of any offence against this Act, to summon the party complained against before him or any other Justice or Justices, and on such summons such Justice or Justices are hereby empowered to hear and determine the matter of such complaint, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing shall have been exhibited or taken by or before such Justice or Justices; and all such proceedings by summons without information shall be as good, valid, and effectual, to all intents and purposes, as if an information in writing had been exhibited; and in all proceedings under this Act the informer or party prosecuting shall be deemed and taken to be a competent witness.

Manner of proceeding for recovery of penalties.

5 W. 4, No. 22.

Appeal given.

Proceedings by summons without information in writing to be valid.

Informer a competent witness.

XXVI. And be it enacted, That any Justice or Justices of the Peace before whom any information shall be laid in writing against any person

Form of information and conviction.

person, or before whom any person shall be convicted in respect of any offence against this Act, may cause the information and the conviction to be drawn up according to the forms respectively given in Schedule to this Act annexed, or any other forms to the same effect, as the case may require: Provided always, that this enactment shall not invalidate any information or conviction laid or drawn in any other form which may be specially suited to the case, or may be provided by law; and in every information in writing, and in every conviction for an offence contrary to this Act, it shall be sufficient if the offence shall be stated in the words thereof declaring the offence or attaching any penalty thereto.

Proceedings not to be quashed for want of form.

XXVII. And be it enacted, That no information, conviction, or other proceeding before or by any Justice or Justices of the Peace, or on appeal therefrom, for any offence under this Act, shall be quashed or set aside, or adjudged void or insufficient for want of form, or be removed by *Certiorari* or otherwise, into Her Majesty's Supreme Court for the said Colony.

No *Certiorari* allowed.

Appropriation of fines and penalties.

XXVIII. And be it enacted, That all fines, forfeitures, and penalties imposed by this Act shall be paid one moiety to Her Majesty, Her Heirs and Successors, for the public uses of the said Colony, and in the support of the Government thereof, and shall be applied in such manner as may be from time to time directed by any Acts of the said Governor and Legislative Council, and the other moiety to the use of the informer or party prosecuting, who shall be entitled to his or her costs and charges over and above such fines, forfeitures, and penalties, to be ascertained and assessed by the Justice or Justices before whom the case is heard.

Interpretation Clause.

XXIX. And be it enacted, That the word "animal," in this Act shall be deemed to include any horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, ram, ewe, sheep, lamb, goat or pig, and the words "slaughter house," shall include boiling down establishments or places at which any animals are slaughtered for the purpose of being converted into tallow; and throughout this Act every word and term used in the singular number or masculine gender only, shall be construed equally to imply and include the plural number, and females as well as males, and *vice versa*, unless there be something in the context repugnant to such construction.

Act not to extend to Port Phillip.

XXX. And be it enacted, That nothing contained in this Act shall apply or be deemed to apply to any city or town within that part of the said Colony known as the District of Port Phillip.

Passed the Legislative Council this nineteenth }
day of September, one thousand eight hundred }
and fifty. }
WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

Govt. House, Sydney, 1st October, 1850.

CH^s. A. FITZ ROY,
GOVERNOR.

SCHEDULE REFERRED TO.

FORM OF INFORMATION.

New South Wales, }
to wit. }

Be it remembered, that _____ of _____ in the Colony of New South Wales, cometh on the _____ day of _____ in the year of our Lord before me (or us) J. P., one (or more) of Her Majesty's Justices of the Peace assigned to keep the peace in and for the Colony of New South Wales, and giveth me (or us) to understand and be informed that _____ hath been guilty of (*here describe the offence.*)

FORM OF CONVICTION,

Be it remembered, that on the _____ day of _____ in the year of our Lord _____ is brought before me (or us) J. P., one (or more) of Her Majesty's Justices assigned to keep the Peace in and for the Colony of New South Wales, and is charged before me (or us) with having (*here describe the offence.*) and it appearing to me (or us) that the said _____ is guilty of the said offence, I (or we) do therefore adjudge the said (*insert the adjudication.*)

Given under my (or our) hand (or hands) the day and year first above written.

XXXI.

No. XXXI.

An Act to Incorporate and Endow the University of Sydney.

[Assented to, 1st October, 1850.]

