

## No. XXIX.

An Act to amend an Act intituled “ *An Act for* FINES CHARITABLE APPLICATION.  
“ *the more effectual appropriation of Fines and*  
“ *Penalties in certain cases in the Colony of*  
“ *New South Wales.*” [2nd October, 1847.]

**W**HEREAS by an Act of the Governor and Legislative Council Preamble.  
of New South Wales intituled “ *An Act for the more effectual* 2 Vic. No. 23.  
“ *appropriation of Fines and Penalties in certain cases in the Colony*  
“ *of New South Wales*” passed in the second year of the reign of Her  
present Majesty provision was made for the appropriation in this  
Colony of certain fines and penalties which in England are directed by  
certain statutes to be paid for the use of the poor of any parish town-  
ship or other place And whereas there are certain other laws and  
statutes in force within the realm of England and which are also appli-  
cable to the said Colony and which direct the appropriation of fines  
forfeitures and penalties for the use of the general rates of the county  
riding or division in which the township or place is situated and it is  
expedient that such fines forfeitures and penalties should be paid in  
like manner as prescribed by the said recited Act of Council Be it Appropriation of  
fines and penalties  
under Acts of Par-  
liament adopted in  
New South Wales.  
therefore enacted by His Excellency the Governor of New South Wales  
with the advice and consent of the Legislative Council thereof That  
whenever any law or statute that is or shall be in force within the  
realm of England and which shall be in other respects applicable to  
the said Colony or which shall have been or shall be adopted in the  
said Colony shall direct the appropriation of any fine forfeiture penalty  
or sum of money or any part thereof to be paid to the overseers of the  
poor for the use of county or other rates or to any person or persons or  
for any purpose or purposes inapplicable to the state or circumstances  
of the said Colony the same shall be and is hereby required to be paid  
at the discretion of the Justice Judge or Court imposing the fine for-  
feiture or penalty to the treasurer or other authorized officer of any  
benevolent or charitable institution established or to be established in  
any district of the said Colony for the relief of such poor persons as  
through age accident or infirmity are unable to support themselves  
Provided that in any district except as hereinafter provided in which  
there is no such benevolent or charitable institution the same shall be  
paid towards the support of the Benevolent Asylum in the City of Sydney  
Provided also that all fines forfeitures or penalties which may be levied  
in those parts of the District of Port Phillip where no such institution  
exists shall be paid towards the support of the Melbourne Hospital.

2. Provided always and be it enacted That nothing herein con- Not to affect the  
Royal prerogative.  
tained shall abridge or interfere with Her Majesty’s prerogative and  
provided also that it shall be lawful for the Governor of the said Colony  
(whenever he shall see fit) to remit the whole or any part of any of  
such fines forfeitures or penalties and every such fine forfeiture or  
penalty so remitted shall become null and void any conviction suit or  
other proceeding to the contrary notwithstanding.