



# WESTERN AUSTRALIA.

ANNO V. CESIMO OCTAVO

# VICTORIÆ REGINÆ.

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No. XII.

AN ORDINANCE to amend the "Police Ordinance,  
1861."

[11th July, 1864.]

**W**HEREAS it has been found expedient to extend the right of appeal allowed by the Ordinance entitled "An Ordinance for consolidating and amending the Laws relating to the Police in Western Australia, and for removing and preventing Nuisances and Obstructions therein," and otherwise to amend the said Ordinance; 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.** IN every case of summary order, conviction, or award imposed or made by or before any Justice or Justices under the said recited Ordinance, any person who shall feel himself aggrieved by the order, conviction, or award, may appeal to the Supreme Court of the said Colony at any sitting thereof held within Six calendar months after such order, conviction, or award ; Provided that written notice of such appeal be given by the appellant to the Justice or Justices from whose order, conviction, or award such appeal shall be made, within

Appeal extended to all fines &c., and imprisonments.

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seven days after such order, conviction, or award, and that such appellant deposit with such Justice or Justices such sum as such Justice or Justices shall deem sufficient, not exceeding ten pounds, for the purpose of securing the costs of such appeal, or enter into a recognizance to that amount with two sufficient sureties, conditioned personally to appear at or before the Supreme Court to try such appeal, and to abide the further judgment of such Supreme Court, and to pay such costs as shall be by such Court awarded, and the Justice or Justices by whom such order, conviction, or award shall have been made shall bind over the witnesses who shall have been examined, in sufficient recognizances, to attend and be examined at the hearing of such appeal, and every such witness shall be allowed compensation for his time, trouble, and expences in attending the appeal, to be paid in the first instance by the Colonial Treasurer, in like manner as witnesses attending to give evidence on Criminal trials are paid, and in case the appeal shall be dismissed, and the order, conviction, or award affirmed, the reasonable expences of all such witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the Local Government by the appellant.

Certiorari restored.

2. Any order, judgment, warrant, or other proceedings made or purporting to be made under or concerning the conviction of any offender against the said recited Ordinance, may be removed by certiorari, or by any other writ or process, into the Supreme Court, anything in the said recited Ordinance contained to the contrary notwithstanding.

Persons annoying foot passengers.

3. THE Sixteenth paragraph of the fifty ninth section of the said recited Ordinance is hereby repealed, and the following section substituted therefor:

EVERY person who shall stand or loiter about to the annoyance of the passers by, or who shall interfere with or impede the free passage of foot passengers.

J. S. HAMPTON,

GOVERNOR AND COMMANDER-IN-CHIEF.



*Passed the Legislative Council,  
this 11th day of July, 1864*

G. E. HAMPTON,

*Clerk of the Council.*