

No. XXXVIII.

COLONIAL POLICE. An Act for the regulation of the Police Force in New South Wales. [1st October, 1850.]

Preamble.

W HEREAS it is deemed expedient to alter the constitution of the Police in the Colony of New South Wales and to make provisions for the establishment of an efficient Constabulary Force under competent supervision and control 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 for the Governor for the time being by warrant under his hand to appoint one fit and proper person to be Inspector General of Police throughout the said Colony who shall be charged and invested with the general superintendence of the Force to be established under this Act.

Inspector General to
be appointed.

2. And be it enacted That it shall be lawful for the Governor in like manner from time to time to appoint any number of persons not exceeding six to be Provincial Inspectors of Police and each such Provincial Inspector shall be charged and invested with the general government direction and superintendence of the Police Force stationed within such district as the said Governor may direct and within any and every city and town situated within such district.

Provincial Inspectors
to be appointed.

Colonial Police.

3. And be it enacted That in case of the death illness removal ^{In absence &c. of Inspector General a Provincial Inspector to act.} resignation or absence of the Inspector General it shall be lawful for such one of the Provincial Inspectors as shall be for that purpose authorized by the Governor for the time being by warrant under his hand to do all such acts as it would have been competent for the Inspector General to do and all acts so done by such Provincial Inspector shall be alike valid and effectual as if done by the Inspector General or as if such office were not vacant in case it shall happen to be so.

4. And be it enacted That it shall be lawful for the Governor ^{Governor may remove officers and appoint others.} from time to time as he shall think fit to remove any Inspector General or Provincial Inspector of Police who may be appointed under this Act and upon any vacancy in any of the said offices or appointments by death removal disability or otherwise to nominate and appoint some other fit and proper person to fill the same.

5. And be it enacted That it shall be lawful for the Governor ^{Chief and other Constables to be appointed &c.} to appoint from time to time such number of Chief Constables and Constables as may be deemed by him to be necessary and sufficient for the preservation of the peace throughout the said Colony and from time to time as to him shall seem fit to dismiss any such Chief Constable or Constable and upon any vacancy in any of the said offices by death removal or otherwise to appoint some other fit and proper person to fill the same and all such Chief Constables and Constables shall have all such powers authorities privileges and advantages and be liable to all such duties and responsibilities as any Constable duly appointed now has or hereafter may have either by the Common Law or by virtue of any Statute now or hereafter to be in force in the said Colony Provided always that the number of Chief Constables and Constables respectively so to be appointed in any year shall not exceed the number of such Chief Constables and Constables for or in respect of whom provision shall have been made for the same year by any Act or Acts of the said Governor and Legislative Council.

6. And be it enacted That it shall be lawful for such Inspector General with the approbation of the Governor for the time being from time to time to frame rules orders and regulations for the general government of the several persons to be appointed under this Act as well with respect to the places of their residence their classification rank and particular services their distribution and inspection as to the description of the arms accoutrements and other necessaries to be furnished to them and which of them shall be supplied with horses and all such other rules orders and regulations relative to the said Police Force as may be necessary for the purpose of preventing neglect or abuse and for rendering the said Force efficient for the discharge of the several duties thereof Provided always that it shall be lawful for the said Inspector General with the approbation aforesaid to alter ^{and to alter or amend the same.} amend or repeal any such rule order or regulation.

7. And be it enacted That no person shall be appointed to be a Chief or other Constable under this Act unless he shall be of a sound constitution able-bodied and under the age of forty years able to read and write of a good character for honesty fidelity and activity and that no person shall be appointed to be such Chief Constable or Constable who shall be a bailiff Sheriff's bailiff or parish clerk or who shall be a hired servant in the employment of any person whomsoever or who shall keep a house for the sale of beer wine or spirituous liquors by retail and if any person who shall be appointed to be a Chief Constable or Constable under this Act shall at any time after such his appointment be or become a bailiff Sheriff's bailiff or parish clerk or a hired servant or shall act in any of the said capacities or shall sell any beer wine or spirituous liquors by retail such person shall

Colonial Police.

