



# WESTERN AUSTRALIA.

ANNO QUADRAGESIMO

# VICTORIÆ REGINÆ.

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No. X.

AN ACT to make provision for the punishment of Masters of Vessels in certain cases.

[Assented to, 12th September, 1876.]

**W**HEREAS divers persons are, and are likely to be, brought into the Colony at the expense of other persons, in consideration of their agreement to serve such other persons or to remain in the Colony for an agreed term, or otherwise to re-pay the expenses connected with their being brought into the Colony, and it is expedient to provide for the punishment, in certain cases, of masters of vessels who, before the expiration of such term, or re-payment of such expenses as aforesaid, suffer such persons to embark or remain in their vessels for the purpose of leaving the Colony therein; Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

**1** THE master of any vessel, who, with notice of the provisions of this Act, and after being served with a notice addressed to him and

Preamble.

Masters of vessels taking certain persons out of the Colony after receiving cer-

## 40° VICTORIÆ, No. 10.

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### *Punishment of Shipmasters for taking certain Passengers.*

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tain notices with regard to such persons, guilty of offence.

Penalty.

Power to master of vessel to refuse to carry any person named in notice.

signed by any Justice of the Peace or principal officer of customs, to the effect that any person who contemplates leaving the Colony in such vessel is under an engagement to serve some other person, or to remain in the Colony for some unexpired term, not exceeding three years, or in the event of his breaking such engagement, to pay to some person any sum of money, and that such sum of money has not been paid, shall nevertheless suffer such person to embark or remain in his said vessel for the purpose of leaving the Colony therein, shall be guilty of an offence; and such master, on conviction of any such offence in a summary manner before two Justices of the Peace, shall forfeit and pay any sum not exceeding Fifty pounds.

2 IT shall be lawful for any such master as aforesaid, after receiving any such notice as aforesaid, to refuse to carry any person named in such notice, notwithstanding any obligation he may otherwise be under to do so; And in any action, suit, or proceeding that may be brought against such master in consequence of his said refusal, it shall be competent for him to plead in bar thereof that he was served with such notice as aforesaid, and that the party complaining was the person named in such notice. Such person may nevertheless recover from such master as aforesaid one-half of any passage money paid by him for a passage in such vessel.

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

WILLIAM C. F. ROBINSON, Governor.