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[1901.

PROCLAMATION

WESTERN AUSTRALIA, }
TO WIT.

E. A. STONE,
[L.S.]

By His Excellency EDWARD ALBERT STONE, Administrator of the Government in and over the State of Western Australia and its Dependencies, &c., &c., &c.

WHEREAS by Her late Majesty's Royal Letters Patent, dated the 29th day of October, 1900, it was declared that in the event of the office of the Governor becoming vacant, or of the Governor being incapable, or of his departure from the State, Her Majesty's Lieutenant-Governor, or if there should be no such officer in the said State then such person or persons as Her Majesty might appoint under Her Majesty's Sign Manual and Signet, should, during Her Majesty's pleasure, administer the Government of the State; AND WHEREAS Her late Majesty, by Her subjoined Commission dated the 29th day of October, 1900, appointed the Chief Justice, or the Senior Judge of the State for the time being, to administer the Government of the said State of Western Australia and its dependencies, in the event of the office of Governor becoming vacant, or of the Governor being incapable, or of his departure from the State, and of there being no Lieutenant-Governor, or other person holding a Commission under Her Majesty's Sign Manual and Signet then present in the State and capable of administering the Government; AND WHEREAS the office of Governor has become vacant; AND WHEREAS no Lieutenant-Governor has been appointed to administer the Government in the absence of the Governor, and there is at the present time no other person in the State specially commissioned and capable of administering the Government; AND WHEREAS the Chief Justice has departed from the State; NOW THEREFORE I, EDWARD ALBERT STONE, Senior Judge of the said State, hereby proclaim and give notice that having taken the oaths prescribed by law to be taken in that behalf, I have this day, by virtue of the said Commission, assumed the Administration of the Government of the said State; and all and singular His Majesty's Officers, Ministers, and subjects in the said State are required to take due notice hereof, and to give their ready obedience accordingly.

Given at Perth, under my hand and the Public Seal of the said State, this 5th day of March,
One thousand nine hundred and one.

By Command,

GEORGE THROSSELL,

Premier.

GOD SAVE THE KING!!!

WESTERN AUSTRALIA.

DORMANT COMMISSION passed under the Royal Sign Manual and Signet, appointing the Chief Justice or the Senior Judge for the time being of Western Australia to administer the Government of the State of Western Australia and its Dependencies, in the Commonwealth of Australia, in the event of the Death, Incapacity, or Absence of the Governor and Lieutenant-Governor (if any).

VICTORIA R.

Dated 29th October, 1900.

Recites Letters Patent constituting Office of Governor.

Succession to the Government.

Chief Justice to act as Administrator of Government in absence of Governor and Lieutenant-Governor.

Senior Judge to act as Administrator of Government in absence of Chief Justice.

Powers and authorities.

Senior Judge to act only in the absence of the Chief Justice.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To Our Chief Justice, or the Senior Judge, for the time being, of Western Australia, GREETING:

WHEREAS by certain Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Twenty-ninth day of October, 1900, We have constituted, ordered, and declared that there shall be a Governor in and over Our State of Western Australia and its Dependencies, in the Commonwealth of Australia, and have authorised, empowered, and commanded Our said Governor to do and execute all things belonging to his said Office as therein is more particularly set forth:

And whereas by Our said Letters Patent We have declared that in the event of the Office of the Governor becoming vacant, or of the Governor being incapable, or of his departure from the State, Our Lieutenant-Governor, or if there shall be no such Officer in Our said State, then such person or persons as We may appoint under Our Sign Manual and Signet, shall during Our pleasure administer the Government of the same:

I. Now know you that We do by this Our Commission under Our Sign Manual and Signet, appoint you Our said Chief Justice for the time being to administer the Government of Our said State of Western Australia and its dependencies in the event of the Office of Governor becoming vacant, or of the Governor being incapable, or of his departure from the State, and of there being no Lieutenant-Governor or other person holding a Commission under Our Sign Manual and Signet then present in the State and capable of administering the Government, with all and singular the powers and authorities granted by Our said Letters Patent or by any other Our Letters Patent adding to, amending, or substituted for the same; and in case of the death, incapacity, or departure from Our said State of you Our said Chief Justice for the time being, then we do appoint you, the Senior Judge for the time being of Our said State then residing therein and not being under incapacity, to administer the Government thereof with all the powers and authorities aforesaid. And We do hereby authorise and require you, Our said Chief Justice or the said Senior Judge for the time being as the case may be, to exercise and perform the said powers and authorities according to such Instructions as Our Governor or our Lieutenant-Governor may receive from Us, and to such further Orders and Instructions as you may receive from Us under our Sign Manual and Signet or through one of Our Principal Secretaries of State.

