

**WESTERN AUSTRALIAN
GOVERNMENT GAZETTE.**

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WESTERN AUSTRALIA.

ANNO SEPTIMO.

VICTORIÆ REGINÆ.

*By His Excellency JOHN HUTT, Esq.,
Governor and Commander-in-Chief in
and over the Territory of Western Aus-
tralia, and its Dependencies, and Vice-
Admiral of the same, with the advice
and consent of the Legislative Council
thereof.*

XV.

An Act to prevent the spreading of the infectious disease called the Scab in Sheep in the Colony of Western Australia.

Whereas it is expedient to prevent the spreading of the infectious disease called Scab or Mange in Sheep—Be it enacted by His Excellency the Governor of Western Australia, by and with the advice and consent of the Legislative Council thereof, that from and after the passing of this Act any proprietor or person having the charge or management of sheep who shall knowingly or wilfully turn out, keep, depasture, drive or conduct, or permit or cause to be turned out, kept, depastured, driven, or conducted, or shall carelessly or negligently suffer to stray, any Sheep or Lamb, infected with the disorder called Scab or Mange upon any land whatsoever except the land belonging to or farmed or rented, or occupied under licence, by such person, shall on conviction thereof before any one or more Justice or Justices of the Peace of the said Colony forfeit and pay for every such offence any sum not exceeding ten pounds, together with all reasonable costs and charges to be ascertained by the Justice or Justices before whom such conviction shall take place.

II. And be it enacted, that nothing in this Act shall be taken to apply to the driving of any such sheep or lambs either to or from any market or place of purchase or sale, or from any place where such sheep or lambs may have been imported to their grazing station, or from one grazing station to another belonging to or rented, or occupied by licence by the same individual—Provided always, that in every such case a cautionary notice shall have been given beforehand by the person so driving such sheep or lambs to the owner or occupier of any lands upon which there may be any flocks, apprising him of the day and time in which he intends to drive such sheep and lambs over such lands as aforesaid.

III. And be it enacted, that if any person shall wilfully set at large and abandon any sheep or lamb infected with the said disease called the scab to the danger of infecting other sheep with such disease, every person so offending shall be liable upon complaint made upon oath by any Proprietor or Overseer in charge of any sheep, and upon conviction before any one or more Justice or Justices of the Peace to forfeit and pay a penalty or sum not exceeding twenty pounds.

IV. And be it enacted, that if any proprietor or person having the charge and management of any sheep or lambs infected with the said disease shall permit or suffer such infected sheep or lambs to mix with the sheep or lambs of any other person, and thereby communicate the said disease to any such sheep or lambs of any such other person or persons, then and in every such case such proprietor or person having the charge or management of sheep or lambs so infected as aforesaid shall notwithstanding he shall have given any such notice as aforesaid be subject and liable over and above

any other penalty imposed by this Act to forfeit and pay to the person or persons to whose sheep or lambs such disease shall be so communicated such sum of money in the judgment and discretion of the Justice or Justices before whom complaint shall be made as shall be sufficient to reimburse such person or persons for the losses and expenses which he, she, or they shall have incurred or been put to thereby, so as that such sum shall not in any one case exceed the sum of fifty pounds; and such sum shall be recovered upon complaint brought by or on behalf of the injured person or persons and duly proved before any two or more Justices of the Peace in like manner as any fine or penalty imposed by this Act—Provided always, however, that every such complaint as last aforesaid shall be brought within three calendar months next after the cause of such complaint shall have arisen; and provided also, that no action or suit at law shall be brought in any court of the said Colony for or in respect of any loss, expense or damage which shall or may be incurred as aforesaid after the cause shall have been heard and determined in a summary way as hereby provided; and if any such action or suit shall be brought for such cause it shall be lawful for the defendant or defendants to apply to the Court wherein such action or suit shall be brought to stay proceedings, and such Court is hereby required to stay such proceedings accordingly, and to award such reasonable costs as shall be thereby incurred by such defendant or defendants.

V. AND be it enacted, that if any person convicted of any offence or offences, or adjudged to pay any sum under the provision of this Act by any Justice or Justices of the Peace as aforesaid, shall think himself or herself aggrieved by the judgment of such Justice or Justices, such person shall have liberty to appeal from any such conviction or judgment to the next Court of Quarter Sessions of the Peace.

VI. And be it enacted, that no conviction shall be had under this Act on any case which may have happened more than three months before the time of laying the complaint.

VII. And be it enacted, that all Fines, Forfeitures and Penalties imposed by this Act shall be sued for and recovered before one or more Justice or Justices of the Peace according to the provisions of the Act of Council to regulate the summary proceedings before Justices of the Peace.

