



# GOVERNMENT GAZETTE.

[PUBLISHED BY AUTHORITY.]

TUESDAY, JUNE 26, 1849.

[N<sup>o</sup> 189.]

## PROCLAMATION

By His Excellency CHARLES FITZGERALD, Esquire, Commander in the Royal Navy, Governor and Commander-in-Chief in and over the Territory of Western Australia and its Dependencies, and Vice-Admiral of the same.

IN pursuance of the authority in me vested by a certain Ordinance of the Legislative Council, No. XX of the 10th Victoria, intituled "An Ordinance to establish a Toll to be levied on Sandal-Wood, to be applied to the construction and repair of public roads and lines of communication," and which provides (section VIII) "that it shall be lawful for the Governor, with the advice of the Executive Council, at any time, by proclamation under his hand, to suspend the operation of this Ordinance for such time as he may think expedient," I do hereby notify and proclaim the suspension of the operation of the aforesaid Ordinance for a further period terminating the 31st day of December, 1849.

Given under my hand and the Public Seal of the colony this 13th day of June, 1849.

CHARLES FITZGERALD,  
Governor, &c.

By His Excellency's command,  
R. H. BLAND,  
Acting Colonial Secretary.  
GOD SAVE THE QUEEN !!

Colonial Secretary's Office, Perth,  
June 13, 1849.

## TENDERS FOR FLOUR.

TENDERS will be received at this Office up to 12 o'clock on Tuesday, the 26th instant, for supplying, for the use of the Perth Gaol Establishment, three Tons of Twenty per Cent. Flour. The tenders to state the price per 100 lbs., bags included.

The flour is to be delivered at the Commissariat Store, Perth, and to be subject to the approval of a Board of Survey.

By His Excellency's command,  
R. H. BLAND,  
Acting Colonial Secretary.

Colonial Secretary's Office, Perth,  
June 16, 1849.

## TENDERS FOR STONE.

TENDERS will be received at this Office up to 12 o'clock on Tuesday, the 26th instant, from such persons who may be willing to deliver on the Causeway 250 cubic yards of Red Sandstone from the Quarry at Mount Eliza.

For further particulars application to be made to the Superintendent of Public Works.

By His Excellency's command,  
R. H. BLAND,  
Acting Colonial Secretary.

Colonial Secretary's Office, Perth  
June 14, 1849.

TENDERS will be received at this Office up to 12 o'clock on Tuesday, the 26th instant, from persons willing to contract for Carting Stone, Gravel, or Clay, from the Pit now open at the East end of the Causeway, to the Guildford Road, commencing at or near the Causeway, and to continue the same towards Guildford. The carts to be loaded and material spread by the prisoners. The Tenders to express the price at per 100 yards, of twelve (12) feet wide and eight (8) inches in thickness when properly levelled, and to be subject to the approval of the Superintendent of Public Works.

Application for further particulars to be made to the Superintendent of Public Works, or to this Office.

By His Excellency's command,  
R. H. BLAND,  
Acting Colonial Secretary.

Colonial Secretary's Office, Perth,  
May 31, 1849.

## DEPASTURING LICENSES.

The following applications have been received: May 30, 1849—R. Heppingstone, Wonnerup Townsite Reserve, adjoining the fee simple lands of Sir James Stirling, J. T. Cook, G. Layman, R. Guerrier, J. and G. Chapman, and Messrs. Bussell.

June 20, H. D. McGlew, for the unoccupied portion of the Townsite of Busselton, to be put up to auction by the Resident Magistrate, Vasse, on Wednesday the 18th July.

By His Excellency's command,  
R. H. BLAND,  
Acting Colonial Secretary.

Colonial Secretary's Office, Perth,  
June 20, 1849.

HIS Excellency the Governor has been pleased to direct the publication of the following regulations for the guidance of Masters of Vessels visiting any of the Ports, Harbours, or Anchorages of this Colony, for general information.

By His Excellency's command,  
R. H. BLAND,  
Acting Colonial Secretary.

## REGULATIONS FOR THE GUIDANCE OF MASTERS OF VESSELS VISITING ANY OF THE PORTS, HARBOURS, OR ANCHORAGES OF WESTERN AUSTRALIA.

1. Any person landing from a Vessel previous to the visit, or without the sanction of the Health Officer, will be liable to a penalty of £50.

2. The Master of every vessel is, on his arrival at or off any Port, Harbour, or Anchorage.

to which any Pilot has been appointed, to give up the charge of his vessel to the first duly authorised Pilot who may offer himself to conduct her into Port; such Pilot to produce his authority if required.

3. He is to furnish the Pilot or Boarding Officer with a written statement containing a true account of the name of the place and country at which such vessel shall have loaded, and also of all the places at which such vessel shall have touched on the voyage, and he is to answer all such questions as shall be put to him by such Pilot or Boarding Officer, touching the health of the Crew and Passengers of such vessel during the voyage, and the cause or causes of death, of any person or persons, which have taken place on board, on pain or forfeiting any sum not exceeding £100 for any refusal to give any such paper, or for any false representation or wilful omission therein, or false answer to such questions.

4. Should such vessel have arrived from any place which shall be notified by any proclamation or order of the Queen as being infected with disease, and of which notice has been given to the Master of the vessel by the Pilot or Boarding Officer, such Master is immediately to hoist a signal to denote that such vessel is liable to quarantine, which signal is in the day time to be a Yellow Flag of six breadths of bunting at the maintop-head, and such Master is further to keep such signal hoisted until the said vessel is discharged from the performance of Quarantine, under a penalty for every such offence of any sum not exceeding £100.

