



WESTERN AUSTRALIA.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

No. XIX.

**An Ordinance to authorise Justices of the
Peace to issue Search Warrants without
Information on Oath, and to enact addi-
tional Police Regulations.**

WHEREAS the laws at present regulating the issue of Search ^{Preamble:}
Warrants have been found to be insufficient, and whereas

the extension of the power of Justices to issue the same is calculated to afford additional facilities for the detection of criminals;—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—

Justice may, upon any reasonable grounds stated to him, issue a Search Warrant to search any number of houses specified in such Warrant.

I. THAT from and after the passing of this Ordinance, it shall and may be lawful for any Justice of the Peace in all cases in which by any existing law a Search Warrant may now be issued upon deposition, upon any reasonable grounds stated to him, to issue a Search Warrant or Search Warrants authorising the proper officers to search any house and premises, or number of houses and premises particularly specified in such Warrant or Warrants, as in case of Search Warrants to search for stolen goods.

Constable may demand name and address, and apprehend, without warrant, any person refusing to give name and address.

II. THAT it shall and may be lawful for any Constable to demand from and require of any individual with whose person he shall be unacquainted, his name and address, and to apprehend without warrant, any such person who shall neglect or refuse to give his name and address when required so to do as aforesaid; and any such person who shall neglect or refuse to give his name and address, or who shall give a false name or address, when applied to as aforesaid, shall, upon conviction before any Justice or Justices of the Peace for any such offence, forfeit and pay any sum not exceeding £5, or, at the discretion of the convicting Justice, be committed to any gaol or house of correction, there to be kept to hard labour for any term not exceeding three months.

Penalty for use of profane and indecent language in any road, street, &c., and for threatening, insulting, or abusive language or gestures, calculated to lead to a breach of the Peace.

III. THAT any person who shall in any public vehicle, boat, or conveyance, or in any road, street, or public place in any part of the said colony use, any profane, indecent, or obscene language, or who shall in any public place, write, draw, or affix any indecent or obscene word, figure, or representation, to the annoyance of the inhabitants or passengers, or who shall use to another any threatening, insulting, or abusive language, or gestures, calculated, to lead to a breach of the Peace, shall, on conviction before any Justice or Justices of the Peace, forfeit and pay a sum not exceeding five pounds.

1853. 16th Vict. No. 19.

IV. THAT section A, C, F, H, of the Shortening Ordinance, 1853, be incorporated with this Ordinance.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Legislative Council, }
the 19th day of April, 1853. }*

A. O'GRADY LEFROY,
Clerk of the Council.