



## SUPPLEMENT

TO THE

### NEW SOUTH WALES

# GOVERNMENT GAZETTE,

OF FRIDAY, JUNE 12, 1846.

Published by Authority.

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SATURDAY, JUNE 13, 1846.

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No. XXXI.

An Act to continue for two years "*An Act to facilitate the apprehension of transported felons and offenders illegally at large, and of persons found with arms and suspected to be robbers.*" [*Assented to 11th June, 1846.*]

**W**HEREAS an Act was passed by the Governor and Legislative Council of New South Wales, in the fifth year of the reign of His late Majesty King William the Fourth, intituled, "*An Act to facilitate the apprehension of transported felons and offenders illegally at large, and of persons found with arms and suspected to be robbers*"; which said Act was continued by certain other Acts of the said Governor and Council, passed respectively in the sixth year of the reign of His said Majesty, and in the first, third, fifth, and eighth years of the reign of Her present Majesty Queen Victoria, with certain amendments therein contained: And whereas the said first recited Act will expire on the thirty-first day of August next, and it is expedient to continue the same, for a further limited period, as amended in the manner hereinafter mentioned: 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 first recited Act passed in the fifth year of the reign of His said late Majesty shall be, and the same is hereby continued in force from and after the said thirty-first day of August next, until the thirty-first day of August, one thousand eight hundred and forty-eight, except so much thereof as relates to the time of passing and execution of any

Preamble.

5 Will. IV., No. 9.

6 Will. IV., No. 17.

1 Vic., No. 2.

3 Vic., No. 26.

5 Vic., No. 23.

8 Vic., No. 5.

5 Will. IV., No. 9,  
continued until 31st  
August, 1848.

Exception.

Proviso: as to removal of persons to Sydney.

any sentence of death as is therein mentioned: Provided always, that nothing in the said first recited Act contained shall be deemed to authorise any Justice of the Peace to cause any person to be removed to Sydney to be examined, unless such person shall have been apprehended within the Police District of Sydney, or such information shall have been given on oath by some credible witness before such Justice, as to satisfy him that there are strong grounds for suspecting such person to be a transported felon or offender illegally at large: Provided also, that no female shall be so removed to Sydney, anything in this, or the said recited Act, to the contrary notwithstanding.

CHARLES NICHOLSON,  
Speaker.

Passed the Legislative Council this } In the name, and on the behalf  
twenty-eighth day of May, one thou- } of Her Majesty, I assent to  
sand eight hundred and forty-six. } this Act.

WM. MACPHERSON,  
CLERK OF THE COUNCIL.

GEORGE GIPPS,  
GOVERNOR.

Sydney, 11th June, 1846.

No. XXXII.

An Act to continue for a limited time an Act, intituled, "An Act for regulating the constitution of Juries, and for the trial of Issues in certain cases in the Supreme Court of New South Wales;" and further to amend the law relating to trial by Jury. [Assented to 12th June, 1846.]

Preamble.

