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[ 1889.

No. 3950.—C.S.O.

*Colonial Secretary's Office,*

*Perth, 19th August, 1889.*

**H**IS Excellency the Governor directs the publication of the following Despatch, for general information.

By Command,

OCT. BURT,

Assistant Colonial Secretary,

*for Colonial Secretary.*

WESTERN AUSTRALIA, }  
No. 60. }

SIR,

Downing Street, 8th July, 1889.

In the Despatch which I addressed to the Officer Administering the Government of Queensland on the 30th November, 1888, I stated that on another occasion I should deal further with the communications which I had received from New South Wales and South Australia, as well as from Queensland, representing that the Colonial Ministers ought to have an opportunity of expressing an opinion before any Governor is appointed, and also with the question whether the area of selection should be limited in the case of appointments to Australian Colonies.

Of the remaining Australasian Colonies under Responsible Government, Victoria has declared strongly against any communications with the Colonial Ministers in regard to the selection of the Governor, and the Governments of New Zealand and Tasmania have made no representation on the subject to Her Majesty's Government. I may add that although there has been no official correspondence with Canada on this question, I have been informed that the Dominion Government are decidedly of opinion that the appointment of a Governor-General should be made without any reference to the Responsible Ministers.

Her Majesty's Government have read with attention the debates in the Colonial Parliaments, and without referring in detail to those discussions it may suffice for me to say generally that the fuller reports of them have confirmed the opinion which Her Majesty's Government had been led to form after considering the information previously received by telegraph, namely, that the expediency of making any constitutional change in the mode of appointing the Governor of an Australian colony has not been

established. They believe, in fact, that the objections stated in the letter addressed on November 15th last to the Agent General for South Australia, a copy of which is annexed for convenience of reference, greatly outweigh the advantage which they might in some cases derive from a knowledge of the opinion of the gentlemen at the time serving as Colonial Ministers.

Her Majesty's Government feel that they are justified in claiming for themselves, as well as for their predecessors, that a remarkable measure of success, both as regards the capacity and character of the Governors appointed, and as regards the approval with which those appointments have been received in the Colonies, has attended the sincere endeavors which have at all times been made to secure the best possible selection in each case. They desire, at the same time, to point out the difficulties which might arise if the area of selection were absolutely limited, as has been suggested, to persons who have held high political office in England, or have been members of the Imperial Parliament; such persons are frequently not prepared to retire from a promising public career at home in order to serve out of England for a term of years, and it is worthy of observation that the suggested limitation would have excluded almost all of the most successful Australasian Governors.

It appears, indeed, to be necessary on every ground that Her Majesty's Government should conduct, without assistance from the Colony, the confidential negotiations preliminary to the selection of a Governor; while, they could not invite a person so selected by them to allow his name to be submitted for the approval of gentlemen at a distance, to whom (though well and favorably known here) he may be altogether unknown.

I can therefore only repeat that the true interests of the Colonies, and the preservation of friendly and constitutional relations between the Colonies and this country, will, in the opinion of Her Majesty's Government, be best secured by adhering to the principles upon which the appointment of Governor has hitherto been made.

Governor Sir F. N. Broome, K.C.M.G.,  
&c., &c., &c.

I have, &c.,

KNUTSFORD.

No. 3951.—C.S.O.

$\frac{231}{89}$

*Colonial Secretary's Office,*

*Perth, 19th August, 1889.*

**H**IS Excellency the Governor directs the publication of the following Despatch, for general information.

By Command,

OCT. BURT,

Assistant Colonial Secretary,

*for Colonial Secretary.*

WESTERN AUSTRALIA, }  
No. 63. }

owing Street, 11th July, 1889.

SIR,

I have the honor to acknowledge the receipt of your Despatch No. 108, of the 26th of April, with its enclosures, respecting Messrs. Harper and Hackett's Petition against Chief Justice Onslow.

The resolution adopted by the Legislative Council amounts, I consider, to a decision that the conduct of Mr. Onslow has not been such as would warrant an address for his removal from his office of Chief Justice, which Mr. Onslow will therefore continue to hold.

I am, however, sensible of the difficulties and friction arising out of these continued controversies, and I shall endeavor to find the means of offering Mr. Onslow an appointment elsewhere.

I have, &c.,

Governor Sir F. Napier Broome, K.C.M.G.,  
&c., &c., &c.

KNUTSFORD.

