



WESTERN AUSTRALIA.

ANNO QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. VII.

AN ACT to further amend “The Customs Ordinance, 1860.”

[Assented to, 20th August, 1879.]

WHEREAS by Section thirty-one of the Customs Ordinance, 1860, it is provided that no goods whatsoever shall be unshipped from any ship arriving from ports beyond seas, or shall be landed or put on shore from any such ship, except on days not being Sundays or holidays; And whereas it is expedient to relax the stringency of this provision, so far as regards steamers carrying Her Majesty’s Mails under contract with Her Majesty’s Government: 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, as follows:—

24 Vic., No. 5.

1 IT shall be lawful for the Collector or other principal officer of Customs at any port to give special authority, upon depositing the overtime pay due to the officer or officers of Customs attending, to unship and land or put on shore any goods from any steamer carrying Her Majesty’s Mails under contract with Her Majesty’s

Goods may be unshipped from mail steamer on Sundays or Holidays.

43° VICTORIÆ, No. 7.

Customs Ordinance, 1860—Amendment.

Government, on any Sunday or holiday, subject to all the conditions that would be applicable in case such goods were unshipped and landed or put on shore on any day not being a Sunday or a holiday.

Schedules to Customs Ordinance, 1860, to be part thereof.

2 THE Schedules annexed to the Customs Ordinance, 1860, shall form and be a part thereof, and the forms in such Schedules, or forms to the like effect, shall be good, valid, and sufficient in law.

Repeal of sec. 124 of Customs Ordinance, 1860.

Mode of procedure.

Penalties to be levied by distress.

And in default, imprisonment.

3 THE 124th section of the said Customs Ordinance, 1860, is hereby repealed, except as to any matter or thing done or commenced before the commencement of this Act, and in lieu thereof be it enacted that upon appearance or default of any person summoned or detained to answer any information as mentioned in the 123rd section of the said Ordinance, it shall be lawful for any Resident Magistrate or Police Magistrate or for any two Justices of the Peace to proceed to an examination of the matter contained in such information, and upon due proof thereof, either upon the confession of such person or upon the oath of one or more credible witness or witnesses, to convict such person in the penalty sued for by such information, together with the costs thereof; and in case of non-payment thereof the same shall be levied by distress and sale of the goods and chattels of such person wherever the same shall be found; and in case the goods and chattels of such person shall not be sufficient to answer the amount of such penalty and costs, it shall be lawful for such Magistrate or Justices, or either of them, or for any other Justice of the Peace, to commit such person to any of Her Majesty's gaols, there to remain either until such penalty, with costs, shall be fully paid, or for any period not exceeding six calendar months, with hard labor, unless the penalty and costs shall be sooner paid.

4 THAT the time mentioned in the second sub-section of the 3rd section of the 33rd Victoria, No. 10, for the delivery of the goods therein referred to, be reduced from 72 to 24 hours.

In the name and on behalf of the Queen I hereby assent to this Act.

H. ST. GEORGE ORD, Governor.