Proviso as to Constables employed at present.

Constables to attend Justices at Quarter Sessions and Petty Sessions.

Constables to execute process.

Oath to be taken.

shall be and become disabled from and incapable of acting and shall forfeit his appointment as Constable and all authority and privileges and all salary and gratuity payable to him as a Chief Constable or Constable under this Act Provided nevertheless that so much of this enactment as relates to the age of persons to be appointed Chief Constables or Constables under this Act shall not be deemed or taken to apply to any person who at the time of the passing hereof was employed in the Constabulary Force of the said Colony.

8. And be it enacted That every Chief Constable and Constable to be appointed under this Act shall when not engaged on actual duty attend on the Justices of the Peace at their several General or Quarter Sessions and also at their Petty Sessions which shall be held at the respective places where such Chief Constables or Constables may be stationed and shall obey and execute all the lawful warrants orders and commands of such Justices at such Sessions in all cases civil and criminal.

9. And be it enacted That except as aforesaid every Chief Constable and Constable appointed under this Act shall execute all process to him directed for levying the amount of any fine or fines which shall be imposed under any Act in force in the said Colony or for levying the amount of any recognizance forfeited to Her Majesty Her Heirs and Successors or of any fines imposed on any jurors witnesses parties or persons at any Assizes or Commission of Oyer and Terminer or Gaol Delivery or Sessions of the Peace and when any warrant order or command of any Magistrate shall be delivered or given to any such Constable he shall if time will permit shew or deliver the same to the Chief Constable under whose immediate command such Constable shall then be and such Chief Constable shall nominate and appoint by indorsement thereon such one or more of the Constables under his orders and such assistant or assistants to him or them as such Chief Constable shall think proper to execute such warrant order or command and every such Constable whose name shall be so indorsed and every such assistant as aforesaid shall have all and every the same rights powers and authority for and in the execution of such warrant order or command as if the same had been originally directed to him or them expressly by name.

10. And be it enacted That no person appointed under this Act to be an Inspector General Provincial Inspector Chief Constable or Constable shall be capable of holding the said office or of acting in any way therein until he shall take and subscribe the following oath (that is to say)—

“ I A. B. do swear that I will well and truly serve our
 “ Sovereign Lady the Queen in the office of Inspector
 “ General of Police Provincial Inspector of Police Chief
 “ Constable or Constable (as the case may be) without
 “ favor or affection malice or ill-will that I will see and
 “ cause Her Majesty’s peace to be kept and preserved and
 “ that I will prevent to the best of my power all offences
 “ against the same and that while I shall continue to hold
 “ the said office I will to the best of my skill and know-
 “ ledge discharge all the duties thereof in the execution of
 “ warrants and otherwise faithfully according to law and
 “ that I do not now belong to and that I will not while I
 “ hold the said office join subscribe or belong to any
 “ political society whatsoever or to any secret society
 “ whatsoever unless to the Society of Freemasons”—So
 “ help me God ”

And the said oath shall be administered either at General or Petty Sessions or otherwise by any two Justices of the Peace and shall in all cases

Colonial Police.

cases be subscribed by the person taking the same and the oath so taken by the Inspector General of Police shall be forthwith transmitted to the Colonial Secretary by the Justices before whom the same was taken and the oaths so taken and subscribed by all other persons appointed under this Act shall be forwarded by the Justices before whom the same were taken to the said Inspector General.