2 Wil. IV., No. 3.

4 Wil. IV., No. 12.

5 Wil. IV., No. 25.

6 Wil. IV., No. 15.

7 Wil. IV., No. 9.

1 Vic., No. 1.

3 Vic., No. 25.

5 Vic., No. 25.

7 Vic., No. 29.

2 Wil. IV., No. 3, continued until 31st December, 1847.

WHEREAS an Act of the Governor and Council of New South Wales was passed in the second year of the reign of His late Majesty King William the Fourth, intituled "An Act for regulating the constitution of Juries and for the trial of Issues in certain cases in the Supreme Court of New South Wales;" which said Act was, by a certain other Act of the said Governor and Council, passed in the fourth year of the reign of His said Majesty, intituled "An Act to continue for a limited time an Act of the Governor and Council, intituled "An Act for regulating the constitution of Juries and for the trial of Issues in certain cases in the Supreme Court of New South Wales;" and to make further provision for trial by Jury in criminal cases in the said Colony," continued until the thirtieth day of June, one thousand eight hundred and thirty-five: And whereas by certain other Acts of the said Governor and Council, passed respectively in the fifth, sixth, and seventh years of the reign of His said late Majesty; and also in the first, third, fifth and seventh years of the reign of Her present Majesty, the said first recited Act was further continued from time to time with certain amendments, until the thirtieth day of June, one thousand eight hundred and forty-six: And whereas it is expedient further to continue the said first recited Act, as altered and amended by any of the Acts hereinbefore mentioned: Be it enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That the said first recited Act, as altered and amended by any of the Acts hereinbefore mentioned, shall be and the same is hereby continued in force until the thirty-first day of December, one thousand eight hundred and forty-seven.

Persons residing at a greater distance than thirty miles from Berrima, not to be summoned as Jurors there.

II. And be it enacted, That no person who shall reside at a greater distance than thirty miles from the Town of Berrima shall be summoned or required to attend as a Juror at any Assizes, Circuit Court, or Court of General Quarter Sessions to be held in the said Town of Berrima, anything in any law or ordinance to the contrary notwithstanding.

III.

III. And be it enacted, That this Act may be altered, amended, or repealed during the present Session. Act may be altered or amended, &c.

CHARLES NICHOLSON,  
Speaker.

Passed the Legislative Council this } In the name, and on the behalf of  
eleventh day of June, one thousand } Her Majesty, I assent to this  
eight hundred and forty-six. } Act.

W.M. MACPHERSON,  
CLERK OF THE COUNCIL.

GEORGE GIPPS,  
GOVERNOR.

Sydney, 12th June, 1846.

No. XXXIII.

An Act to amend an Act, intituled, "*An Act to amend the laws relating to the Savings' Bank of New South Wales and Port Phillip respectively.*" [Assented to 12th June, 1846.]

WHEREAS by an Act of the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, passed in the seventh year of Her Majesty's reign, intituled, "*An Act to amend the laws relating to the Savings' Bank of New South Wales and Port Phillip respectively,*" it was among other things enacted, that the conditions therein set forth should regulate the payment of interest on deposits, subject to the proviso "that in case any depositor should withdraw the whole of his deposits before the thirty-first day of December in any year, he shall be allowed interest only for the period forming part of the current year during which the amount remained deposited in the Bank at the rate of three pounds six shillings and eight pence for every hundred pounds per annum: And whereas it is expedient to alter the said proviso: Be it 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, no higher rate of interest shall be allowed on any sum withdrawn from either of the said Banks before the thirty-first day of December in any year, for the broken period of such year during which the same may have remained deposited therein, than shall be fixed from time to time by the Trustees of the said Banks respectively.

Preamble.  
7 Vic., No. 6

Rate of Interest for broken periods of a year to be regulated by the Trustees.

CHARLES NICHOLSON,  
Speaker.

Passed the Legislative Council this } In the name, and on the behalf of  
tenth day of June, one thousand } Her Majesty, I assent to this  
eight hundred and forty-six. } Act.

W.M. MACPHERSON,  
CLERK OF THE COUNCIL.

GEORGE GIPPS,  
GOVERNOR.

Sydney, 12th June, 1846.

RIDER.

Provided always, and be it enacted, That interest shall be allowed by the Trustees of the said Savings' Banks respectively, at the same rate as to other depositors, on any deposit standing at the credit in the said Banks of the Trustee or Treasurer of any Friendly Society established under the provisions of an Act of the said Governor and Council, passed in the seventh year of the reign of Her said Majesty, intituled, "*An Act to regulate Friendly Societies in the Colony of New South Wales,*" notwithstanding that the amount of any such deposit shall exceed the sum of one hundred pounds, anything in the said first recited Act, or any other Act to the contrary notwithstanding.

Interest to be allowed on deposits of Friendly Societies, although exceeding £100.

CHARLES NICHOLSON,  
Speaker.

