

WESTERN AUSTRALIA

ANNO QUARTODECIMO

VICTORIÆ REGINÆ

No. 8

An Ordinance to regulate the Grazing of Cattle and certain  
other Stock kept in Towns.

[Assented to 2nd December, 1850.]

WHEREAS many persons resident in town sites are in the habit  
of sending milch cows and other stock to and from pasture  
through the streets, thoroughfares and other public places of such

*Cattle and Stock kept in Towns*

towns, thereby occasioning damage to the footpaths and roadways formed and maintained at the general expense of the inhabitants thereof: 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 from and after the first day of January next, any person who shall keep for seven days and nights consecutively within any town site having a town-trust in operation under any Ordinance constituting a trust for the improvement of such town, any cow, calf or other head of horned stock, or any number of sheep, lambs, goats or kids, amounting to a score or upwards, by confining the same at night in any yard or other enclosed place, and by driving or cause to be driven the same in the day time to and from pasture through any of the streets, thoroughfares or other public places of any of such towns as aforesaid without a written license or permission for that purpose first had and obtained from and under the signature of the chairman of such town-trust, shall, on conviction thereof, forfeit and pay for every such offence any sum not exceeding one pound.

Person keeping  
cattle or sheep,  
&c., and driving  
the same through  
a town to and  
from pasture  
must have a  
license from the  
chairman

Penalty

2. And be it enacted that every such license shall be in the form in the Schedule appended hereto, and shall be in force from the date thereof up to the thirty-first day of December then next following.

Form of license

3. And be it enacted that it shall be lawful for the chairman granting any such license to demand for the same the sum of five shillings for every head of cattle of or above twelve months old, which shall thereby be permitted to be kept, and half the said amount for every head above three months old and under twelve months, and the sum of five shillings for any number of sheep, lambs, goats or kids amounting to a score or upwards.

Price of license

4. And be it enacted that no additional or fresh license or permission shall be required merely on account of the change of any individual animal, provided the total number kept be not greater at any time than the number mentioned in the said certificate of permission.

No fresh license  
for change of  
animal

5. And be it enacted that it shall be lawful for any such chairman as aforesaid to grant a license or permission as aforesaid for any broken period of a year, on payment of a proportionate amount for the same, provided that such amount be in no case less than one half the full amount payable for the entire year.

License for a  
broken period

6. And be it further enacted, that all fines and penalties recovered under this Ordinance shall be paid and applied as follows, that is to say, one half thereof to the party or parties informing, and the other half thereof to the chairman of the trust of the town where the offence was committed, for the purposes hereinafter mentioned.

Application of  
fines

7. And be it enacted, that all informations and proceedings in respect of offences against this Ordinance shall be commenced within one calendar month next after the offences thereby respectively charged shall have been committed, and shall be heard and determined, and the penalties and forfeitures in respect of the same shall be enforced in a summary manner by any one or more Justice or Justices of the Peace according to the provisions of an Ordinance passed in the fourteenth year of the reign of Her present Majesty, intituled 'An Ordinance to facilitate the performance of the duties of Justices of the Peace out of

Limitation of  
proceedings

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*Cattle and Stock kept in Towns*

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Sessions in the Colony of Western Australia with respect to summary convictions and orders.'

Application of  
fees for licenses

8. And be it enacted, that all sums received by the chairman of any town-trust for licenses or on account of penalties under this Ordinance shall be by such chairman applied to the improvement of such town.

Proof of license

9. And be it enacted, that in any question touching the same it shall be incumbent on the party accused to prove that he or she has duly obtained a license under this Ordinance.

CHARLES FITZGERALD,  
GOVERNOR AND COMMANDER-IN-CHIEF.

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SCHEDULE

I certify that A.B. is hereby licensed to keep (*here certify the stock to be kept*) during the year ending 31st December, 18 , for which he paid the sum of

Dated,

*Chairman of the Town Trust of*

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