WHEREAS it is deemed expedient for the better advancement of Preamble.
 religion and morality, and the promotion of useful knowledge, to hold forth to all classes and denominations of Her Majesty's subjects resident in the Colony of New South Wales, without any distinction whatsoever, an encouragement for pursuing a regular and liberal course of education: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That for the purpose of ascertaining, by means of examination, the persons who shall acquire proficiency in literature, science, and art, and of rewarding them by academical degrees as evidence of their respective attainments, and by marks of honor proportioned thereto, a Senate consisting of the number of persons hereinafter mentioned, shall within three months after the passing of this Act be nominated and appointed by the said Governor, with the advice of the Executive Council of the said Colony, by Proclamation, to be duly published in the *New South Wales Government Gazette*, which Senate shall be and is hereby constituted from the date of such nomination and appointment a Body Politic and Corporate, by the name of "The University of Sydney," by which name such Body Politic shall have perpetual succession, and shall have a common seal, and shall by the same name sue and be sued, implead and be impleaded, and answer and be answered unto in all Courts of the said Colony, and shall be able and capable in law to take, purchase, and hold to them and their successors, all goods, chattels, and personal property whatsoever, and shall also be able and capable in law to take, purchase, and hold to them and their successors, not only such lands, buildings, hereditaments, and possessions as may from time to time be exclusively used and occupied for the immediate requirements of the said University, but also any other lands, buildings, hereditaments, and possessions whatsoever situate in the said Colony or elsewhere; and that they and their successors shall be able and capable in law to grant, demise, alien or otherwise dispose of all or any of the property, real or personal, belonging to the said University, and also to do all other matters and things incidental to or appertaining to a Body Politic.

A body politic and corporate, to be named "The University of Sydney," constituted with certain powers.

II. Provided always and be it enacted, That it shall not be lawful for the said University to alienate, mortgage, charge, or demise any lands, tenements, or hereditaments to which it may become entitled by grant, purchase, or otherwise, unless with the approval of the Governor and Executive Council of the said Colony for the time being, except by way of lease, for any term not exceeding thirty-one years from the time when such lease shall be made, in and by which there shall be reserved and made payable, during the whole of the term thereby granted, the best yearly rent that can be reasonably gotten for the same without any fine or foregift.

Not to have power to alienate or mortgage lands, &c., unless with approval of the Governor and Executive Council.

III. And be it enacted, That by way of permanent endowment for the said University, the said Governor shall be, and is hereby empowered, by Warrant under his hand, to direct to be issued and paid out of the General or Ordinary Revenues of the said Colony, by four equal quarterly payments, on the first day of January, the first day of April, the first day of July, and the first day of October, in every year, as a fund for building and for defraying the several stipends which shall be appointed to be paid to the several Professors or Teachers of literature, science, and art, and to such necessary officers and servants as shall be from time to time appointed by the said University, and for defraying the expense of such prizes, scholarships, and exhibitions as shall be awarded for the encouragement of Students in the said University, and for providing, gradually, a library for the same, and for discharging all incidental and necessary charges connected with the current expenditure thereof, or otherwise, the sum of five thousand pounds in each and every year, the first instalment thereof to become due and payable on the first day of January, one thousand eight hundred and fifty-one.

Governor may issue out of General or Ordinary Revenues yearly a sum not exceeding £5,000, to defray annual expenses.

IV.

Sixteen Fellows to constitute a Senate, with power to elect a Provost for a limited period.

IV. And be it enacted, That the said Body Politic and Corporate shall consist of sixteen Fellows, twelve of whom at the least shall be laymen, and all of whom shall be members of and constitute a Senate who shall have power to elect, out of their own body, by a majority of votes, a Provost of the said University for such period as the said Senate shall from time to time appoint; and whenever a vacancy shall occur in the office of Provost of the said University, either by death, resignation, or otherwise, to elect, out of their own body, by a majority of votes, a fit and proper person to be the Provost, instead of the Provost occasioning such vacancy.

How vacancies to be filled up.

V. And be it enacted, That until there shall be one hundred Graduates of the said University who shall have taken the degree of Master of Arts, Doctor of Laws, or Doctor of Medicine, all vacancies which shall occur by death, resignation, or otherwise among the Fellows of the said Senate, shall be filled up as they may occur, by the election of such other fit and proper persons as the remaining members of the said Senate shall, at meetings to be duly convened for that purpose, from time to time elect to fill up such vacancies: Provided always, that no such vacancy, unless created by death or resignation, shall occur for any cause whatever, unless such cause shall have been previously specified by some bye-law of the said Body Politic and Corporate, duly passed as hereinafter mentioned.