Provided always, that you, the said Senior Judge, shall act in the administration of the Government only when, and so often as you, Our said Chief Justice, shall not be present within Our said State and capable of administering the Government thereof.

DORMANT COMMISSION appointing
the CHIEF JUSTICE or the SENIOR JUDGE for the time being
to administer the Government of the State of
WESTERN AUSTRALIA.

Commission of 4th March, 1891, superseded.

II. And further We do hereby appoint that this Our Commission shall supersede Our Commission under Our Sign Manual and Signet bearing date the Fourth day of March, 1891, appointing Our Chief Justice, or the Senior Judge for the time being, of Western Australia to administer the Government of the Colony of Western Australia and its Dependencies in the events therein mentioned.

Officers and others to take notice, etc.

III. And We do hereby command all and singular, Our Officers, Ministers, and loving subjects in our said State, and all others whom it may concern, to take due notice hereof and to give their ready obedience accordingly.

Given at Our Court at Saint James's, this twenty-ninth day of October, 1900, in the Sixty-fourth year of Our Reign.

By Her Majesty's Command,

GEORGE HAMILTON.

No. 8873—C.S.O.

The Truck Act, 1899.

PROCLAMATION

WESTERN AUSTRALIA, }
TO WIT. }
E. A. STONE, }
Administrator. }
[L.S.] }
By His Excellency EDWARD ALBERT STONE, Administrator of the Government and over the State of Western Australia and its Dependencies, etc., etc.

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WHEREAS by Section nineteen of "The Truck Act, 1899" (63 Vict., No. 15), as amended by 64 Vict., No. 9, it is provided that the said Act shall not extend or apply where an employer or his agent supplies or contracts to supply to any workman any medicine or medical attendance in any part of the State defined by the Governor, by proclamation, for the purpose of such exemption: AND WHEREAS it is desirable to exempt accordingly that portion of the State hereinafter defined: NOW THEREFORE I, the Administrator of the Government, by and with the advice of the Executive Council, do hereby declare that the said Act shall not extend or apply in the following case, viz., where an employer or his agent supplies, or contracts to supply, to any workman any medicine or medical attendance in the South-West Division of the State, as defined in "The Land Act, 1898," excepting that portion of the said Division lying to the East of the 119th degree of East longitude.

The Proclamation dated the 3rd day of January, 1901, is hereby rescinded.

Given under my hand and the Public Seal of the said State, at Perth, this 5th day of March, 1901.

By His Excellency's Command,

G. RANDELL,
Colonial Secretary.

GOD SAVE THE KING!!!

No. 8872.—C.S.O.

E.C. ¹⁹⁴⁸
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PROCLAMATION

WESTERN AUSTRALIA, }
TO WIT. }
E. A. STONE, }
Administrator. }
[L.S.] }
By His Excellency EDWARD ALBERT STONE, Administrator of the Government in and over the State of Western Australia and its Dependencies, &c., &c., &c.

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BY virtue of the powers vested in the Governor by "The Commonwealth of Australia Constitution Act, 1900," and "The Electoral Act, 1899," I, EDWARD ALBERT STONE, Administrator of the Government of the said State, do hereby, with the advice and consent of the Executive Council, fix the Agricultural Hall at Smith's Mill to be the place of Nomination and Chief Polling Place for the Swan Electorate under "The Commonwealth of Australia Constitution Act, 1900," in lieu of the Municipal Chambers at Helena Vale, as fixed by Proclamation dated the 27th day of February, 1901.

Given under my hand and the Public Seal of the said State, at Perth, this 5th day of March, 1901.

By His Excellency's Command,

G. RANDELL,
Colonial Secretary.

GOD SAVE THE KING!!!

The Health Act, 1898.

Order in Council.

E.C. ¹⁹⁰²/₁₉₀₁

At the Executive Council Chamber, at Perth, the
5th day of March, 1901.

Present:

His Excellency the Administrator.

The Honourables—

The Colonial Treasurer,
The Minister of Mines,
The Attorney General,
The Colonial Secretary,
The Minister for Lands.

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BY virtue of the provisions of Section 110 of "The Health Act, 1898," His Excellency the Administrator, by and with the advice and consent of the Executive Council, hereby orders that the provisions contained in Section 111 of "The Health Act, 1898," for the prevention of epidemic, endemic, and contagious diseases, be put in force in Western Australia, and does hereby also make the following orders:—

1. That notice shall be given immediately by the occupier of any house, premises, or place wherein there is any infectious or contagious disease, to the Secretary of the Local Board of Health for the District, and if there be no Local Board, then to the Secretary of the Central Board.