11. And be it enacted That no Inspector General or Provincial Inspector appointed under this Act nor any paid Police Magistrate or Superintendent of Police shall during the continuance of such appointment be capable of being elected a Member of the Legislative Council and no Inspector General or Provincial Inspector or paid Police Magistrate or Superintendent of Police Clerk Chief or other Constable or person belonging to the said Constabulary Force or appointed by virtue of this Act shall during the time he shall continue in any such office or within six calendar months after he shall have quitted the same be capable of giving his vote for the election of a Member to serve in the Legislative Council of New South Wales nor shall by word message writing or any other manner endeavour to persuade any elector to give or dissuade any elector from giving his vote for the choice of any person to be a Member to serve in the Legislative Council and if any such Inspector General Provincial Inspector paid Police Magistrate or Superintendent of Police Clerk Chief or other Constable or person belonging to the said Constabulary Force shall offend therein he shall forfeit the sum of one hundred pounds to be recovered by any person who will sue for the same by action of debt to be commenced within six calendar months after the commission of the offence Provided always that nothing in this enactment contained shall subject any such Inspector General Provincial Inspector paid Police Magistrate Superintendent of Police Clerk Chief or other Constable or person belonging to the said Constabulary Force appointed under this Act to any penalty for any act done by him at or concerning any of the said elections in the discharge of his official duty.

12. And be it enacted That if any Chief Constable or Constable shall neglect or refuse to obey and execute any warrant hereby directed to be by him executed or shall be guilty of any neglect or violation of duty in his office every such Chief Constable or Constable shall forfeit and pay any such penalty not exceeding five pounds as any two or more Justices of the Peace after examination upon oath of one or more credible witness or witnesses or upon confession of the party shall think proper in a summary manner to impose or inflict and the amount of such penalty shall be deducted from and out of any salary accruing due to such offender under this Act upon a certificate thereof to be by the Justices before whom he may have been convicted transmitted to the Colonial Treasurer or other person by whom the payment of such salary shall be made Provided always that it shall be lawful for the Governor for the time being of the said Colony to mitigate or remit any such penalty.

13. And be it enacted That when any Chief Constable or Constable shall be dismissed from or shall cease to hold and exercise his office all powers and authorities vested in him as a Constable shall immediately cease and determine to all intents and purposes whatsoever and if any Chief Constable or Constable shall not within one week after he shall have been dismissed from or shall have ceased to hold his office deliver over all and every the arms ammunition and accoutrements horse saddle bridle clothing and other appointments whatsoever which may have been supplied to him for the execution of such office to such person as may be appointed by any order special or general issued by the said Inspector General every such Chief Constable or Constable shall upon conviction of such offence in a summary manner before

All persons belonging to the Police Force rendered incapable of being elected and prohibited from voting or influencing the votes of others at the elections of Members to serve in the Legislative Council.

Proviso as to acts done in performance of duty.

Penalty on Constables for neglect of duty.

Governor may remit penalty.

All powers and authorities vested in Constables to cease upon dismissal from office &c.

Colonial Police.

before any two or more Justices of the Peace upon oath of one or more credible witness or witnesses or upon his own confession be imprisoned and kept to hard labor for any such period not exceeding three calendar months as such Justices may direct and it shall be lawful for such Justices and they are hereby authorized and required to issue their warrant to search for and seize to the use of Her Majesty all and every the arms ammunition accoutrements horses saddles bridles clothing and other appointments whatsoever which shall not be so delivered over wherever the same shall be found.

**Notice of resignation
to be given by Con-
stables under a
penalty.**

14. And be it enacted That no Chief Constable or Constable to be appointed under this Act shall be at liberty to resign his office or to withdraw himself from the duties thereof unless expressly authorized in writing so to do by the Provincial Inspector under whom he may be placed or unless he shall give to such Inspector three months' notice of his intention so to resign or withdraw and if any Chief Constable or Constable shall so resign or withdraw himself without such previous permission or notice he shall for such offence forfeit and pay a penalty not exceeding ten pounds upon conviction in a summary way before any two Justices of the Peace and it shall be lawful for such Justices in case such penalty shall not be paid to commit such person to gaol there to be kept to hard labor for any period not exceeding three calendar months.