Vice Provost to be elected annually.

VI. And be it enacted, That the office of Vice Provost of the said University shall be an annual office, and the said Fellows shall, at a meeting to be holden by them within six months after the passing of this Act, elect out of the said Senate a Vice Provost, and on some day before the expiration of the tenure of the said office, of which due notice shall be given, elect one other fit and proper person to be the Vice Provost of the said University, and so from time to time annually; or in case of the death, resignation, or other avoidance of any such Vice Provost before the expiration of his year of office, shall, at a meeting to be holden by them for that purpose, as soon as conveniently may be, of which due notice shall be given, elect some other fit and proper person to be Vice Provost for the remainder of the year in which such death, resignation, or other avoidance shall happen, such person to be chosen from among themselves by the major part of the Fellows present at such meeting: Provided always, that the Vice Provost shall be capable of re-election to the same office, as often as shall be deemed meet.

Vice Provost to be capable of re-election.

Proviso, that when there shall be one hundred graduates all vacancies in Senate to be filled up by them.

VII. Provided always, and be it enacted, That as soon as there shall be not fewer than one hundred Graduates who have taken any or either of the degrees of Master of Arts, Doctor of Laws, or Doctor of Medicine, all vacancies thereafter occurring in the said Senate shall be from time to time filled up by the majority of such Graduates present and duly convened for that purpose.

Senate to have entire management and superintendence.

VIII. And be it enacted, That the said Senate shall have full power to appoint and dismiss all professors, tutors, officers, and servants belonging to the said University, and also the entire management of and superintendence over the affairs, concerns, and property of the said University, and in all cases unprovided for by this Act, it shall be lawful for the said Senate to act in such manner as shall appear to them to be best calculated to promote the purposes intended by the said University; and the said Senate shall have full power from time to time to make, and also to alter any statutes, bye-laws, and regulations (so as the same be not repugnant to any existing law or to the general objects and provisions of this Act) touching the discipline of the said University, the examinations for scholarships, exhibitions, degrees, or honors, and the granting of the same respectively, and touching the mode and time of convening the meetings of the said Senate, and in general touching all other matters whatsoever regarding the said University; and all such statutes, bye-laws, and regulations, when reduced into writing, and after the Common Seal of the said University shall have been affixed thereto, shall be binding upon all persons members thereof, and all candidates for degrees to be conferred by the same; all such

such statutes, bye-laws, and regulations having been first submitted to the Governor and Executive Council of the said Colony for the time being, and approved of and countersigned by the said Governor: Provided always, that the production of a verified copy of any such statutes, bye-laws, and regulations, under the seal of the said body politic and corporate, shall be sufficient evidence of the authenticity of the same in all Courts of Justice.

IX. And be it enacted, That all questions which shall come before the said Senate shall be decided by the majority of the members present, and the Chairman at any such meeting shall have a vote, and in case of an equality of votes, a second or casting vote; and that no question shall be decided at any meeting unless the Provost or Vice Provost and seven Fellows, or in the absence of the Provost and Vice Provost unless eight Fellows at the least shall be present at the time of such decision.

Questions to be decided by majority of votes.

X. And be it enacted, That at every meeting of the said Senate, the Provost, or in his absence the Vice Provost, shall preside as Chairman, or in the absence of both, a Chairman shall be chosen by the members present, or the major part of them.

Chairman of meetings.

XI. And whereas it is expedient to extend the benefits of colleges and educational establishments already instituted, or which may be hereafter instituted, for the promotion of literature, science, and art, whether incorporated or not incorporated, by connecting them, for such purposes, with the said University: Be it enacted, That all persons shall be admitted as candidates for the respective degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws, to be conferred by the said University of Sydney, on presenting to the said Senate a certificate from any such colleges or educational establishments, or from the head master thereof, to the effect that such candidate has completed the course of instruction which the said Senate, by regulation in that behalf, shall determine: Provided, that no such certificate shall be received from any educational establishment, unless the said University shall authorize it to issue such certificates: Provided also, that it shall be lawful for the said Senate to apply any portion of the said endowment fund to the establishment and maintenance of a college in connexion with and under the supervision of the said University.

