



1846.

No. 5.

ORDINANCE enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof.

To amend " An Ordinance to allow the Aboriginal Inhabitants of South Australia, and the parts adjacent, to give information and evidence without the sanction of an oath."

[23rd July, 1846.]

*Repealed by
No 3 - 1848*

WHEREAS the beneficial operation of the Ordinance herein-
after mentioned has been hindered by the proviso which it is now
deemed expedient to repeal :

Preamble.

BE IT THEREFORE ENACTED, by the Governor of South Australia, with the advice and consent of the Legislative Council thereof—That an Ordinance passed on the twelfth day of August, one thousand eight hundred and forty-four, intituled " An Ordinance to allow the Aboriginal Inhabitants of South Australia, and the parts adjacent, to give information and evidence without the sanction of an oath," in so far only as it provides, "that no person, whether an Aboriginal or other, shall be convicted of any offence by any Justice or Jury upon the sole testimony of any such uncivilized persons" as therein mentioned, shall be and the same is hereby repealed.

*No. 8, 1844.
Repeal of Proviso in
section 5.*

II. PROVIDED

No person shall suffer
death on the sole un-
sworn testimony of
Aboriginal Natives.

II. PROVIDED ALWAYS, AND BE IT ENACTED, that no person, whether Aboriginal Native or other, shall be adjudged to suffer death or sentenced to transportation upon conviction of any offence upon the sole unsworn testimony of such uncivilized persons.

FREDK. H. ROBE,
Lieutenant Governor.

*Passed the Legislative Council, this Twenty-
third day of July, One Thousand
Eight Hundred and Forty-six.*

W. L. O'HALLORAN,
Clerk of Council.