

*Party Processions Prevention.*

ANNO DECIMO

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. I.

An Act to prevent for a limited time Party Pro-  
cessions and certain other public Exhibitions  
in the Colony of New South Wales. [27th  
October, 1846.]

PARTY PROCESSIONS  
PREVENTION.

WHEREAS there are in the Territory of New South Wales various societies or associations whereof some partake or are supposed by many persons to partake of a political character And whereas it is to be apprehended that any procession or meetings distinguished by any emblem expressive of party feelings or political events may create religious and political animosities between different classes of Her Majesty's subjects and are also calculated to occasion riots tumults and breaches of the public peace and it is highly expedient and necessary to guard against the same 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 commencement of this Act any body of persons who shall meet and parade together or join in procession or who shall assemble in any public-house tavern or other place within the Colony for the purpose of celebrating or commemorating any festival anniversary or political event relating to or connected with any religious or political distinctions or differences between any classes of Her Majesty's subjects or of demonstrating any such religious or political distinction or difference and who shall bear wear or have among them any fire-arms or other offensive weapons or shall have publicly exhibited any banner emblem flag or symbol the display whereof may be calculated to provoke animosity between Her Majesty's subjects of different religious persuasions or who shall be accompanied by any music of a like nature or tendency shall be and be deemed to be an unlawful assembly and every person present thereat shall be and be deemed to be guilty of a misdemeanor and shall upon conviction thereof be liable to be punished accordingly Provided that nothing in this Act contained shall extend to any procession or assemblage held in the course of any election of any Member to serve in the Legislative Council of New South Wales.

Preamble.

What processions or assemblies shall be unlawful.

Proviso.

2. And be it enacted That any Justice or Justices of the Peace shall and may proceed with such assistance as shall be necessary to the place where any procession or meeting of persons hereby declared to be unlawful shall be held or take place and such Justices or one of such Justices or some other person by their or his order shall then and there read or repeat aloud to the persons so assembled a command or notice to disperse in the words or to the effect following—(that is to say)—

Justices to disperse such processions or assemblies.

“ Our

*Sydney Coal Delivery.*

“ Our Sovereign Lady the Queen doth command and charge all  
 “ persons being here assembled immediately to disperse themselves  
 “ and peaceably to depart upon the pains contained in the Act of the  
 “ Governor and Legislative Council of New South Wales passed in the  
 “ tenth year of the reign of Her Majesty Queen Victoria intituled ‘ *An*  
 “ ‘ *Act to prevent Party Processions and certain other public exhibitions*  
 “ ‘ *in the Colony of New South Wales.*’ ”

Persons refusing to  
 disperse to be appre-  
 hended and punished.

3. And be it enacted That the persons so met and assembled together shall forthwith disperse and depart and in case any one or more of the persons so met or assembled together as aforesaid shall not disperse and depart within the space of one quarter of an hour from the time of such notice or command being given it shall be lawful for the same Justice or Justices who shall have read such command or notice or any other Justice or Justices of the Peace to cause the person or persons so refusing or neglecting to disperse or depart to be apprehended by a warrant for that purpose to be signed by him or them and such offender or offenders shall thereupon be proceeded against in a summary way for such offence before any two or more Justices of the Peace before whom he or they may be brought and such Justices are hereby authorized to hear and determine the complaint and every person convicted thereof on the oath of one or more credible witness or witnesses shall be committed to any gaol or house of correction and there be imprisoned for any time not exceeding one calendar month and for a second or any subsequent conviction against the provisions of this Act for any time not exceeding three calendar months.

Commencement and  
 duration of Act.

4. And be it enacted That this Act shall commence and take effect from and after the passing thereof and shall thenceforward continue in force for three years but no longer.