2. That entry may be made at all times to houses, buildings, and premises by Medical or other officers of local boards, or the Central Board, for the purpose of carrying out any regulations made by the Central Board, or of inquiring into and ascertaining the presence of such disease.

3. That infected bedding, clothing, and other infected things shall be destroyed or disinfected.

4. That houses, schools, churches, places of assembly or entertainment, and other buildings and premises, shall be cleansed, purified, ventilated, and disinfected by the owners or occupiers thereof, or by medical or other officers of, or persons authorised thereto by the Local Board or the Central Board, at the expense of the owners or occupiers, or where necessary at the public expense.

5. That persons suffering from infectious or contagious diseases shall be removed to a hospital or other place which shall be deemed suitable or convenient by the Central Board, and shall be kept in such place until they are free from infection or contagion.

6. That all persons shall be forbidden and prevented from quitting or entering any house, premises, place, town, or district, which may be declared infected by the Governor in Council or other person or persons authorised by him, in accordance with Section 110 of "The Health Act, 1898," by notice published in accordance with that Section.

7. That the times, methods, and conditions of the burial of the dead shall be such as may be prescribed under any regulation made by the Central Board for this purpose under Section 111 of "The Health Act, 1898," and by virtue of this order.

8. That, in order to prevent the introduction and spreading of such diseases as aforesaid, by means of rats—

- (a.) In case of ships coming from any place or country where bubonic plague is known or suspected to exist, all rats on such ships shall be immediately destroyed.
- (b.) All rats in all stores, warehouses, and other buildings under the control of the Railway, Customs, and Harbours Departments, at the ports of the Colony, shall be destroyed.
- (c.) The Local Boards of Health at all the ports and towns of the Colony shall take the necessary steps to have the rats in such ports and towns destroyed.
- (d.) Complete precautions shall be taken to prevent rats coming ashore from all ships in any port of the Colony.
- (e.) The bodies of all rats taken, alive or dead, shall be destroyed by fire.
- (f.) An efficient staff shall be appointed to carry out the destruction of rats as aforesaid.
- (g.) A reward shall be offered for the bodies of rats captured at such ports as shall be named in the Regulations framed under this Order.

9. That all cargo from ships or vessels having touched at any port where bubonic plague is known or suspected to exist shall be disposed of and dealt with in such manner as the Medical Officer at such port may deem necessary; and all cargo consigned to Perth shall be dealt with at Fremantle in the same manner as cargo consigned to that port.

10. That as a further precaution as aforesaid, the landing of any articles or goods deemed by the Central Board to be liable to be infected may be prohibited or restricted by any regulation made by the Central Board, under Section 111 of "The Health Act, 1898," and by virtue of this order.

11. That these orders, made under Section 110 of "The Health Act, 1898," shall continue in force for one month from the date hereof, unless and until such orders may be revoked, altered, or varied in the meantime.

F. D. NORTH,
Clerk of the Council.

Regulations made by the Central Board
of Health.

(Under Section 111 of "The Health Act, 1898.")

PART I.

1. All rats in all wharves, stores, warehouses, and other buildings under the control of the Railway, Customs, and Harbour Departments at the ports of Western Australia shall be destroyed, and such methods shall be used for this purpose as shall be approved by an inspector authorised by the Central Board.

2. The Local Board of Health of each port and town of Western Australia and of the City of Perth shall—

- (a.) Cause to be destroyed the rats in all drains, culverts, sewers, and other places under their control; and
- (b.) Take steps to compel owners and occupiers of all warehouses, granaries, stores, stables, and other buildings in their district to destroy all rats therein.

3. Complete precautions shall be taken to prevent rats coming ashore from all ships in any port of Western Australia, coming from or having touched at any port where Bubonic Plague is known or is suspected to exist, for which purpose the following shall be carried out:—

