



WESTERN AUSTRALIA.

ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

NO. VI.

AN ORDINANCE for Licencing Carriages in the Town of Fremantle.

[3rd August, 1868.]

WHEREAS it is expedient to impose licence fees upon Carriages in the Town of Fremantle, and to apply such fees in and towards the improvement of such town ; Be it therefore 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 :—

Preamble.

1 THE Ordinances of the Legislative Council No. 14 of 1850, and No. 2 of 1854, in as much only as they apply to the said town of Fremantle, are hereby repealed.

No. 14, of 1850, and No. 2, of 1854, repealed as to Fremantle.

2 IT shall not be lawful for any person residing in the said town of Fremantle to keep and use therein any carriage described in Schedule 2 of this Ordinance, and not therein stated to be exempted, who shall not have been licenced to keep and use the same under the provisions of this Ordinance; and if any such person shall after the thirty-first day of December next, keep and use in such town any such carriage, without

All carriages to be licensed.

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being duly licenced as aforesaid, every such person shall forfeit and pay any sum not exceeding Ten pounds, upon conviction before one or more Justice or Justices of the Peace; and every such offender shall also be liable on such conviction, to the payment of the full fees payable in respect of every carriage so kept and used by such person, over and above the said penalty.

License issued by Chairman
of Town Trust.

3 EVERY person residing in the said town of Fremantle, desirous of procuring a licence under this Ordinance shall apply in writing, Schedule 1, to the Chairman of the Town Trust of Fremantle for such licence, stating in such application the number and description of carriages kept and used by such person, and intended to be licenced, and whether to be used to ply for hire and the carrying of passengers and goods, and also the number of passengers and name of the driver; and shall at the time of making such application pay to the said Chairman the sum or sums set forth in Schedule 2 to this Ordinance, as the proper fees to be paid in respect of the carriage or carriages described in any such application; and every such annual licence shall be in force on and after the date thereof and until the thirty-first day of December inclusive in each year; and upon receipt of such application, and the said sum or sums of money, the said Chairman shall in all cases other than of Carriages to be used to ply for hire and the carrying of passengers and goods, issue an annual licence in the form in Schedule 3 to this Ordinance, to the person named in such application as aforesaid; And in the case of a Carriage to be used to ply for hire and the carrying of passengers and goods, the licence shall be in the form in Schedule 4 to this Ordinance, stating therein the name of the intended driver, the number of passengers and the quantity of luggage which upon inspection of the said vehicle the same shall appear qualified and able to carry without danger to the passengers or cruelty to the horses; And the said Chairman may on application authorize a change of driver, and may from time to time insert the name of such newly appointed driver in such licence.

License for broken period.

4 IT shall be lawful for the said Chairman, after the thirty-first day of March in each year, to grant a licence under this Ordinance for any broken period of the year ending the thirty-first day of December, upon payment of a proportionate amount for the same, not being less than one-fourth the full amount of fees payable for the entire year.

Licence may be transferred.

5 IF any person licenced under this Ordinance shall die before the expiration of the term of his licence, or shall be

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desirous of transferring his licence to any other person, it shall be competent for such Chairman to transfer such licence by endorsement to the executor or administrator of the person so dying, or to the appointee of the person so desirous of transferring as aforesaid, upon payment of a fee of one shilling for such transfer.

6 IT shall be lawful for any two or more Justices of the Peace to declare void the licence of any person residing in the said town of Fremantle and there keeping and using a carriage in the course of trade, or to be let out for hire, who upon complaint made and proof before such Justices on oath, shall be found guilty of dishonest or other improper conduct, and such licence shall thereupon be null and void. Licences may be declared void.

7 ALL sums received for licences and for transfers of licences, and all sums arising from any penalties or forfeitures, under this Ordinance, shall be paid to the said Chairman, and be by him applied in Fremantle aforesaid, in and towards the purposes of the Ordinance intituled *An Ordinance to provide for the Improvement of Towns in the colony of Western Australia.* Application of fees and penalties. 14 v. 15.

8 THIS Ordinance shall come into force and take effect on and after the First day of January next after the passing hereof. Date of operation.

9 IN referring to this Ordinance it shall be sufficient to use the expression "The Fremantle Carriage Ordinance, 1868." Short title.

10 THE provisions of the Ordinance No. 12 of 1866, regulating the inspection, fitness and approval of the vehicle and driver respectively, shall, together with the general enactments of the said Ordinance, be applicable to the licences hereby authorized as if the said provisions were herein repeated. 30th Vic., No. 12.

J. S. HAMPTON,

GOVERNOR AND COMMANDER-IN-CHIEF.

(L.S.)

*Passed the Legislative Council, }
this 3rd day of August, 1868. }*

G. E. HAMPTON,
Clerk of the Council.

SCHEDULE

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SCHEDULE 1.

To the Chairman of Fremantle Town Trust,—

I hereby apply for a Licence under "The Fremantle Carriage Ordinance, 1868," for a [*describe the vehicle; and if used to ply for hire and the carrying of passengers and goods, state the number of passengers and name of the driver.*]

Dated, &c.

A. B.

SCHEDULE 2.

FEES PAYABLE ANNUALLY ON LICENCES.

	£	s.	d.
For every carriage, cart, or other vehicle drawn by horse, pony, ass, mule, bull, or bullock	10	0	
For same when kept to ply for hire, or to carry passengers or goods in the course of trade, or to be let out to hire	1	0	0

EXEMPTIONS.

1. Any Cart or Carriage belonging to Her Majesty or The Governor.
2. Any Carriage belonging to an officiating Minister of Religion.

SCHEDULE 3.

LICENCE.

Whereas (*A. B.*) the owner of a certain Carriage being a (*here insert the kind of Carriage*) has applied to me to grant him a licence to keep and use such Carriage; and I have this day received the sum of money payable under "The Fremantle Carriage Ordinance, 1868," in respect of such carriage, I do therefore hereby grant to the said (*A.B.*) a licence to keep and use the said Carriage until the first day of January next ensuing. Given under my hand this

day of 18

C.D. Chairman, Fremantle Town Trust.

SCHEDULE 4.

(*A.B.*) is hereby licenced to keep, employ, and let to hire for the carriage of passengers a [*here describe the vehicle*] to be drawn by [*number of horses or other animals*] and to carry [*number of passengers and lbs weight of luggage*] such vehicle to be driven by [*here insert the name and description of driver*] and this licence will remain in force until the 31st day of December next. Given under my hand this

day of 18

C.D. Chairman Fremantle Town Trust.