



# WESTERN AUSTRALIA.

ANNO TRICESIMO SEXTO

## VICTORIÆ REGINÆ.

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No. VII.

AN ACT to Secure in Certain Cases the Right of Property  
in Telegraphic Messages.

[Assented to, 30th August, 1872.]

**W**HEREAS it is expedient to secure in certain cases the Right  
of Property in Telegraphic Messages; Be it therefore  
enacted by His Excellency the Governor of Western Australia and  
its Dependencies by and with the advice and consent of the Legis-  
lative Council thereof as follows:—

**1** WHEN any person in the manner hereinafter mentioned  
shall publish in any newspaper or other printed paper published in  
the said Colony any Message by Electric Telegraph containing

Messages by Electric Tele-  
graph not to be published  
during three days after re-  
ceipt without consent of the  
receiver.

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intelligence from any place outside the said Colony lawfully received by such person no other person shall without the consent in writing of such first mentioned person or his agent thereto lawfully authorized print or publish or cause to be printed or published such telegram or the substance thereof or any extract therefrom until after a period of seventy-two hours from the time of such first mentioned publication: Provided that such period shall not extend beyond eighty hours from the time of the receipt of such Message; And the publication of the whole or any part of such Telegram or of the substance thereof or (excepting the publication of any similar Message in like manner) of the intelligence therein contained or any comment upon or any reference to such intelligence shall be deemed to be a publication of the same.

Unlawfully publishing liable to punishment.

**2** IF any person wilfully print and publish or cause to be printed and published any matter contrary to the provisions of this Act he shall on conviction thereof be liable to a penalty of not less than Five pounds and not exceeding Fifty pounds; And any person who shall be convicted a second time of a like offence shall be liable to a penalty of not less than Fifty pounds and not exceeding One hundred pounds.

How Telegraphic Message protected by this Act to be headed.

**3** EVERY Telegraphic Message published under the protection of this Act shall be printed with the heading "By Electric Telegraph" and shall state the day and hour of its receipt and such statement shall be *primâ facie* evidence of the time and receipt of such Message.

What to be deemed *primâ facie* evidence of publication of Message.

**4** IN any prosecution under this Act the production of any document which purports to be a Telegraphic Message, and which contains the intelligence published in the newspaper as aforesaid and which has been delivered to some person entitled to receive the same by a Messenger Clerk Superintendent or other proper Officer of the Electric Telegraph Department shall be *primâ facie* evidence that the Message published as hereinbefore described in such newspaper is a Message within the meaning of this Act; And proof that any person is or is acting or appears to be acting as Editor Sub-Editor Printer or Manager of any newspaper in which there has been any publication contrary to the provisions of this Act shall be *primâ facie* evidence that such person has wilfully caused such unlawful publication.

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**5** ALL proceedings under this Act for any offence to which any penalties are attached shall be heard and determined in a summary way by any Resident Magistrate or by two Justices of the Peace.

Proceedings for offences to be heard and determined by any Resident Magistrate or two Justices of the Peace.

**6** THIS Act may be cited as "The Telegram Copyright Act, 1872."

Short Title.

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

FRED. A. WELD, Governor.