## Order by the Governor in Council.

2145

Extract from the Minutes of a Meeting of the Executive Council, held on the 12th August, 1889.

THE following Order was made under the 37th Section of "The Public Health Act, 1886":—

"Ordered by His Excellency the Governor in Council that the provisions of the 38th Section of 'The Public Health Act, 1886,' giving the Central Board of Health power to make the necessary regulations for the prevention of epidemic, endemic, and contagious diseases, be put in force in Western Australia."

H. L. PILKINGTON,

12-8-89.

Clerk of the Council.

"The Public Health Act, 1886."

Central Board of Health,  
Perth, 19th August, 1889.

THE following Regulations are made this day by the Central Board of Health, pursuant to an Order of the Governor in Council, dated the 12th inst. The Regulations *Gazetted* on the 15th instant are hereby revoked.

CHAS. D'OYLY FORBES,  
Secretary.

Regulations under Section 38 of "The Public Health Act, 1886."

1. In these Regulations the words "Local Authority" shall mean the Local Board of Health for the District. In districts or places where there is no Local Board of Health, the said words shall mean the Government Resident or Resident Magistrate or Police Magistrate of the District. The words "Medical Officer" shall mean the Medical Officer of the Local Board for the District. In districts or places in which there is no Local Board, the said words shall mean the Government Medical Officer of the District.

2. The following shall be deemed to be diseases within the scope and meaning of these Regulations:—Cholera; Small-pox; Typhus, Typhoid, Scarlet, or other infectious or contagious Fever, and Leprosy.

3. Any householder who may have reason to believe that any person upon his premises is suffering from one of the diseases aforesaid shall immediately report the same to the Local Authority. Any Medical Officer or Medical practitioner aware of a case of such disease shall also immediately make a similar report.

4. The Local Authority, on the report of the appearance of any one of the diseases aforesaid within a district, shall forthwith communicate with the Medical Officer, and upon the existence of the disease being certified in writing by the Medical Officer, shall take, and is hereby empowered to take, in conjunction with the Medical Officer, such steps as to the said Local Authority may seem necessary for carrying out the following measures:—

(a.) Provision of proper medical attendance, treatment, medicines, nursing, accommodation, clothing, and other necessaries for the sick.

(b.) Isolation of patients and such persons as may have been in contact with the patients or with any other means of infection or contagion.

(c.) Removal of the patients, and those who have been in contact with them, to any convenient temporary hospital, building, or place of quarantine.

(d.) Prevention of intercourse between patients (or those who have been in contact with them or with any means of infection or contagion) and other persons.

(e.) Destruction of infected clothing or other articles, and disinfection of persons, houses, conveyances, or materials.

(f.) Burial of the dead at such time or in such mode as to the Medical Officer may seem best calculated to prevent the spread of disease.

5. In carrying out the above measures and these Regulations, the Local Authority shall act in conjunction with, and with the concurrence of the Medical Officer.

6. The Local Authority may employ the Police, and any other persons deemed fit and proper to be engaged, to assist in carrying out these Regulations.

7. When and so long as the Local Authority and Medical Officer shall have reason to apprehend the existence of any such disease aforesaid within the district, the said Local Authority, the Medical Officer, and, subject to the control of the Local Authority, any persons authorised and employed by the Local Authority, for the carrying out of these Regulations, shall have and may exercise such restraint of persons and things, and such power of entry into houses, buildings, and premises, as to the Local Authority may appear reasonable and necessary for the prevention of the spread of the disease.

8. The Local Authority, acting in conjunction with the Medical Officer and persons authorised by the Local Authority, may exercise any powers and perform any acts which are reasonable and necessary in order to prevent the spread of disease, even though such powers and acts are not specified in these Regulations.

9. The Local Authority, if within telegraphic communication, shall report daily, for the information of the Central Board of Health, proceedings taken under these Regulations. If not within reach of telegraph, such report shall be made by the earliest and by every opportunity.

10. The Local Authority and Medical Officer shall, in carrying out these Regulations, conform to such instructions as shall from time to time be issued by order of the Central Board of Health.

11. These Regulations shall come into force, after approval of the Governor, on their publication in the *Government Gazette*, and shall remain in force until repealed or altered.

12. It shall be the duty of the Local Authority, and of Officers thereunder, to superintend and see to the execution of these Regulations.

I approve the above Regulations,

F. NAPIER BROOME,

Governor.

19th August, 1889.