

Vesting in the Superintendent of Port Phillip the same power with respect to Idiots and Lunatics in that District, as are now vested in the Governor.

Where no relative or guardian, persons in care of lunatics shall be deemed guardians.

Powers vested in Judges of New South Wales to be also vested in Resident Judge of Port Phillip.

authority with respect to dangerous idiots, and dangerous lunatics, and with respect to persons of unsound mind, within the said Colony: And whereas it is expedient that His Honor the Superintendent of Port Phillip should have the like powers and authority vested in him with respect to dangerous idiots and lunatics, and persons of unsound mind, within the District of Port Phillip: 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 His Honor the Superintendent of Port Phillip to have, use, and exercise, and he is hereby empowered and authorised to have, use, and exercise all the like powers and authority with respect to dangerous idiots, and dangerous lunatics, and with respect to persons of unsound mind, within the District of Port Phillip, as His Excellency the Governor of New South Wales was and is by the provisions of the said recited Acts, or any one of them, empowered and authorised to have, use, and exercise.

II. And be it enacted, That for the purposes of the eleventh section of the said first recited Act, in every case where it shall appear to the Judge that an insane person has no relative or guardian within the said Colony, or none accessible without inconvenient delay, any person or society under whose protection and care such insane person shall actually be for the time being, shall be deemed the guardian of such insane person; and it shall be lawful for the Judge to whom any application shall be made under the said eleventh section to cause the applicant, and any other person or persons in his discretion, to be examined as to the facts, in every case on oath; and any wilfully false answer by any such applicant or person thereupon given, shall be deemed perjury and be punishable accordingly.

III. And be it enacted, That the several powers and authorities which by the said recited Acts, or either of them, or by this Act, are vested in the Judges, or any one Judge of the Supreme Court of New South Wales, shall, within the District of Port Phillip, be, and the same are hereby, vested in the Resident Judge of that District.

CHARLES NICHOLSON,

Speaker.

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

W. M. MACPHERSON, CLERK OF THE COUNCIL.

CH^s. A. FITZ ROY, GOVERNOR.

Govt. House, Sydney, 12th July, 1849.

No. IV.

An Act to continue for a further limited time, an Act, intituled, "An Act to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales." [Assented to, 12th July, 1849.]

Preamble.

Viol., No. 6.

WHEREAS an Act was passed by the Governor and Legislative Council of New South Wales, in the ninth year of the reign of Her present Majesty, intituled, "An Act to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales," which Act was continued until the thirty-first day of December now next ensuing, by a certain other Act passed in the eleventh

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eleventh year of Her said Majesty's reign, intituled, "*An Act to continue* 11 Vict., No. 1.
"*for a limited time, an Act, intituled, 'An Act to regulate, for a limited*
"*time, the exportation of Gunpowder and Warlike Stores from the Colony*
"*of New South Wales.'*" And whereas it is expedient to continue the
said first recited Act for a further limited period: Be it therefore enacted,
by His Excellency the Governor of New South Wales, with the advice 9 Vict., No. 6, con-
and consent of the Legislative Council thereof, That the said recited Act tinued until 31st De-
passed in the ninth year of Her Majesty's reign, shall be, and the same is cember, 1831.
hereby continued in full force and effect until the thirty-first day of
December, in the year of Our Lord one thousand eight hundred and
fifty-one.

CHARLES NICHOLSON,
Speaker.

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

WM. MACPHERSON,
CLERK OF THE COUNCIL.

CH^s A. FITZ ROY,
GOVERNOR.

Govt. House, Sydney, 12th July, 1849.

No. V.

**An Act for punishing Criminally Drivers of Stage Coaches and
Carriages for accidents occasioned by their wilful misconduct.**
[Assented to, 12th July, 1849.]

WHEREAS by an Act passed by the Governor and Legislative Council Preamble.
of New South Wales, in the sixth year of the reign of His late 6 Wil. 4, No. 2.
Majesty King William the Fourth, intituled, "*An Act for regulating*
"*Stage Carriages in New South Wales.'*" And whereas it is expedient to
extend the provisions of the said recited Act, and to punish criminally
coachmen or other persons driving stage coaches or other public carriages
carrying passengers for hire, for accidents occasioned by the careless or
furious driving or other wilful misconduct of such coachmen or other per-
sons hereinafter mentioned: Be it therefore enacted, by His Excellency Persons occasioning
the Governor of New South Wales, with the advice and consent of the accidents by furious
Legislative Council thereof, That if any person whatever shall be maimed, driving &c., declared
or otherwise injured, by reason of the careless or furious driving, or of the guilty of a misdemea-
racing, or other wilful misconduct of any coachman or other person driving nor.
any stage coach or other public carriage carrying passengers for hire, such
careless or furious driving, or racing, or other wilful misconduct of such
coachman or other person shall be, and the same is hereby declared to be
a misdemeanor, and shall be punishable as such by fine and imprisonment.

II. Provided always, and be it enacted, That nothing herein Act not to affect the
contained shall be deemed to affect the right of any person to recover, by right to recover dam-
action at law, damages for any injury committed as aforesaid. ages.

CHARLES NICHOLSON,
Speaker.

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

WM. MACPHERSON, CH^s A. FITZ ROY,
CLERK OF THE COUNCIL. GOVERNOR.

Govt. House, Sydney, 12th July, 1849.