VIII. And be it enacted, that this Act may be altered, amended or repealed by any Act to be passed during this present Session.

"JOHN HUTT,"
GOVERNOR.

*Passed the Council, }
June 13, 1844. }
EDWARD C. SOUPER,
Clerk of the Council.*

No. XVI.

An Act to repeal so much of an Act passed in the fourth year of the reign of Her present Majesty Queen Victoria, intitled "An Act to promote the Building of Churches and Chapels, and to contribute towards the maintenance of Ministers of Religion in Western Australia," as authorises the issue of money from the Colonial Treasury for such purposes.

Whereas by an Act of the Legislative Council of this Colony passed in the fourth year of the reign of Her present Majesty Queen Victoria intitled "An Act to pro-

mote the building of Churches and Chapels, and to contribute towards the maintenance of Ministers of Religion in Western Australia," it is enacted amongst other things, that the Governor of this Colony, with the advice and consent of the Executive Council thereof, may issue sums of money from the Colonial Treasury in aid of the erection of Churches and Chapels, and Ministers' Dwellings, and also may issue from the Colonial Treasury Stipends towards the support of Ministers of Religion duly appointed to officiate in such Churches or Chapels; and whereas considerable sums have been already devoted to such objects and it is expedient to avoid incurring any increase of such expenditure for the present on account of the limited amount of the Colonial Revenue—Be it therefore enacted by His Excellency the Governor of Western Australia, by and with the advice and consent of the Legislative Council thereof, that so much of the said hereinbefore recited Act as authorises the Governor as aforesaid to issue sums from the Colonial Treasury either for the erection of Churches and Chapels, and Ministers' Dwellings, or for Stipends towards the maintenance of Ministers, shall be and the same is hereby repealed except so far as the continuance of the same or any part of the same may still be necessary to authorise the payment of any sum or sums which may have been heretofore promised for the erection of any Church, and also to authorise the continuance of the payment of such Stipends as may have been heretofore given towards the support of any Ministers of Religion.

II. And be it enacted, that this Act may be amended or repealed by any Act to be passed during this present Session.

"JOHN HUTT,"
GOVERNOR.

*Passed the Council, }
June 13, 1844. }
EDWARD C. SOUPER,
Clerk of the Council.*

ANNO OCTAVO,
VICTORIÆ REGINÆ.
No. I.

An Act to remove doubts as to the liability of certain parties to pay for Landing Goods under special permission at other places than the appointed landing places.

Whereas by the second section of an Act of Council passed in the seventh year of the reign of Her present Majesty, intitled "An Act to appoint certain places for the landing of goods within the limits of Towns not being Seaport Towns," it is provided, "that in every case in which certain goods coming from a seaport town are required to be landed at any place within a townsite other than any of the places so appointed by such Proclamation as therein mentioned, a special permission must be obtained from the Collector or Sub-Collector of such seaport town, or from the Tidewater of the town at which the goods have arrived, for the landing of such goods at the place required, under a penalty not exceeding ten pounds"; and whereas doubts have arisen as to the liability of the person requiring such special permission to land any such goods, to pay for the same any dues or landing charges payable at such appointed landing place; and whereas it is expedient to remove such doubts—Be it therefore enacted by His Excellency the Governor of Western Australia, by and with the advice and consent of the Legislative Council thereof, that any person requiring such special permission as is mentioned in the

second section of the said Act hereinbefore recited to land goods at any place within a townsite other than any of the places appointed by such Proclamation as is mentioned in the first section of the said recited Act shall be liable to pay to the Collector or Sub-Collector or Tidewaiter granting such permission the smallest amount of rate, due or charge which he would be required to pay upon such goods if landed at any public landing place appointed for such Town-site by such Proclamation as aforesaid.

II. And be it enacted, that this act may be altered, amended, or repealed, by any act to be passed during this present Session.

"JOHN HUTT,"
GOVERNOR.

Passed the Council, }
June 27, 1844. }
EDWARD C. SOUPER,
Clerk of Council.

No. II.

An Act to enable certain Ratepayers in Towns to vote and act as Trustees of such Towns, and to qualify the right of Town Trustees to vote.

