



## WESTERN AUSTRALIA.

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ANNO DECIMO NONO VICTORIÆ REGINÆ.

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No. II.

### An Ordinance to amend the Towns Improvement Amending Ordinance, 15th Victoria, No. 9.

**W**HEREAS an Ordinance was passed in the 15th year of her present Majesty Queen Victoria, No. 9, repealing an Ordinance, No. 26, 14th Victoria, and making other provisions in lieu thereof; and whereas it is expedient to amend some of those provisions, and to establish a more moderate scale of fines and punishments

ments than those therein contained;—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Council thereof, that clauses VI and VII of the said recited Ordinance be and the same are hereby declared to be repealed, and that the following do stand in lieu thereof as such clauses respectively, namely:—

VI. THAT if any person whatever, through negligence or carelessness, shall fire, or caused to be fired, any dwelling house, or out-house or houses, or other buildings, situate in any of the towns under the operation of this Ordinance, such persons, he, she, or they, being free persons, and being thereof lawfully convicted by the oath or oaths of some one or more credible witness or witnesses before two or more of Her Majesty's Justices of the Peace in Petty Sessions assembled, shall forfeit and pay a sum not exceeding thirty pounds, to be paid to the said bench of Magistrates, to be distributed among the sufferers by such fire, in such proportion as to the said bench of Magistrates shall seem just; and in case of default or refusal to pay the same immediately after such conviction, or at such time as the convicting Justices shall appoint, then, and in such case, such person shall, by warrant under the hand and seal of such Justices, be committed to the common gaol or house of correction, as the said bench of Justices shall deem fit, for a space not exceeding six calendar months, with or without hard labour, at the discretion of the said Bench; and if convicts, to be worked on the road or other public works for a period not exceeding twelve calendar months, with or without chains, at the discretion of the bench of committing Justices.

Six months, free man.

Twelve months, convict.

VII. THAT in every case in which it shall be made to appear to the satisfaction of any two or more Justices of the Peace for the said colony, that the chimney of any house or building within any of the limits of the said towns has taken fire from the occupier of any such house or building having omitted to cause such chimney to be regularly and sufficiently swept and cleaned, or from any other neglect of such occupier, or his or her servant or servants, such occupier shall, on conviction before any such Justices, forfeit and pay, for every such offence, any sum not exceeding forty shillings, to be recovered by distress and sale of the offender's goods and chattels; one moiety thereof to be paid to the person informing, and the remainder into the hands of the Colonial Treasurer, to be appropriated

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ted to the use of Her Majesty, her heirs and successors, for the public uses of the said colony, and the support of the Government thereof.

A. E. KENNEDY,

GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Legislative Council this }  
10th day of September, 1855. }*

A. O'GRADY LEFROY,

*Clerk of the Council.*