



WESTERN AUSTRALIA.

ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

No. 9.

**An Ordinance to regulate Eating Houses
and Boarding Houses.**

WHEREAS it is expedient that all public Eating Houses and Boarding Houses should be under the full control of the Justices of the Peace;—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, that from and after the first day of August next following, in the present year, any person, not being a Licensed Publican, keeping a

Must have license. Boarding House or Eating House open to the public, without having first obtained a License for the same from the Police Magistrate or the Resident Magistrate of the district, shall be liable, on conviction thereof before a Justice of the Peace, for the first offence, to a penalty of twenty shillings, and on the second offence, to a penalty of forty shillings, and on any third or subsequent offence to imprisonment, with or without hard labour, for a period not exceeding one calendar month.

Penalty.

Constable may enter. II. AND it shall be lawful for any Constable if so directed by any Justice of the Peace, to enter any Boarding House or Eating House kept and licensed as aforesaid, and to enforce entrance, if the same be delayed, the same as he could if the house were a licensed Public House.

Drunken, riotous gamblers. III. AND it shall be lawful for the Constables to take into custody any riotous or intoxicated or illegally gambling person or persons within the said house or houses, and to bring the same before the Magistrate, to be dealt with as disorderly, riotous, or drunken persons, as the case may prove to be. It shall also be lawful for any Constable having a warrant for the apprehension of any person, to enter and search all such houses, and to break them open in case of any delay.

Search.

License up to New Year's Day. IV. AND the license shall continue in force until the first day of January next ensuing the date thereof, and no longer, and shall be granted in manner and form or to the effect following, that is to say :—

Form. *Take notice, you are to admit the Constables at all hours to enter and search for disorderly and bad characters.* } *I, A. B., Police or Resident Magistrate of the district of _____ in the colony of Western Australia, being fully satisfied on inquiry, that E. F. is a sober and trustworthy person, do hereby authorise him to keep a house open to the public, to be called the _____ and situate in _____*

Given under my hand and seal this _____ day of _____ 185

Fee. V. THAT for every such license so granted, two shillings and sixpence be paid to, and for the use of the Clerk of the Magistrate issuing such license.

VI. THAT sections A, B and F, of the Shortening Ordinance, No. 11 of 1853, shall be, and the same are hereby incorporated herewith.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Legislative Council, }
the 17th day of May, 1854. }*

A. O'GRADY LEFROY,
Clerk of the Council.