- (a.) Every such vessel shall be kept off from the wharf or pier to a distance of at least 4ft. by means of fenders.
- (b.) Every such vessel shall be made fast to a wharf or pier by means of wire ropes. Every such wire rope shall be coated with tar over a length of at least 1ft. just beyond the side of the vessel and just above the end attached to the wharf or pier, the tar being kept in a sticky condition by repeated applications; and shall be provided with two metal funnels of approved pattern and dimensions, one being fixed above the tarred space at the shore end, and the other below the similar space at the ship end of such wire rope.
- (c.) The fenders and fender slings shall be tarred, so as to prevent migration of rats, and the tar shall be kept in a sticky condition by repeated applications.
- (d.) No net shall be used between the ship and the wharf or pier unless tarred, and the tar kept in a sticky condition by repeated applications. All such nets shall be removed when the ship is not working.
- (e.) All gangways shall be drawn up when not required for discharging or receiving cargo from 7 p.m. to 6 a.m., and tar shall be applied to such gangways over a length of at least 1ft. at each end, just beyond the side of the vessel and just above the end resting on the wharf or pier, and the tar shall be kept in a sticky condition by repeated applications.
- (f.) There shall be suspended over the side along the wharf or pier four sets, or more if required, of electric or other suitable lights, so distributed as to furnish complete illumination fore and aft along the whole length of the side of the vessel.
- (g.) The owner, agent, or master of every such vessel shall supply three watchmen by night and one by day, and shall see that they constantly patrol the wharf or pier alongside the vessel from stem to stern, and that they take all practicable measures to prevent the passage of rats between the ship and the wharf or pier.
- (h.) All pipes, ports, and other holes in the side of the vessel next to the wharf or pier shall be completely closed, and kept closed so long as the vessel is alongside, in order to prevent ingress or egress of rats.

(i.) No lighter shall be allowed alongside any such vessel unless special permission is given by an inspector or other authorised Officer of the Central Board.

4. The bodies of all rats taken alive or dead shall be destroyed by fire.

5. The places at which rewards shall be offered for the destruction of rats captured shall be Perth, Fremantle, and Guildford, and intervening Local Board of Health Districts.

6. The owner, agent, or master of every vessel arriving at any port of Western Australia, coming from or having touched at any port where Bubonic Plague is known or is suspected to exist, shall, before such vessel is allowed to proceed to her berth, sign an undertaking to comply with these Regulations in the form prescribed by the Central Board for the purpose.

7. The Local Boards and their Officers at all ports and towns of Western Australia, and in the City of Perth, are hereby authorised and directed to superintend and see to the execution of this part of these Regulations.

PART II.

8. The occupier of any house, premises, or place wherein there is any infectious or contagious disease shall immediately notify the presence of such disease to the Secretary of the Local Board of Health of the district, and if there be no Local Board, then to the Secretary of the Central Board.

Any house, premises, or place wherein there has been a case of Bubonic Plague shall not be re-occupied until permission to re-occupy be granted by the Central Board after complete disinfection thereof has been carried out; and such house, premises, or place shall, for such period and until such permission be granted, remain in strict quarantine and be disinfected from time to time as the Central Board may direct.

9. The Medical Officers of and such Inspectors as may be appointed by any Local Board or by the Central Board for the purpose of carrying out these Regulations may at all times enter all houses, buildings, and premises for the purpose of carrying out the said Regulations, or of inquiring into and ascertaining the presence therein of any infectious or contagious disease.

10. All infected bedding and clothing and all other infected things shall, if ordered by the Central Board, be destroyed, and if not so ordered to be destroyed shall be completely and thoroughly disinfected, and for this purpose every Inspector of the Central Board, or of any Local Board, shall carry out such rules for such disinfection or destruction as may from time to time be made by the Central Board.

11. For the purpose of cleansing, purifying, ventilating, and disinfecting houses, schools, churches, places of assembly or entertainment, and other buildings and premises, the owners or occupiers thereof shall comply with all orders made by the Local Board of the district or by the Central Board, and if such owners or occupiers shall neglect or refuse to carry out within the time limited such orders made for this purpose, then the Medical or other Officers of such Local Board or the Central Board may so cleanse, purify, ventilate, or disinfect such buildings, places, and premises, at the expense of the owners or occupiers thereof.

12. All persons suffering from the malignant infectious disease known as Bubonic Plague shall be removed immediately to a special isolated place set apart for that purpose and approved by the Central Board, and shall be kept in such place until they are free from all infection and contagion.

All persons occupying or using the same house, premises, or place as any person suffering from Bubonic Plague, and all other persons deemed by the Central Board, or the Medical Officer thereof, or the Officer of Health, to have been liable to infection therefrom, or from any other cause whatever, shall be removed to an isolated place approved by the Central Board for that purpose, and shall remain in quarantine for such period as the Central Board may direct.

13. No person shall enter or leave any house, premises, place, or district which may be declared infected by the Governor in Council, or person authorised by him, in accordance with Section 110 of "The Health Act, 1898," by notice published in accordance with that section; and any person as aforesaid attempting to enter or leave such house, premises, place, or district shall be prevented from so doing.