Whereas by the first section of an Act of Council passed in the fourth and fifth years of the reign of Her present Majesty Queen Victoria intituled "An Act to provide for the Improvement of Towns in the Colony of Western Australia," all Justices of the Peace residing within the limits of any Townsite, and all proprietors of allotments held in fee-simple in such town, were declared to be Trustees of the same for the purposes of the said Act; and whereas in the course of time many allotments in the towns aforesaid have been subdivided, by means of which sub-division the number of Trustees has been materially diminished, and the right of voting proportionably decreased; and whereas it is expedient to extend the right of voting under certain conditions—Be it therefore enacted by His Excellency the Governor of Western Australia, by and with the advice and consent of the Legislative Council thereof, that from and after the passing of this Act any person holding any portion of an allotment in any town by a tenure not shorter than for one whole year who shall, if required by the chairman or acting chairman of the trust to do so, produce a receipt of any authorised collector of rates for the said town for the payment of, or shall in any other manner satisfy such chairman or acting chairman that he has paid, an amount equal to the full rate of the last assessment chargeable upon the entire allotment of which he so holds or occupies a portions as aforesaid, such person shall be entitled to vote and act as a Trustee for such town.

II. And be it enacted, that previous to any such person acting as such Trustee as aforesaid he shall make a declaration to the following effect—that is to say, "I, A. B, do hereby declare that I am duly qualified to act as a trustee under an Act passed in the eight year of the reign of Queen Victoria intituled "An Act to enable certain ratepayers in towns to vote and act as trustees of such towns, and to qualify the right of town trustees to vote," and that I will faithfully, impartially and honestly exercise the powers and trusts reposed in me as a trustee by virtue of the said Act to the best of my knowledge and ability," and a form of this declaration shall be entered in the Journal and signed by such trustee.

III. And be it enacted, that no Trustee of any such town as aforesaid shall be entitled to vote at any meeting of such Trustees unless he shall, if required by the chairman or acting chairman of the trust to do so, produce in like manner a receipt of an authorised collector of rates for the said town or other evidence to the satisfaction of such chairman or acting chairman of the payment of all assessments theretofore charged upon such Trustee as the owner or occupier of any land within such town.

IV. And be it enacted, that this Act may be altered, amended, or repealed by any Act to be passed during the present Session.

"JOHN HUTT,"
Governor.

Passed the Council, }
June 27, 1844. }
EDWARD C. SOUPER,
Clerk of the Council.

Colonial Secretary's Office, Perth,
July 2, 1844.

Tenders in triplicate will be received at this Office on Tuesday the 16th inst., from such person or persons as may be willing to contract for the supply of such quantity of fresh meat (mutton or beef) as may be required by the Colonial Government for Her Majesty's Gaoil in Fremantle from the 1st August 1844 to the 31st March 1845.

Two responsible sureties will be required for the due fulfilment of the contract and further information may be known by making application at this office.

By His Excellency's command,
PETER BROWN.

Colonial Secretary's Office, Perth,
July 2, 1844.

SUPPLIES FOR ROTTNESST.

Tenders in triplicate will be received at this office on Tuesday, the 16th instant, from such person or persons as may be willing to contract for the supply of eight hundred pounds (800 lbs.) of salt beef, and eight hundred pounds (800 lbs.) of salt

pork, the produce of the Colony, and which has been salted, or may be, during the months of June, July, or August, of the present year.

The meat must be packed in secure casks, and be delivered free of any charge at the Custom-house, Fremantle, where it will undergo the examination of a board appointed for the purpose.

For further particulars application to be made at this office.

By His Excellency's command,
PETER BROWN.

Colonial Secretary's Office, Perth,
June 13, 1844.

His Excellency the Governor directs it to be notified, that the Court in York for the recovery of Small Debts (under the provisions of the Act of Council 6th Wm. 4th No. 2) will sit on the first Saturday in every month in the Court-house there.

By His Excellency's command,
PETER BROWN.

COMMISSARIAT NOTICES.

Commissariat Office, Perth,
July 1, 1844.

TENDERS in triplicate will be received at this office on Wednesday, the 17th July, at 12 o'clock, from such person or persons as may be willing to perform certain works and additions at the Soldiers Barracks, Perth. The additions to consist of (2) two rooms, adjoining the East Wall of the Barrack yard.

For further particulars application to be made to the Superintendent of Public Works.

Two sureties will be required for the due performance of the contract.

W. H. DRAKE,
Dep.-Asst.-Com.-General.

Commissariat Office, Perth,
June 24, 1844.

TENDERS in triplicate will be received at this Office on Wednesday, the 17th July, at 12 o'clock, from such person or persons as may be willing to contract for the carriage of such Goods as may be required for the use of Her Majesty's Troops, from Perth to Pinjarrah.

The contracts for the above may be performed either by land or water transport.

For further particulars apply at this Office.

W. H. DRAKE,
Dep.-Asst.-Com.-General.

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