



ANNO TRICESIMO

VICTORIÆ REGINÆ.

A.D. 1866.

No. 6.

An Act to amend the "Botanic Garden Act."

[Assented to, 8th November, 1866.]

WHEREAS by the "Botanic Garden Act" it is provided that Preamble.
the Board of Governors of the Botanic Garden shall have full power, with the consent of the Governor and Executive Council, to make by-laws for providing (amongst other things) for the safety and preservation of the public property in such Garden, and for repressing such impropriety in the conduct of visitors as may tend to immorality, profanity, injury, a breach of the peace, or the discomfort of other visitors, and otherwise for the more regular and efficient government of the said Garden: And whereas, in pursuance of the powers in that behalf in the said Act contained, the said Board of Governors, with the consent of the said Governor and Executive Council, have made certain by-laws for the purposes before mentioned: And whereas it is expedient to make further provisions for more effectually enforcing the said or any future by-laws—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this Parliament assembled, as follows:

1. Any person who shall commit any offence against any by-law heretofore made as aforesaid and contained in the Schedule hereto, or any by-law hereafter to be made by the said Board, "The Governors of the Botanic Garden," under the powers in that behalf in the said Act contained, or against any of the provisions of the said Act, may be forthwith apprehended, without warrant, by any constable or other peace

Persons offending against by-laws may be apprehended without warrant.

Botanic Garden Act Amendment Act.—1866.

peace officer, or by any of the officers or servants employed by the said "The Governors of the Botanic Garden," and shall be taken before some Justice of the Peace to be dealt with according to law.

Prosecution of offences.

2. In any indictment, information, or complaint for any offence committed upon or in respect of any property, money, goods, chattels, or effects under the management or control of "The Governors of the Botanic Garden," it shall be sufficient to state or allege the property, money, goods, chattels, or effects to belong to, and any offence to have been done or committed with the intent to injure or defraud "The Governors of the Botanic Garden," without any further or other name, addition, or description whatever.

By-laws in schedule to be law.

3. The by-laws contained in the said Schedule hereto shall have the force of law until rescinded or altered under the provisions of the said "Botanic Garden Act," and a copy of the *South Australian Government Gazette*, purporting to contain a copy of any by-laws hereafter to be made under or by virtue of such Act, shall be *prima facie* evidence of the lawful existence of such by-laws.

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.

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THE SCHEDULE.

*By-laws for the safety and preservation of public property in the Public Botanic Garden,
and for other purposes.*

1. The garden is open in winter during daylight ; in summer, from six o'clock a.m. to sunset, except on Saturday, when it is closed at four o'clock, p.m. ; on Sunday it is open from two to five o'clock.

2. Persons above fourteen years of age, sober and of decent dress and conduct, and not accompanied to the gate by a dog are admissible. Children cannot be admitted unless attended by a proper protector, with whom they shall remain while in the garden.

3. No visitor shall be allowed to smoke, to touch the plants, tallies, or animals, to step on the beds, borders, seats, or edges of the grass plats, to obstruct the footpaths, to deface the erections, enclosures, cages, seats, or ornaments, to throw stones or other substances, to tease or let loose the animals, or to give them improper food or noxious or injurious substances, to engage in any sport or game, to intrude upon any part enclosed or marked private, to get over or under any gate or fence, or through any hedge, to be in the garden at unauthorized times, to open the conservatories, to annoy other visitors, to use indecent, profane, or insulting language, to convey flowers, parcels, bottles, or guns into the garden, without permission from the person in charge, or to detain the gardeners by conversation.

4. Visitors shall leave the garden by the nearest path at the time of closing, which is notified by the ringing of a bell.

5. Any person infringing any of the above regulations, shall, in addition to the penalties prescribed by law, immediately leave the garden when requested to do so by the person in charge, and not complying, may be forcibly ejected.

6. Dogs, goats, and fowls found in the garden may be destroyed.

7. Theft, wilful damage, and immoral conduct and language, will be punished with the utmost rigour of the law.