13A. The Central Board may from time to time declare any house, premises, town, or district to be infected with Bubonic Plague.

14. The body of any person who shall die of the malignant infectious disease known as Bubonic Plague shall not be buried in any cemetery, but shall be cremated as soon as possible after death, under the direction of a Medical Officer of the Central Board or a Local Board, and after such cremation the ashes of the body shall be buried in the usual way.

PART III.

15. The master of every ship arriving at any port in Western Australia from any place or country where Bubonic Plague is known, or suspected to exist, or having received cargo from such place or country, shall destroy the rats in such ship, and shall use such methods for this purpose as may be directed from time to time by the Central Board.

16. All cargo from all ships mentioned in Regulation 15 shall be disinfected or dealt with at such port in such manner as the Medical Officer may deem necessary, and all cargo consigned to Perth shall be dealt with at Fremantle in the same manner as cargo consigned to that Port: Provided always that all packages suspected to be infected or liable to carry infection shall be opened, and, if deemed necessary, disinfected or destroyed.

17. Before removing cargo from such ships—

- (a.) Every package shall be separately examined and passed by an Inspector of the Central Board before being slung.
- (b.) Every package not passed on such inspection shall be dealt with in such manner as the Inspector (subject to the instructions of the Central Board) may direct.
- (c.) No package whatsoever shall be landed from such ship or vessel without the consent of the Inspector, nor until so inspected, and passed or otherwise dealt with.

18. No cargo shall be discharged from any ship or vessel before 7 a.m. or after 6 p.m., except by permission of the Central Board.

19. All ships arriving at any port in Western Australia coming from or having touched at any port where Bubonic Plague is known or is suspected to exist, besides being subject to the Regulations of Part III., are also subject to the provisions contained in Part I. of these Regulations, and the owners, agents, and masters thereof are hereby held responsible for the whole of the Regulations being strictly carried out, and such owners, agents, and masters shall be subject to all penalties for default under "The Health Act, 1898."

20. The following articles are deemed by the Central Board liable to be infected, and shall not be landed at any port in Western Australia from any place where Bubonic Plague is known or suspected to exist, or from any ship which shall have touched at or received cargo from such place; that is to say:—

Green hides, untanned skins, fresh skins, and bones, whether whole, crushed, or in the form of bone dust, except bone dust chemically treated.

21. The Local Boards and their Officers at all ports and towns of Western Australia, and in the City of Perth, are hereby authorised and directed to superintend and see to the execution of this part of these Regulations.

By Order of the Central Board of Health,

J. R. CAMPBELL,

5th March, 1901.

Secretary.

The attention of Officers of the Central Board and Local Boards is drawn to the following Provisions:—

HEALTH ACT, 1898.

LEGAL PROCEEDINGS.

Section 242.—Where anything is by this Act, or by any by-law, regulation, notice, order, or direction of the Central Board, or by any order, notice, direction, or by-law of any Local Board, made under the authority of this Act, directed to be done or forbidden to be done, or where any authority is given to the Central Board or any Local Board, or any officers of theirs, to direct anything to be done or to forbid anything to be done, and such act so directed to be done remains undone, or such act forbidden to be done is done, in every such case the person making default as to such direction and prohibition respectively shall be deemed guilty of an offence against this Act.

And every person guilty of an offence against this Act, not otherwise specially provided for by or under the authority hereof, shall be liable for every such offence, besides any costs or expenses which may be incurred in the taking of proceedings against such person guilty of such offence, as well as any costs or

expenses which may be incurred in remedying such default, as particularly provided for in this Act, to a penalty not exceeding the sum of Twenty pounds, and to a penalty not exceeding Five pounds nor less than Twenty shillings for each day during which such offence is continued by such person, and such penalty or penalties shall be recoverable notwithstanding that the Local Board may not have chosen to exercise any power given to Local Boards by this Act to remedy such default.

Section 239.—All complaints of offences under this Act shall (save as is herein otherwise provided) be heard and determined, and all moneys, costs, and expenses made payable or recoverable hereby may be recovered in a summary way before two or more Justices of the Peace.

Section 232.—Any inspector or other officer of the Central Board, or of any Local Board, or any member of the police force may prosecute for any breach of or offence against any Act relating to the public health, or any by-law, regulation, or order made under the provisions of any such Act. No fee shall be payable on the issue of any summons under this section.

In addition to the above, officers carrying out the Regulations of the Central Board should refer to Sections 225 to 242 of "The Health Act, 1898."

By order of the Central Board of Health,

J. R. CAMPBELL,

5th March, 1901.

Secretary.