



WESTERN AUSTRALIA.

ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

No. XXV.

An Ordinance to provide a more suitable mode of inflicting punishment for Drunkenness.

WHEREAS the present mode of inflicting punishment for Drunkenness by imprisonment in the Stocks, when the fine imposed is not paid, and the amount cannot be levied by distress, is unsuited to the climate and circumstances of this Colony, and it is expedient

to confer upon Justices of the Peace, individually, a discretionary power of imposing for such offence a greater fine than is at present permitted by law;—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 after passing of this Ordinance, it shall be lawful for any one Justice of the Peace to impose a fine of not less than five shillings nor more than twenty shillings upon any person convicted before him of the offence of drunkenness, and that if such fine shall not be paid either immediately, or at such time as the convicting Justice shall appoint it shall be lawful for such Justice, in his discretion, either to commit the offender at once to the nearest gaol or lock-up house for any time not exceeding seven days, with or without hard labour, for the first offence, and for any time not exceeding fourteen days, in like manner, for any subsequent offence, or to deal with such offender in the manner hitherto ordained by law; and that the fact of a previous conviction of the said offence may be proved by any person who was present thereat; and that any Justice of the Peace who shall twice or oftener convict the same individual of the said offence, shall or may lawfully enforce this Ordinance upon his own knowledge and official privity of and to any first or prior conviction of such individual without further or extrinsic evidence thereof.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Legislative Council, }
the 21st day of May, 1851. }*

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