



WESTERN AUSTRALIA.

ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

No. XIV.

An Ordinance for Licensing Carts and Carriers.

WHEREAS it is expedient to make provision for the better regulation of Carts and Carriers carrying goods or passengers for hire, within the limits of certain town-sites;—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

Preamble.

Any person conveying goods or passengers for hire, &c. in a town, to have a license. Council thereof, that from and after the first day of January next, any person who shall convey by Cart between any two places within the limits of the town-sites of Perth, Fremantle, and all other town-sites to which the provisions of this Ordinance shall from time to time be extended, by proclamation in the *Government Gazette*, any goods or passengers for hire, any timber, firewood, stone, or other materials for sale, or who shall convey by Cart for sale or hire, into such town-site, from any place outside of the same, any timber, firewood, stone or other material, not being wool, sandal-wood, or agricultural or garden produce, without having first obtained such license for the same as is hereinafter mentioned and required, shall, upon conviction for every such offence, forfeit and pay any sum not exceeding Ten pounds.

Penalty.

How each license is to be procured. II. AND be it enacted, that any person desirous of procuring a license according to the provisions of this Ordinance, shall apply to the Justices of the Peace at the General Annual Licensing Meeting of the district in which such person shall be then resident, and it shall be lawful for the majority of Justices assembled at such meeting to grant to such persons as shall be approved of by them, a license in the form given in the schedule hereunto annexed; and that for every such license when authorizing the plying of a Cart to be drawn by one or more horse, or horses, bullock, or bullocks, there shall be paid a sum of One pound; and for every such license authorizing the plying of a Cart to be drawn by any pony or ponies, ass or asses, mule or mules, not exceeding twelve hands in height, there shall be paid a sum of five shillings, together with a fee of Two shillings and Sixpence to the Justice's Clerk, for each and any such license as aforesaid; and every license shall authorize the plying of one Cart only, and shall be in force from the date thereof until the first day of January then next ensuing, and no longer.

Price of licence.

License for a broken period. III. AND be it enacted, that it shall be lawful for any two or more Justices of the Peace in the said Colony, in Petty Sessions assembled, to grant a license for any town-site within their district, for any broken period of a year, upon 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.

IV. AND be it enacted, that every person so licensed to ply

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a Cart, shall keep his name and number of his cart legibly painted in letters not less than one inch in length, on the front rail or off side of the cart, or on a moveable board or plate attached to the said front rail or off side of the Cart which he shall ply under his license, and if any person so licensed, shall fail in this regulation, he shall on conviction, forfeit and pay for every such offence any sum not exceeding Forty shillings.

Name and number to be painted on the cart.
Penalty.

V. PROVIDED always and be it enacted, that if any person licensed under this Ordinance, shall die before the expiration of the term of his license, or shall be desirous of transferring his license to any other person or persons, it shall be competent for any two Justices of the Peace for the said Colony, to transfer such license by endorsement to the executor and administrator of the party so dying, or to the appointee of the person so desirous of transferring as aforesaid, upon payment of a fee of five shillings for such transfer.

License may be transferred.

VI. AND be it enacted, that the Justices shall from time to time cause to be published in the *Government Gazette* a list of the licenses or transfers of the licenses which they may issue under this Ordinance.

List of licenses to be published.

VII. AND be it enacted, that it shall be lawful for any two or more Justices of the Peace to declare void the license of any Carrier, who upon complaint made before them upon oath, shall be found guilty of dishonest and improper conduct, and cause such avoidance to be published in the *Government Gazette*, and such license shall upon such declaration be null or void.

Licenses may be declared void.

VIII. AND be it enacted, that it shall be lawful for any constable to examine any Cart, and demand an inspection of the license, and any person who shall refuse to permit such examination or inspection, shall, upon conviction, forfeit any sum not exceeding Forty Shillings.

Constable may examine any cart.

IX. 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.

Limitation of proceedings

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forced 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 Sessions in the colony of Western Australia, with respect to summary convictions and orders."

Application of penalties, &c.

X. AND be it enacted, that all sums received for licenses, (save and except Clerk's fees,) and for transfers of licenses under this Ordinance, and all sums arising from any penalties or forfeitures herein-before mentioned, shall, after deducting expenses, be paid to the Chairman of the trusts of the towns respectively where the said licenses or transfers of licenses may have been obtained, or where the said penalties and forfeitures may have been imposed and awarded to be applied towards the purposes of the Ordinance intituled "an Ordinance to provide for the improvement of towns in the Colony of Western Australia.

Definition of carts.

IX. AND be it enacted, that the term Cart in this Ordinance shall be taken to apply to any description of Cart, Waggon, or other vehicle having two or more wheels.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

Passed the Council, }
4th Dec., 1850. }

T. N. YULE,
Clerk of the Councils.

SCHEDULE.

LICENSE.

We hereby certify that _____ of _____ is licensed under the Ordinance 14th Vic., No. 14, to ply for hire one Cart, numbered _____ drawn by [here state the nature of the team] from the date hereof till the first day of January next ensuing, for which license he has paid the sum of £ _____

Given under our hands, this _____ day of _____ 18

J. P.
J. P.