

The Aborigines Act, 1889

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ

No. 24

An Act to provide for certain matters connected with the Aborigines. *[Reserved 29th April, 1889.*
Royal Assent proclaimed 28th October, 1890.]

BE it 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:—

1. This Act may be cited as 'The Aborigines Act, 1889.' Short title
2. This Act shall be read and construed together with 'The Aborigines Protection Act, 1886,' and any Act or Acts amending the same. Construction
3. The word 'Governor' in and throughout this Act shall mean the person for the time being lawfully administering the Government of Western Australia, or the lawfully appointed Deputy of such person, and shall mean such person or Deputy acting alone and without the advice of the Executive Council. Definition of 'Governor'
4. The Aborigines Protection Board, established under 'The Aborigines Protection Act, 1886,' shall consist of persons to be appointed by the Governor from time to time, who shall also have the power to remove any member of the Board, and to appoint Protectors of Aborigines and to remove the same. No appointment of a person to witness contracts under the 19th section of the said Act shall be valid unless and until approved by the Governor, who shall have power to cancel such appointments, and at any time to remove or dismiss any person from the office or position of a person appointed under the said section. Aborigines Protection Board
5. The Aborigines Protection Board may cancel or may direct the cancellation of any contract of service between any aboriginal native and any person whom the Board may consider unfit to be an employer of aboriginal natives, and the Board may direct that no contract with any such person shall be witnessed under 'The Aborigines Protection Act, 1886,' and no contract with any such person shall be valid under the said Act. Cancellation of Contract of Service
6. In the construction of 'The Aborigines Protection Act, 1886,' and of the fifth section of 'The Pearl Shell Fishery Regulation Act, 1873,' the word 'Governor' shall mean the Governor as defined by the third section of this Act. Meaning of 'Governor' in 50 Vic., No. 25, and in the 5th section of 37th Vic., No. 11
7. In the construction of the second section of 'The Pearl Shell Fishery Act, 1875,' the expression 'the Governor in Executive Council' shall, so far as the regulations contemplated by the said section relate to the aboriginal natives of this Colony, mean the Amendment of the 2nd section of 39th Vic., No. 13

The Aborigines Act, 1889

Governor as defined by the third section of this Act, and the said second section is hereby amended accordingly.

Native reserves
of land

8. Any lands, being Crown Lands within the meaning of the Land Regulations proclaimed on the second day of March, One thousand eight hundred and eighty-seven, may be reserved and set apart by the Governor, as he may think fit, for the use and benefit of the aboriginal inhabitants of this Colony, including half-castes. All Native Reserves existing at the date of the passing of this Act are hereby vested in the Aborigines Protection Board, in trust for the benefit of the aboriginal natives; and all Native Reserves which may hereafter be made as aforesaid shall also similarly vest in the said Board on and from the date of reservation.

Aborigines
Protection Act
amended

9. 'The Aborigines Protection Act, 1886,' is hereby amended, so far as it is repugnant to this Act.

Amending Bills
to be reserved

10. Every Bill amending or repealing this Act or any portion thereof shall be reserved by the Governor for the signification of Her Majesty's pleasure thereon.

F. NAPIER BROOME,
GOVERNOR.

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ

No. 1

An Act to make further provision for the Management and Working of Railways.

[Assented to 13th August, 1889.]

BE it 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:—

Short title

1. This Act may be cited for all purposes as 'The Railway Act, 1889.'

Sections 35, 36,
37, and 38 of 24
and 25 Vic.,
cap. 97 (Imperial
Act) to be in
force

2. Whereas an Act passed by the Imperial Parliament in the Twenty-fourth and Twenty-fifth years of Her Majesty, intituled 'An Act to consolidate and amend the Statute Law of England and Ireland relating to Malicious Injuries to Property,' was *inter alia* adopted by 'The Criminal Law Consolidation Ordinance, 1865'; And whereas it is expedient that the seventeenth section of 'The Railways Amendment Act, 1881,' be repealed: Be it enacted that the said seventeenth section be and is hereby repealed, and that sections thirty-five, thirty-six, thirty-seven, and thirty-eight of the said first mentioned Act shall be and remain in full force and effect, which said sections are set forth in the Schedule hereto.

Sec. 17 of 44 Vic.,
17, repealed

The acts of the Parliament of Western Australia [electronic resource]
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