

FLY



WESTERN AUSTRALIA.

ANNO SEPTIMO,

VICTORIÆ REGINÆ.

No. XIII.

An Act for adopting certain Acts of Parliament passed in the Third and Fourth, the Fourth and Fifth, the Fifth and Sixth, and the Sixth and Seventh years of the reign of His late Majesty King William the Fourth; and also certain Acts of Parliament passed in the First and Second, the Second and Third, and the Fifth and Sixth years of the reign of Her present

Majesty Queen Victoria respectively ; and applying the same in the Administration of Justice in Western Australia in like manner as the other Laws of England are applied therein.

- 3rd & 4th William 4th. **W**HEREAS a certain Act of Parliament was passed in the Third and Fourth years of the reign of His late Majesty King William the Fourth, intituled
- c. 49. "An Act to allow Quakers and Moravians to make affirmation in all cases where an oath is or shall be required" ;
- 4th and 5th Wm. 4th, and whereas also certain other Acts of Parliament were passed in the Fourth and Fifth years of the reign of His said Majesty, intituled respectively
- c. 23. "An Act for the amendment of the Law relative to the Escheat and Forfeiture of Real and Personal Property holden in Trust," and
- c. 26. "An Act to abolish the practice of Hanging the Bodies of Criminals in Chains" ;
- 5th and 6th, William 4th, and whereas also certain other Acts of Parliament were passed in the Fifth and Sixth years of the reign of His said Majesty, intituled respectively
- c. 41. "An Act to amend the Law relating to Securities given for considerations arising out of Gaming, Usurious, and certain other illegal transactions," and
- c. 54. "An Act to render certain Marriages valid, and to alter the Law with respect to certain voidable Marriages," and
- c. 81. "An Act for abolishing Capital Punishment in cases of Letter Stealing and Sacrilege" ;
- 6th and 7th Wm. 4th, and whereas also certain other Acts of Parliament were passed in the Sixth and Seventh years of the reign of his said Majesty, intituled respectively
- c. 4. "An Act to amend an Act of the last Session for abolishing Capital Punishment in cases of Letter Stealing and Sacrilege," and
- c. 53. "An Act for declaring the Law as to the day on which it is requisite to present for payment to the acceptor or acceptors supra protest for honour, or to the referees or referee, in case of need, Bills of Exchange which had been dishonoured," and

1844:

7th Vict. No. 13.

“ An Act to repeal so much of two Acts of the Ninth and Tenth c. 80.
years of King George the Fourth as directs the period of
Execution, and the prison discipline of persons convicted of
the crime of murder,” and

“ An Act to prevent the fact of a previous conviction being c. 111.
given in evidence to the Jury on the case before them, ex-
cept when evidence to character is given,” and

“ An Act for enabling persons indicted of Felony to make c. 114.
their defence by Counsel or Attorney” ;

and whereas also certain other Acts of Parliament were passed in 1st and 2nd Vict.,
the First and Second years of the reign of Her present Majesty
Queen Victoria, intituled respectively

“ An Act to remove doubts respecting Conveyances of Estates c. 69
vested in Heirs and Devisees of Mortgagees,” and

“ An Act to facilitate the recovery of possession of Tenements c. 74.
after due determination of the Tenancy,” and

“ An Act for permitting affirmation to be made instead of an c. 77.
oath in certain cases,” and

“ An Act to remove doubts as to the validity of certain Oaths” ; c. 105.

and whereas also certain other Acts of Parliament were passed in 2nd and 3rd Vict.,
the Second and Third years of the reign of Her said Majesty, in-
tituled respectively

“ An Act to amend the Law relating to the Custody of Infants,” c. 54.
and

“ An Act to explain and extend the provisions of an Act passed c. 60.
in the First year of His late Majesty King William the
Fourth, intituled ‘ an Act for consolidating and amending
the Laws for facilitating the Payment of Debts out of Real
Estates ’ ” ;

and whereas also certain other Acts of Parliament were passed in 5th and 6th Vict.,
the Fifth and Sixth years of the reign of Her said present Ma-
jesty, intituled respectively

“ An Act to amend the Law relating to advances bonâ fide c. 39.
made to agents entrusted with goods,” and

“ An Act for perpetuating testimony in certain cases ” ; c. 69.

and whereas it is expedient to adopt and apply the said several
recited Acts of Parliament in the Administration of Justice in
Western Australia—Be it therefore enacted, by His Excellency
the Governor of Western Australia, by and with the advice and
consent of the Legislative Council thereof, that the said recited
Acts of Parliament, and every clause, provision, and enactment
therein respectively contained, shall be, and the same are and is

Adopted and applied in
the Administration of Jus-
tice in this colony,

hereby adopted and directed to be applied in the Administration of Justice, so far as they can be applied respectively to the circumstances of this Colony.

II. AND be it enacted, that all and every the powers and duties conferred and imposed in and by any of the aforesaid Acts on the Court of Chancery in England shall be exercised and discharged by the Civil Court of this colony; and that the functions ascribed by any of the said Acts to the Attorney-General in England shall be discharged by the Advocate-General in this Colony.

Commencement of Act.

III. AND be it enacted, that this Act shall commence and take effect from the date of its passing the Legislative Council.

Act may be amended.

IV. AND be it enacted, that this Act may be altered, amended, or repealed by any Act to be passed during the present Session.

JOHN HUTT,
GOVERNOR.

*Passed the Council the 30th
day of May, 1844.*

EDWARD C. SOUPER,
Clerk of Council.