**Exemption from
tolls.**

15. And be it enacted That all Provincial Inspectors Chief Constables and Constables appointed and acting under this Act being on actual duty and in proper dress or undress as such and all prisoners under their charge and all carriages and horses exclusively employed in carrying or conveying such persons or their prisoners or baggage or returning therefrom and not otherwise engaged or employed shall be exempt from payment of any tolls or dues otherwise demandable in passing any toll-gate turnpike road bridge or ferry and every toll collector who shall demand or receive any duty or toll contrary to this Act shall forfeit and pay any sum not exceeding ten pounds for every such offence to be recovered by distress and sale of the goods and chattels of the person so offending on conviction in a summary way before a Justice of the Peace the same to be applied in aid of the Police Reward Fund provided in this Act.

Police inquiries.

16. And be it enacted That it shall be lawful to and for the Inspector General and Provincial Inspectors appointed under this Act or any one of them or any other person or persons to be nominated for the purpose by the Governor for the time being to examine on oath into the truth of any charge or complaint preferred against any person appointed under this Act of any neglect or violation of duty in his office and to report thereon to the said Governor and any person who on any such inquiry or on any other occasion on which an oath may be administered under this Act shall give false evidence or take a false oath and be thereof duly convicted shall be deemed guilty of wilful and corrupt perjury and shall be liable to such pains and penalties as persons convicted of wilful and corrupt perjury are or may be subject and liable to.

**Witnesses on Police
inquiries.**

17. And be it enacted That it shall be lawful for such Inspector General Provincial Inspectors or other person nominated as aforesaid to issue a summons or summonses requiring all such persons as shall be named therein to appear before him at a place and time to be therein appointed to give evidence as to all matters and things known to any such person respecting any charge or complaint preferred against any person appointed under this Act of any neglect or violation of duty in his office and all persons duly summoned as aforesaid who shall not attend at the time and place named in such summons or attending shall refuse to be sworn or being sworn shall refuse to give evidence or to answer all

Colonial Police.

all such questions as may be legally demanded of them shall forfeit and incur such penalty not exceeding five pounds as the said Inspector General Provincial Inspector or other person holding such inquiry shall direct and in default of payment thereof such person so offending shall and may be imprisoned for such period not exceeding one calendar month as such Inspector General Provincial Inspector or other person holding such inquiry may direct and adjudge and the payment of such fine may be enforced or the person liable thereto imprisoned in accordance with the provisions of a certain Act of the said Governor and Council 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*" 5 Wm. IV. No. 22. or according to the law in force for the time being regulating summary proceedings before Justices of the Peace.

18. And be it enacted That if any person not appointed and acting under this Act shall have in his or her possession any arms or ammunition or any article of clothing accoutrements or appointments supplied to any person under this Act and shall not be able satisfactorily to account for his or her possession thereof or shall put on or assume the dress name designation or description of any person or persons or of any class of persons appointed under this Act for the purpose of thereby obtaining admission into any house or other place or of doing or procuring to be done any other act which such person or persons so putting on or assuming such dress name designation or description would not by law be entitled to do or procure to be done of his or their own authority every such person so offending shall in addition to any other punishment to which he or she may be liable for such offence forfeit and pay for every such offence any sum not exceeding ten pounds to be recovered by distress and sale of the goods of such offender on summary conviction before two Justices of the Peace or in default of payment thereof shall be imprisoned and kept to hard labor for any period not exceeding three calendar months such penalty to be applied in aid of the Police Reward Fund provided in this Act.

19. And be it enacted That it shall be lawful for the Governor for the time being to fix and appoint such annual salaries as to him may from time to time seem proper not exceeding the several sums hereinafter specified to be paid in such manner and subject to such regulations and provisions as the said Governor may direct to the several persons appointed under this Act (that is to say) to the Inspector General of Police an annual salary not exceeding eight hundred pounds and to each Provincial Inspector an annual salary not exceeding four hundred pounds and a rateable proportion of such salaries shall be payable for any portion of a year during which any such person entitled thereto may serve or have served.