Students from other colleges and educational establishments may be admitted as candidates for certain degrees.

XII. And be it enacted, That for the purpose of granting the degrees of Bachelor of Medicine and Doctor of Medicine, and for the improvement of Medical Education in all its branches, as well in Medicine as in Surgery, Midwifery, and Pharmacy, the said Senate shall from time to time report to the Governor and Executive Council for the time being of the said Colony, what appear to them to be the Medical Institutions and Schools, whether corporate or unincorporated, in the City of Sydney, from which, either singly or jointly with other Medical Institutions and Schools in the said Colony or in Foreign parts, it may be fit and expedient, in the judgment of the said Senate, to admit candidates for medical degrees, and on approval of such report by the said Governor and Executive Council, shall admit all persons as candidates for the respective degrees of Bachelor of Medicine and Doctor of Medicine, to be conferred by the said University, on presenting to the said Senate a certificate from any such institution or school to the effect that such candidate has completed the course of instruction which the said Senate, from time to time, by regulation in that behalf, shall prescribe.

As to medical degrees.

XIII. And be it enacted, That the said Senate shall have power after examination to confer the several degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, Doctor of Laws, Bachelor of Medicine, and Doctor of Medicine, and to examine for Medical Degrees in the four branches of Medicine, Surgery, Midwifery, and Pharmacy, and that such reasonable fee shall be charged for the degrees so conferred as the said Senate, with the approbation of the said Governor and Executive Council, shall from time to time direct; and such fees shall be carried to one general fee fund for the payment of the expenses of the said University; and that a full account of the whole income and expenditure of the said University

Senate may confer degrees, for which fees may be charged.

Accounts of annual income and expenditure to be laid before Legislative Council.

University shall, once in every year, be transmitted to the Colonial Secretary, for the purpose of being submitted to the Legislative Council or Assembly of the said Colony, as the case may be, and subjected to such examination and audit as the said Legislative Council or Assembly may direct.

Examiners to declare names of candidates, and their proficiency, certificates of which to be granted by Provost.

XIV. And be it enacted, That at the conclusion of every examination of the candidates, the Examiners shall declare the name of every candidate whom they shall have deemed to be entitled to any of the said degrees, and the departments of knowledge in which his proficiency shall have been evinced, and also his proficiency in relation to that of other candidates, and he shall receive from the said Provost, a certificate under the Seal of the said University of Sydney, and signed by the said Provost, in which the particulars so declared shall be stated.

Bye-laws, &c., to be submitted to Governor and Executive Council for approval.

XV. Provided always, and be it enacted, That all statutes, bye-laws, and regulations made from time to time touching the examination of candidates and granting of degrees, shall be submitted for the consideration and approval of the Governor and Executive Council.

Governor to be Visitor of the University.

XVI. And be it enacted, That the Governor of the said Colony for the time being, shall be the Visitor of the said University of Sydney, with authority to do all things which pertain to Visitors, as often as to him shall seem meet.

Professors may demand fees from students, and Treasurer may charge fees for entrance, &c.

XVII. And be it declared and enacted, That it shall be lawful for the Professors or Teachers in the said University, in addition to the stipends with which they shall be so respectively endowed, to demand and receive from the Students of the said University, such reasonable fees for attendance on their lectures, and for the Treasurer of the said University to collect from the said Students, on behalf of the said University, such reasonable fees for entrance, degrees, and other University charges, as shall be from time to time provided by any statutes, bye-laws or regulations of the said University.

Regulations as to where students shall reside.

XVIII. And for the better government of the Students in the said University: Be it enacted, That no Student shall be allowed to attend the lectures or classes of the same, unless he shall dwell with his parent or guardian, or with some near relative or friend selected by his parent or guardian, and approved by the Provost or Vice Provost, or in some collegiate or other educational establishment, or with a tutor or master of a boarding house licensed by the Provost or Vice Provost as hereinafter mentioned.

Regulations as to licensing tutors, with whom students may reside.

