



1849.

No. 4.

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

To amend Ordinance No. 3 of 1848, "To Facilitate the Admission of the Unsworn Testimony of the Aboriginal Inhabitants of South Australia, and the Parts adjacent."

[25th July, 1849.]

WHEREAS by an Ordinance of the Governor of South Australia, with the advice and consent of the Legislative Council thereof, passed on the Twenty-First day of July, One Thousand Eight Hundred and Forty-Eight, "To Facilitate the Admission of the Unsworn Testimony of the Aboriginal Inhabitants of South Australia, and the Parts adjacent," it was *inter alia* (Sect. 6) "Provided that no person, whether Aboriginal Native or other, shall be convicted of any offence, in respect whereof he may be adjudged to suffer death or transportation, upon the sole unsworn testimony of any such uncivilized person or persons (as therein mentioned): Provided nevertheless that it shall not be necessary to a conviction in any case, that the testimony of such uncivilized person or persons shall be corroborated as to any particular fact, by other evidence relating to the same fact:" And whereas it is expedient that the before-recited provisions should be repealed:

Preamble.

No. 3 of 1848.

Sec. 6. Particular Provisions as to corroboration in cases of unsworn testimony.

Be

Repealed.

~~The [unclear]
Legis [unclear]~~

Be it therefore Enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof, That from and after the passing hereof, the before-recited provisions shall be and the same are hereby repealed : Provided always that the said Ordinance shall in all other respects remain in full force.

H. E. F. YOUNG,
Lieutenant-Governor.

*Suppose as aboriginals found
it is a worthy of belief
then their evidence the
same as if any other
evidence.*

Passed the Legislative Council, this
Twenty-fifth day of July, One
Thousand Eight Hundred and
Forty-nine.

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