20. And be it enacted That if any question shall arise as to the right of any Inspector General Provincial Inspector Chief Constable or Constable to hold or execute any such office respectively common reputation shall to all intents and purposes be deemed to be sufficient evidence of such right and it shall not be necessary to produce any appointment or any oath affidavit and other document or matter whatsoever in proof of such right.

21. And be it enacted That there shall be deducted from the pay and salary of the several persons appointed under this Act the sum of two pounds per centum per annum and so rateably from any pay or salary of whatever amount which sums so deducted shall from time to time be invested in such manner as may be directed by His Excellency the Governor with the advice and consent of the Executive Council and the interest and dividends thereof if any or so much of the

Penalty for persons acting
Constables &c.

Salaries of Inspector
General and Pro-
vincial Inspectors.

Repute to be evi-
dence of appoint-
ment.

Superannuation
Fund.

Colonial Police.

the same as shall not be required for the purposes hereinafter mentioned shall be invested in like manner and accumulate so as to form a fund to be called "The Police Superannuation Fund" and to be applied from time to time as occasion may require for the payment of such superannuation or retiring allowances or gratuities as may be at any time after the passing of this Act ordered or appointed from time to time by the said Governor under the powers hereinafter given to him to be charged on the said fund or payable thereout.

Officers how super-
annuated.

22. And be it enacted That upon the petition of any Inspector General Provincial Inspector Chief Constable or Constable who shall have been appointed under this Act and in case of any Chief Constable or Constable upon such recommendations and certificates as the Governor for the time being shall require it shall be lawful for the said Governor to order and direct that any such Inspector General Provincial Inspector Chief Constable or Constable shall be superannuated and shall receive such yearly allowance remuneration superannuation or gratuity and upon such conditions and not exceeding such proportion as to age length of service and other circumstances as hereinafter mentioned and provided for and thereupon such person shall cease to hold office and every such allowance remuneration superannuation or gratuity shall be chargeable upon and paid out of the said "Police Superannuation Fund" so far as the same shall be adequate to discharge such allowance remuneration superannuation or gratuity together with the several allowances remunerations superannuations and gratuities previously charged and made payable out of the said fund.

Conditions of super-
annuation.

23. Provided always and be it enacted That the conditions and proportions of such allowance remuneration or superannuation shall be as follows that is to say where any person applying for the same shall be under sixty years of age it shall not be lawful to grant any such allowance compensation remuneration or superannuation unless as hereinafter provided or upon certificate from some legally qualified Medical Practitioner duly appointed in that behalf by the Governor that such person is incapable from infirmity of mind or body to discharge the duties of his office in which case if he shall have served with diligence and fidelity for fifteen years and less than twenty years it shall be lawful to grant to him by way of superannuation an annual sum not exceeding one-half of the salary of his office if above twenty years and less than twenty-five years any sum not exceeding two-thirds of such salary if above twenty-five years and less than thirty years any such sum not exceeding three-fourths of such salary and if above thirty years any such sum not exceeding the whole of such salary and if such person shall be above sixty years of age and he shall have served fifteen years and less than twenty years it shall be lawful although there shall be no certificate of incapacity from infirmity or injury of body or mind to grant him by way of superannuation any annual sum not exceeding one-half of the salary of his office if he shall have served twenty years and less than twenty-five years any sum not exceeding two-thirds of such salary if he shall have served twenty-five years and less than thirty years any sum not exceeding three-fourths of such salary and if he shall have served thirty years

or upwards any sum not exceeding the whole of such salary Provided always that if any person shall be disabled by any wound or injury received in the actual execution of the duty of his office it shall be lawful to grant to him such yearly allowance or remuneration as may in the opinion of the Governor for the time being be proportioned to the nature of the injury received without reference to the length of his service provided that such allowance or remuneration shall in no case exceed the whole of such salary and that in calculating the period for

Colonial Police.

for which any such person has served the time he may have served in the Police of this Colony previously to the passing of this Act shall be reckoned.

