

Alignment of Streets in Towns

WESTERN AUSTRALIA

ANNO SEXTO DECIMO

VICTORIÆ REGINÆ

No. 16

An Ordinance to provide for the Removal of Boundary Posts in Towns, and for the substitution, under certain circumstances, of other Boundary Marks.

[Assented to 15th April, 1853.]

WHEREAS the boundary posts at present used in towns under the provisions of the Ordinance No. 8, 1844, have in many instances proved inconvenient and dangerous and are in some cases calculated to interfere with the enjoyment of private property: And whereas it is expedient to legalise the substitution, in certain cases, of other boundary marks of a less objectionable nature: 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:

Preambl

1. That from and after the passing of this Ordinance it shall and may be lawful for the Governor, by notice in writing addressed to the Surveyor-General from time to time, to require the removal of any such boundary post erected, or to be erected, in any town under the provisions of the said Ordinance, and also of any boundary mark made use of under the provisions of this Ordinance, and the substitution within a period to be named in such notice, of any more convenient boundary mark of the description and material specified in such notice, and whether such substituted boundary mark project above the ground or not: Provided that if any application be made to the Governor for the removal of such boundary post or mark, it shall be lawful for the Governor to require as a conditional precedent to his consent to application, that the applicant shall, at his cost, provide such other boundary mark to be substituted for the post or mark to be removed, as the Governor may deem expedient, and shall pay all expenses of such removal and substitution.

The Governor may require the removal of boundary posts, &c.

And the substitution of others

Persons applying for removal of posts, &c., may be required to pay all expenses of removal and substitution

2. That it shall and may be lawful for the Governor, from and after the passing of this Ordinance, by notice in writing addressed to the Surveyor-General, to require the use (after the receipt of such notice and within any town or towns to be therein named) of any other description of boundary mark which it may from time to time be deemed expedient to make use of, in lieu of the boundary posts required by the said Ordinance No. 8.

The Governor may require the use in future of boundary marks of any other description

3. That it shall be lawful for the Governor from time to time to authorise and direct the Surveyor-General to replace, in or as near as may be practicable to the original position, all or any boundary post or marks already erected, or to be erected, or used, and which may be

The Governor may authorise re-erection of posts, &c., displaced, and the substitution

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of other posts,
&c., in place of
posts which
may be injured
or destroyed

displaced; and also from time to time, in like manner, to renew or replace all boundary posts or marks erected or to be erected, which may be injured or destroyed, either with posts or marks of the like description and material as may from time to time be deemed advisable.

Boundary posts
or marks used
under this
Ordinance to be
considered as
boundary posts
erected under
8th Vic., No. 8

4. That all boundary posts or marks made use of under the provisions of this Ordinance shall be considered in all respects and every purpose as boundary posts or marks erected under the said Ordinance No. 8.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.