Passed the Legislative Council, this } I further in Her Majesty's  
tenth day of June, one thousand } name, assent to this Rider.  
eight hundred and forty-six. }

W.M. MACPHERSON,  
CLERK OF THE COUNCIL.

GEORGE GIPPS,  
GOVERNOR.

**An Act to amend an Act, intituled, “ *An Act to make provision for the safe custody of, and prevention of Offences by, persons dangerously Insane; and for the care and maintenance of persons of unsound mind.*” [Assented to 13th June, 1846.]**

Preamble.

7 Vict., No. 14.

2 Vict., No. 22.

Who are to be deemed Medical Practitioners.

What persons may be removed from Lunatic Asylum by warrant of the Governor:

Or may be discharged to the custody of their friends.

**W**HEREAS by an Act of the Governor and Legislative Council of New South Wales, passed in the Seventh year of the Reign of Her present Majesty, intituled, “ *An Act to make provision for the safe custody of, and prevention of Offences by, persons dangerously insane; and for the care and maintenance of persons of unsound mind,*” it was among other things enacted, that no person should, for the purposes of that Act, be deemed a legally qualified Medical Practitioner, unless such person should have obtained a Certificate of his being a legally qualified Medical Practitioner from the New South Wales Medical Board, established under an Act of Council, passed in the second year of the Reign of Her present Majesty: And whereas it is expedient to alter and extend the same: Be it enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That all persons who have been, or shall be declared to be legally qualified Medical Practitioners, either by the Medical Board of New South Wales, or by that of the District of Port Phillip, shall be held and taken to be legally qualified Medical Practitioners, within the intent, and for the purposes of the said recited Act.

**II.** And whereas it may occasionally become necessary to remove persons who now are, or may hereafter be confined in the Lunatic Asylum at Tarban Creek, as persons of unsound mind, to the Hospital at Liverpool, the Female Factory at Parramatta, or some other such establishment within the said Colony, as may be appointed for such purpose, by the Governor for the time being: Be it enacted, That it shall be lawful for the Governor of the said Colony, as often as the crowded state of the Asylum at Tarban Creek, or any other cause which to him shall appear to render the same necessary, to order and direct, by warrant under his hand, the removal of any person or persons who now are, or who hereafter may be, confined in the said Asylum at Tarban Creek, as persons of unsound mind, to the Hospital at Liverpool, the Female Factory at Parramatta, or some other such establishment within the said Colony, as to him shall appear expedient, and the persons so removed shall there be subject to the same rules and regulations as if they were confined in the said Asylum at Tarban Creek: Provided however, that no person shall be so removed, who was not at the time he, (or she), was first confined in the Lunatic Asylum at Tarban Creek, in the condition of a convict serving a sentence of transportation.

**III.** And whereas doubts have arisen whether it be lawful for the Governor to order any person still labouring under insanity, to be discharged from a Lunatic Asylum, to the custody of any friend or friends who may be able and willing to support such Lunatic: Be it declared and enacted, That it shall be lawful for the Governor, if he think it fit so to do, to order the discharge of such Lunatic to such friend or friends: Provided however, that no person who may have been committed to such Asylum as a dangerous Lunatic, or dangerous Idiot, shall be so discharged, unless the friend or friends shall enter into sufficient recognizances, for the peaceable behaviour of such dangerous Lunatic, or Idiot, before two Justices of the Peace, or the Court of Quarter Sessions, or one of the Judges of the Supreme Court of New South Wales.

IV. And be it enacted, That this Act may be altered, amended, or repealed during the present Session. Act may be altered or amended.

CHARLES NICHOLSON,  
Speaker.

*Passed the Legislative Council this twelfth day of June, one thousand eight hundred and forty-six.* } *In the name, and on the behalf of Her Majesty, I assent to this Act.*

WM. MACPHERSON,  
CLERK OF THE COUNCIL.

GEORGE GIPPS,  
GOVERNOR.

Sydney, 13th June, 1846.