24. And be it enacted That it shall be lawful for the Governor Gratuities in certain other cases. for the time being to order that a gratuity not exceeding one month's pay for each year's service shall be paid to any Officer Chief or other Constable appointed under this Act who shall be duly certified to be unfit for service and to have served with diligence and fidelity for any number of years not exceeding ten and a further gratuity of two months' pay for each year he shall have served exceeding ten years and not exceeding fifteen years.

25. And be it enacted That if any person to whom an allowance compensation remuneration or superannuation shall have been granted under the provisions of this Act shall refuse when called upon by any Magistrate or other officer of the Peace to assist in the suppression of any riot or breach of the Peace or in the apprehension of any offender or shall be convicted of any felony misdemeanor or other disgraceful conduct or shall have committed any fraud with respect to the claiming obtaining or receiving such allowance compensation remuneration or superannuation or shall conceal his enjoyment of the same for the purpose of evading the provisions of this Act or shall assume a false name or make a false statement as to his place of residence for the same or any other fraudulent purpose such person shall in addition to any other punishment to which he may be by law liable forfeit at the pleasure of the Governor for the time being the whole or any part of such allowance compensation remuneration or superannuation.

26. And be it enacted That all fines imposed on any Chief or other Constable under this Act and all penalties or portions of penalties and damages awarded to any Chief or other Constable or other person appointed under this Act by any Justice or Justices of the Peace on any summary conviction as the prosecutor of any information or otherwise shall be paid to the Colonial Treasurer of the said Colony to be by him applied and set apart towards a fund to be called "The Police Reward Fund" out of which shall be paid to the Chief Constables and Constables appointed under this Act or to the widows and families of any such persons after their death such rewards gratuities bounties pensions and other allowances as may be directed by any rules or regulations to be for that purpose from time to time established and promulgated by the Governor and Executive Council of the said Colony.

27. Provided always and be it enacted That when any action For protection of Constables. shall be brought against any Constable for any act done in obedience to the warrant of any Magistrate such Constable shall not be responsible for any irregularity in the issuing of such warrant or for any want of jurisdiction in the Magistrate issuing the same and such Constable may plead the general issue and give such warrant in evidence and upon producing such warrant and proving that the signature thereto is the handwriting of the person whose name shall appear subscribed thereto and that such person is reputed to be and acts as a Magistrate possessing jurisdiction in the case and that the act or acts complained of were done in obedience to such warrant the jury who shall try the said issue shall find a verdict for such Constable and such Constable shall recover his costs of suit.

28. And be it enacted That it shall be lawful for the Governor Surplus of Reward Fund how to be applied. for the time being to direct that any surplus of the Police Reward Fund which may at any time remain after due provision for all lawful claims thereon shall be applied in payment of any pensions superannuations or allowances which may have been granted under the

Colonial Police.

provisions of this Act and to charge on the General Revenue of the said Colony any sum or sums which after applying such surplus as aforesaid and the sums arising from the deduction to be made as aforesaid from the pay of the Constabulary Force shall still be required for the payment of the pensions or superannuations which may at any time be due and payable as aforesaid.

Magistrates &c.
appointed previous
to passing of this
Act.