XIX. And be it enacted, That every person who is desirous of being licensed as a tutor or master of a boarding house in connexion with the said University, shall apply in writing under his hand to the Provost or Vice Provost of the said University for his license, and it shall be lawful for the said Provost or Vice Provost, if he or they shall think fit, to require of any such applicant such testimonials of character and fitness for the office as shall be satisfactory to such Provost or Vice Provost; and the application shall specify the house or houses belonging to or occupied by the applicant, and intended by him for the reception of Students, and the number of Students who may be conveniently lodged and boarded therein; and thereupon it shall be lawful for the Provost or Vice Provost in their discretion to grant or withhold the license for the academical year then current or then next ensuing, and every such license shall be registered in the archives of the said University, and shall inure until the end of the academical year in which it shall be registered, and shall then be of no force, unless renewed in like manner, but shall be revocable at any time, and may forthwith be revoked by the Provost or Vice Provost in case of any misbehaviour of such tutor or master of a boarding house or of the Students under his care, which in the opinion of the Provost or Vice Provost, and a majority of the Professors of the said University, ought to be punished by immediate revocation of such license.

As to religious tests.

XX. And be it enacted, That no religious test shall be administered to any person in order to entitle him to be admitted as a Student of the said University, or to hold any office therein, or to partake of any advantage or privilege thereof: Provided always, that this enactment shall

not

not be deemed to prevent the making of regulations for securing the due attendance of the Students, for Divine Worship, at such Church or Chapel as shall be approved by their parents or guardians respectively.

XXI. And be it enacted, That all statutes, bye-laws, rules, and regulations, which shall be made and approved from time to time by the said Governor and Executive Council, concerning the government and discipline of the said University, which shall be in force at the beginning of every Session of the said Legislative Council, or Legislative Assembly of the said Colony, and which shall not have been before that time laid before the said Legislative Council or Legislative Assembly, shall from time to time, within six weeks after the beginning of every such Session, be laid before the same by the Colonial Secretary for the time being.

Bye-laws, rules, &c., to be from time to time laid before the Legislative Council.

XXII. And be it enacted, That the said University shall, once at least in every year, and also whenever the pleasure of the Governor for the time being shall be signified in that behalf, report their proceedings to the said Governor and Executive Council, and a copy of every such report shall be laid before the said Legislative Council, or Legislative Assembly, within six weeks after the same shall have been made, if such Legislative Council or Assembly be then sitting, or if not, then within six weeks next after the meeting of the same.

Proceedings of University shall once at least in every year be reported to the Governor and Executive Council, and copy of Report laid before the Legislative Council.

XXIII. Provided always and be it declared and enacted, That nothing herein contained, shall be deemed or construed to prevent the Legislature of the Colony for the time being, from altering, amending, or repealing the provisions of this Act, or any of them, as the public interest may at any time seem to render necessary or expedient.

Act may be altered or amended.

XXIV. And be it declared and enacted, That nothing in this Act contained shall be deemed to affect or to interfere with any right, title, or interest of Her Majesty, Her Heirs and Successors, or in any way to limit the Royal Prerogative.

Not to interfere with the rights of Her Majesty.

Passed the Legislative Council, this twenty-fourth day of September, one thousand eight hundred and fifty.
WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,
GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

No. XXXII.

An Act to extend the provisions of an Act passed in the eleventh year of the reign of Her present Majesty, intituled, "An Act for the regulation of Steam Navigation, and for requiring sea-going vessels to carry boats," to all Steam Vessels. [Assented to, 1st October, 1850.]

WHEREAS by a certain Act of the Governor and Legislative Council of New South Wales, passed in the eleventh year of the reign of Her present Majesty Queen Victoria, intituled, "An Act for the regulation of Steam Navigation, and for requiring sea-going vessels to carry boats," certain provisions were made for the inspection and better regulation of sea-going steamboats, and other vessels carrying passengers, and for preventing the occurrence of accidents in Steam Navigation, and for requiring sea-going vessels to carry boats: And whereas the provisions contained in the said Act have been found beneficial to the public, and it is deemed necessary to extend the same, and to make provision for such vessels as may be employed in navigating the harbours, rivers, and inland waters of the

Preamble.

11 Vict., No. 3.

Provisions of 11
Vict., No. 3, ex-
tended to all steam
vessels.

the said Colony: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That from and after the passing of this Act, all steam vessels of whatsoever tonnage employed in navigating any harbour, river, or inland water, or in the conveyance of passengers or goods, within the Colony of New South Wales, shall be amenable to the provisions of the said recited Act, so far as the same may apply, and also to such other regulations as are by this Act provided.

