

No. VIII.

An Act to prohibit the Aboriginal Natives of New South Wales from having Fire Arms or Ammunition in their possession without the permission of a Magistrate. [11th August, 1840.]

ABORIGINALS FIRE
ARMS REGULATION.

WHEREAS in some parts of the Colony of New South Wales the aboriginal natives have obtained possession of fire arms and it is considered dangerous to the public security to allow the said aboriginal natives to have keep or use any description of fire arms or ammunition except as hereinafter excepted Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof That from and after the passing of this Act it shall not be lawful for any aboriginal native or half-caste usually abiding with such natives to have or keep any kind of fire arms or ammunition unless with the written permission of any Justice of the Peace resident in the district which any such aboriginal native or half-caste shall usually frequent.

Preamble.

No aboriginal native or half-caste usually abiding with such natives to have or keep any description of fire arms or ammunition without permission of a Justice.

2. And be it enacted That it shall and may be lawful for any constable within the said Colony or any free person whatsoever to obtain or take from any such aboriginal native or half-caste not holding such permission as aforesaid every kind of fire arms or ammunition which any such person may have and lodge the same with the Police Magistrate of the district in which such fire arms or ammunition shall be so obtained or taken Provided that no personal violence be used towards any such aboriginal native or half-caste further than may be absolutely necessary for obtaining or taking such fire arms or ammunition as aforesaid.

Any constable or free person may obtain or take from any such native or half-caste any fire arms or ammunition which he may have provided no unnecessary violence be used.

3. And be it enacted That it shall not be lawful for any person to give or lend to any aboriginal native or any half-caste usually abiding with such natives not holding such permission as aforesaid any gun musket pistol or any kind of fire arms or ammunition whatsoever and if any person whosoever shall give or lend to any aboriginal native or half-caste not holding such permission as aforesaid any gun musket pistol or any kind of fire arms or ammunition whatsoever he or she shall for every such offence forfeit and pay a penalty of not less than ten pounds nor more than twenty-five pounds to be recovered before any one or more Justice or Justices of the Peace for the said Colony.

Penalty on persons giving or lending fire arms or ammunition to any aboriginal native or half-caste usually abiding with such natives.

Postage.

Recovery and appro-
priation of fines.

4. And be it enacted That all fines to be recovered under this Act shall be proceeded for and levied in the manner provided by an Act of the Governor and Legislative Council of the said Colony 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*" and shall be paid to the use of Her Majesty Her Heirs and Successors for the public uses of the said Colony and in support of the Government thereof.

5 Wm. IV. No. 22.

Act not to extend to
New Zealand.

5. And be it enacted That nothing in this Act contained shall extend or be construed to extend to that part of the Territory of New South Wales called New Zealand.