29. Provided always and be it enacted That all Police Magistrates Magistrates Superintendents of Police or other persons having the management or control of the Constabulary or any portion of the Constabulary in this Colony and also all Inspectors of Police Chief Constables Constables and other Peace Officers whosoever appointed and acting at the time of the passing of this Act shall and they are hereby respectively authorized and required notwithstanding the passing of this Act to continue to discharge and execute their several duties and offices with the like powers privileges and authorities and subject to the like obligations restrictions liabilities directions and regulations as heretofore until it shall be notified by a notice to be inserted in the *New South Wales Government Gazette* by the Inspector General to be appointed under this Act that the Constabulary Force for the said Colony or for any portion or district thereof named in such notice is fully organized according to the provisions of this Act and upon such notification the appointment and offices of all such Police Magistrates Magistrates Superintendents of Police and other persons as aforesaid appointed or acting within any such district so far as the same shall relate to the supervision or control of the Constabulary Force or any portion thereof or be otherwise incompatible with the provisions of this Act or any regulation made in pursuance thereof and the appointments and offices of all Inspectors of Police Chief Constables Constables or other Peace Officers whomsoever appointed or acting within any such district shall become and be void and they shall severally discontinue acting under any act usage or regulation now in force and all houses outhouses appurtenances horses arms accoutrements saddles bridles clothing books papers and appointments articles and things whatever rented held or provided for the use or accommodation of the present Police Force shall be applied transferred and employed and converted to the use and accommodation of the Constabulary Force so organized and the right property and interest therein shall immediately upon such notification vest in the Inspector General for the time being appointed under this Act.

Portions of certain
Acts repealed.

30. And be it enacted That from and after a notice to be published in manner aforesaid that the Constabulary Force for the entire Colony or for the portion thereof named in such notice is fully organized according to the provisions of this Act so much of the following Acts as in any manner relates to the appointment control or supervision of the Constabulary Force of the said Colony or of the portion thereof named in such notice or is otherwise incompatible with the provisions of this Act shall be repealed so far as regards the portion of the Colony named in such notice that is to say an Act passed in the fourth year of His late Majesty King William the Fourth intituled "An Act for regulating the Police in the Town and Port of Sydney and for removing and preventing Nuisances and Obstructions therein" and an Act passed in the second year of Her present Majesty's reign intituled "An Act for regulating the Police in the Towns of Parramatta Windsor Maitland Bathurst and other Towns respectively and for removing and preventing Nuisances and Obstructions and for the better alignment of Streets therein" and an Act passed in the eleventh year of Her said Majesty's reign intituled "An Act to amend the Act for regulating the Police in the Towns of Parramatta Windsor Maitland Bathurst and other Towns respectively

4 Wm. IV. No. 7.

2 Vic. No. 2.

11 Vic. No. 44.

Sydney Benevolent Society.

“tively and for removing and preventing Nuisances and Obstructions
“and for the better alignment of Streets therein.”

31. Provided always and be it enacted That nothing in this ^{Proviso retaining in} ~~force~~ ^{4 Vic. No. 27} Act contained shall be deemed or construed to affect or repeal the provisions of an Act passed in the fourth year of Her Majesty's reign intituled “*An Act for the further and better regulation and government of Seamen within the Colony of New South Wales and its Dependencies and for establishing a Water Police*” and an Act passed in the seventh year of Her said Majesty's reign intituled “*An 7 Vic. No. 21. Act to amend an Act intituled 'An Act for the further and better regulation and government of Seamen within the Colony of New South Wales and its Dependencies and for establishing a Water Police' and further to amend the Law relating to the government of Seamen in the Merchant Service.*”

32. And be it enacted That from and after the passing of this ^{13 Vic. No. 32 and} ~~the Regulations founded thereon~~ ^{repealed.} Act the following Act passed in the thirteenth year of Her Majesty's reign and all regulations founded thereon shall be and the same is and are hereby repealed that is to say “*An Act to authorize the imposition of Fines on Members of the Police Force throughout the Colony of New South Wales and to establish a Fund to be called the Police Reward Fund*” Provided always that all sums of money now in the hands of the Colonial Treasurer of the said Colony for and in respect of the Police Reward Fund by the said Act created shall go to form and be transferred to the Police Reward Fund named in this Act and be dealt with and appropriated accordingly And provided further that any penalty or penalties incurred under the provisions of the said Act shall and may be recovered and appropriated as directed in this Act.