Governor may ap-
point persons not
exceeding five
to carry into effect
the provisions of said
recited Act and this
Act.

II. And be it enacted, That it shall be lawful for the Governor of the said Colony, to nominate and appoint, in any port, harbour, or district, to which the provisions of this Act shall be extended, any number of persons not exceeding the number of five, who when so appointed shall form a Board, and shall have full power and authority to act in and do all such matters and things as are provided for in and by the said recited Act, and to grant and refuse all certificates and licenses to such steam vessels as shall be plying in and from any ports, harbours, rivers, or inland waters, within the district to which such Board shall have been appointed: Provided always, that a second certificate or license shall not be required in any case where a certificate or license shall have been granted by any other authorized Board, and shall still remain in force.

Governor may extend
provisions of this Act
to such places as may
be appointed by
Proclamation.

III. And be it enacted, That it shall be lawful for the said Governor to extend this Act to such parts and places in the Colony of New South Wales and its Dependencies, as he, from time to time, shall think fit, by Proclamation in the *New South Wales Government Gazette*, and all powers and authorities which may at the time of such Proclamation be vested in the Sydney Board, by virtue of the said recited Act, shall cease and determine, so far as the same may apply to vessels employed in navigating the waters in the district to which such Proclamation shall apply, and shall vest in such District Board as shall be appointed for that purpose as aforesaid.

All steamers plying
in inland waters to be
licensed in manner
and form hereby ap-
pointed,

IV. And be it enacted, That all steam vessels plying in the harbours, rivers, or inland waters in the Colony of New South Wales, shall not be entitled to ply for the conveyance of passengers, goods, or otherwise, unless the owner or master thereof shall have first obtained a certificate or license from the Board appointed for that purpose, for the district in which such vessel is intended to ply, which certificate or license the said Board is hereby authorized to give, and which certificate or license shall be in the form marked A. and B., to this Act annexed, and shall be in force for the space of three months from the date of granting the same, and shall be renewable on such terms and conditions as are hereinafter provided; and any owner or master of any steam vessel, who shall ply his vessel or carry any passengers or goods, without having first obtained such license or certificate as aforesaid, shall for every day such vessel shall be so employed, forfeit and pay a penalty not exceeding ten pounds.

Under a penalty.

Before such licenses
be granted, steamers
to be certified as
being in safe and
good working con-
dition.

V. And be it enacted, That before any certificate or license be granted or renewed, it shall be proved to the satisfaction of such Board, that the vessel so requiring a license or certificate is in every way tight and staunch; that the engines and boilers are in safe and working condition; and that the vessel is in every way suitable for the purposes for which it is required: Provided always, that this quarterly survey shall only be applicable to such vessels as are propelled by high pressure engines; the half-yearly survey and certificate being deemed sufficient for those propelled by low pressure engines.

Proof of condition to
lie on owner or mas-
ter in manner and
form hereby prescri-
bed.

VI. And be it enacted, That the owner or master of any steam vessel, whether employed in the coasting trade or in the navigation of the harbours, rivers, or inland waters of New South Wales and its dependencies, shall produce to the Board, previous to obtaining a certificate or license, a certificate made by some competent ship builder, as also one from some competent engineer (who shall first have been approved of by the Board) the same to be verified by solemn declaration before a Justice of the Peace, which certificates shall be respectively in the forms to this Act annexed, marked C and D, to the effect that he has duly surveyed the vessel

vessel and machinery as the case may be, and that the same are in his opinion safe and sufficient for the purpose for which they are required.

VII. And be it enacted, That any person wilfully making a false declaration or giving a false certificate of survey, shall be guilty of a misdemeanor, and being thereof lawfully convicted, before any Court of competent jurisdiction, shall suffer such punishment by fine and imprisonment, as the Court or Judge before whom the conviction takes place, may award.

Persons wilfully making false declarations or giving false certificates, punishable by fine and imprisonment.

