



WESTERN AUSTRALIA.

ANNO SEPTIMO

VICTORIÆ REGINÆ.

No. V.

**An Act to appoint certain places for the
landing of goods within the limits of
Towns not being Seaport Towns.**

WHEREAS it appears to be conducive to greater safety and
regularity in the delivery of goods carried in boats, and
also likely to operate as a further check against smuggling, if all goods
coming from any seaport town were landed at certain places and not

Preamble.

Governor to establish
by proclamation certain
places for landing goods
in town-sites.

Penalty not exceeding
£10.

elsewhere;—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, that it shall be lawful for the said Governor, by Proclamation to be issued from time to time, with the advice of the Executive Council, to appoint and establish such place or places as to him shall seem meet at which such goods must be landed within the limits of any town-site, and any person convicted of having landed any such goods at any other place within any town-site than that appointed by such Proclamation as aforesaid, such town-site having a landing place duly appointed by Proclamation, shall forfeit and pay for every such offence any sum not exceeding ten pounds.

Goods may be landed at
other places by special
permission.

II. PROVIDED always nevertheless that in every case in which any such goods are required to be landed at any place within a town-site other than any of the places to be appointed by such Proclamation as aforesaid, a special permission must be obtained from the Collector or Sub-Collector of such seaport town or from the tidewaiter 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.

Mode of recovering pen-
alties.

III. AND be it enacted, that it shall be lawful for any one or more Justice or Justices of the Peace to hear and determine any matter of complaint under this Act, and to impose any penalty in a summary way, and if the sum awarded be not paid forthwith, or on the day appointed by such Justice or Justices, then to levy the amount by distress and sale of the offender's goods, and if there be not sufficient goods to satisfy the amount with necessary costs and charges, then to commit the offender to prison for any term not exceeding three calendar months, with or without hard labour.

Limitation of proceed-
ings.

IV. AND be it enacted, that no proceedings in respect of any offence under this Act shall be commenced after one calendar month from the commission of the alleged offence.

Appropriation of penalties.

V. AND be it enacted, that all sums arising from any penalty or forfeiture under this Act shall be applied as follows;—that is to say: after deducting all costs and expences, one moiety to be paid to the Collector or Sub-Collector of Revenue towards the purposes of the Government of the colony, and the other moiety to the informer.

1843.

7th Vict. No. 5.

VI. AND be it enacted, that this Act shall be and continue in force for the space of two years from the date hereof.

VII. AND be it enacted, that this Act may be amended or repealed ^{Act may be amended.} by any Act to be passed during this present Session.

“JOHN HUTT,”
GOVERNOR.

*Passed the Council }
20th July, 1843. }*

EDWARD C. SOUPER,
Acting Clerk of the Council.