VIII. And be it enacted, That all fines, penalties, and forfeitures imposed by this Act shall be recovered and levied in the same manner and form as is directed in and by the said recited Act, and shall be appropriated as follows, that is to say, one moiety thereof to Her Majesty Her Heirs and Successors, for the public uses of the said Colony and in support of the Government thereof, and shall be applied in such manner as may be from time to time directed by any Acts of the said Governor and Legislative Council, and the other moiety to the use of the informer or party prosecuting, who shall also be entitled to his or her costs and charges over and above such fines, penalties, and forfeitures, to be ascertained and assessed by the Justices before whom the case is heard; and the informer or party prosecuting under this or the said recited Act, shall in all cases be deemed and taken, and is hereby declared to be a competent witness.

Recovery and appropriation of fines and penalties.

Informer a competent witness.

Passed the Legislative Council, this twenty-sixth day of September, one thousand eight hundred and fifty.
WM. MACPHERSON, CLERK OF THE COUNCIL.

CHARLES NICHOLSON,
Speaker.

In the name and on the behalf of Her Majesty I assent to this Act.

CH^s. A. FITZ ROY,
GOVERNOR.

Govt. House, Sydney, 1st October, 1850.

SCHEDULES REFERRED TO.

A.

CERTIFICATE OF REGISTRY OF DECLARATION.

We hereby certify, that we have this day registered the declarations of Messrs. _____ and _____, of the sufficiency and good condition of the hull and machinery of the Steam Vessel _____, under the provisions of the Act of Council, 11 Victoria, No. 3, and 14 Victoria, No. 32.

Given under our hands, at _____, this _____ day of _____, one thousand eight hundred and _____.

B.

B.

RIVER LICENSE FOR STEAM VESSELS, UNDER THE ACT OF COUNCIL, 14 VICTORIA, No. 32.

It having been proved to the satisfaction of the undersigned, that the Steam Vessel of the burthen of tons, and of horse power, and at present employed in is, together with her engines, flues, and boilers, in good and safe condition, and fit for the conveyance of passengers and goods.

We have this day granted this our license, to be in force for a period of months; and the said Steam Vessel is hereby duly licensed accordingly.

Given under our hands, at , this day of 18 .



C.

SHIP BUILDER'S CERTIFICATE.

I, of Sydney, ship builder, duly approved by the Board appointed under the provisions of the Acts of Council 11 Victoria, No. 3, and 14 Victoria, No. 32, to survey and examine the hull of the Steam vessel at present employed in (here state whether the vessel is employed in the coasting trade, or in river or harbour navigation,) and of the burthen of tons, and engine of power, do solemnly and sincerely declare, that on the day of I carefully examined and surveyed the above named Steam Vessel, and that I found the same to be strong, staunch, seaworthy, and in every way fit and sufficient for the purposes for which she is stated to be employed in; and I further declare that the said vessel was (here state whether aground or afloat at the time of survey,) at the time I so examined her; and I make this solemn declaration conscientiously believing the same to be true, and without fear, favor, or affection, without having any interest either directly or indirectly in the aforesaid vessel, and in conformity with the provisions of an Act of Council, 9 Victoria, No. 9, intituled, "An Act for the more effectual abolition of oaths and affirmations taken and made in various Departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits."

Taken and declared before me, at , this day of

A. D., 185 .

J. P.

D.

ENGINEER'S CERTIFICATE.

I, of Sydney, engineer, duly approved by the Board appointed under the provisions of the Acts of Council 11 Vict., No. 3, and 14 Vict., No. 32, to survey and examine the engines, flues, and boilers of the Steam Vessel at present employed in (here state whether the vessel is employed in the coasting trade, or in river or harbour navigation,) the same being pressure engines of horse power, do solemnly and sincerely declare, that on the day of I carefully examined the engines, flues, and boilers of the above named vessel the same being at the time in working order and steam up; that I have tested the pressure of steam in the boiler to the weight of pounds on the square inch, and that I have found the engines, flues, and boilers in good, sound, safe, and working order, and in every way sufficient for the purposes for which they are required. And I make this solemn declaration conscientiously believing the same to be true, and without fear, favor, or affection, having no interest either directly or indirectly in the aforesaid vessel, and in conformity with an Act of the Governor and Legislative Council of the 9th Vict., No. 9, intituled, "An Act for the more effectual abolition of oaths and affirmations taken and made in various Departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits."

Taken and declared before me, at , this day of

A.D., 185 .

J. P.