5. The Master of any Vessel which is liable to perform Quarantine as aforesaid, is immediately after his arrival at the place appointed for the performance of Quarantine, to deliver, on demand, to the Superintendent of Quarantine or his assistant or other officer authorised to act in that behalf, his Bill of Health and Manifest, together with his Log Book and Journal, under pain of forfeiting any sum not exceeding £100.

6. If the Master or other person in charge of any vessel liable to perform Quarantine, quits, or knowingly permits any Seaman, Passenger or other person to quit such vessel, by going on shore or by going on board any other vessel or boat, before such Quarantine is fully performed (unless by virtue of any permission granted or orders made by the Governor), or, in case any Master or other person having charge of such vessel does not, within a convenient time after due notice given for that purpose, cause such vessel and lading to perform Quarantine, he shall forfeit and pay for every such offence any sum not exceeding £100. And if any such person coming in any such vessel liable to Quarantine, or any Pilot or other person going on board the same, either before or after the arrival of any such vessel at any port or place within the colony, quits such vessel, either before or after the arrival, unless by such permission or order as aforesaid, he or they will be subject to imprisonment for the space of six months, and forfeit any sum not exceeding £300.

7. If any person lands or unships, or moves in order to the landing or unshipping any goods, wares, or merchandize, packets, packages, baggage, wearing apparel, books, letters, or other articles, from on board any vessel liable to perform Quarantine, or knowingly receives the same after they have been so landed or unshipped, he shall forfeit and pay any sum not exceeding £500.

8. The Master of every vessel, on his arrival at any Port in the colony, is to deliver up to the Boarding Officer, or other person duly authorised, all despatches, letters and parcels on public ser-

vice addressed to the Governor or any Officer of Government, together with the Post Office Mails and letters, whether the same be in parcels or loose, upon such Boarding Officer or other authorized person signing a receipt for the same; and he is to repair to the Post Office so soon after his arrival as may be practicable, and there subscribe the declaration required by the Act, which he is to produce to the Officer of Customs on making his report to him, on pain of a penalty of from £10 to £50.

9. Each Master may demand of the Postmaster at the Port, twenty four hours after the delivery of the Mails, one penny for every letter or packet so delivered, excepting such as are addressed to the Governor or any Officer of Government on Public Service.

10. Within twenty four hours after his arrival at any Port, and before he has broken bulk, the Master of each vessel is to deliver into the Office of the Collector or Sub-Collector of Revenue, a report in writing, stating the name, country, and tonnage (and if English, Port of Entry) of his vessel, the name and country of the Master, the country of the owners, the number of the crew and how many are of the country of such vessel, and whether she be laden or in ballast, and if laden, the marks, numbers, and contents of every package, and parcel of goods on board, and where the same was laden, and where and to whom consigned, and where any and what goods (if any) have been unladen during the voyage, and particularly of all goods subject to duty on board of such vessel, whether intended for importation into this colony or not, and he is at the time of making such report to deliver to the Collector or Sub-Collector of Revenue the Manifest of his Cargo, where a Manifest is required, his clearance from the last port left, and all other papers and documents as the said Officer shall reasonably desire to inspect, and shall at the same time enter into a Bond with the Surety, to be approved by the said Officer, or, at the discretion of the said Officer deposit his Certificate of Registry in lieu thereof, for the observance of these Regulations; and if required by the Collector or Sub-Collector, he is to produce to him any Bill or Bills of Lading, or true copy thereof for any and every part of the cargo laden on board, and he is to answer such questions as may be demanded of him by such Collector or Sub-Collector, and he is to sign a solemn declaration of the truth of such report, under a penalty of £100.

11. Independent of the report required by the foregoing clause, every Master of a vessel must make a distinct and separate report to the Collector or Sub-Collector of all gunpowder he may have on board.

12. Each Master is to allow any Officer duly authorised by the Collector or Sub-Collector of Revenue, to board his vessel and stay on board until all the goods laden therein are discharged, and to allow him free access to every part of the vessel; and to fasten down the hatchways, and to mark any goods before landing, and to lock up, seal, and mark, or otherwise secure any goods on board.

13. Whenever the Master of a vessel is desirous of removing her from one place of mooring or anchorage to another, he is to notify the same to the Harbour Master at Fremantle, or other authorised person at any of the other Ports (whose duty it is to appoint the place where every ship or vessel on arrival shall anchor) who will, should he not see good cause to the contrary, direct the removal.

14. No Master is to suffer any ballast, rubbish, gravel, earth, stone, or wreck, or filth to be

thrown overboard in any Roadstead, Haven, Harbour, Port, Creek, River or Channel, under a penalty of not less than £2 nor exceeding £50. The Harbour Master will appoint the places where ballast may be landed or taken; and in discharging or taking in ballast, tarpaulins are to be used to prevent it falling overboard, under a penalty of £5 for each offence.

15. Vessels sunk or stranded in any Roadstead, Harbour, or Creek, &c., must be removed within six calendar months after notice to that effect by the Harbour Master at Fremantle, or other duly appointed person at any of the other Ports, or else they will be sold to pay the expenses of removal. The Masters or owners of such vessels will be liable for the expenses incurred over and above the proceeds of sale, but are entitled to receive the overplus, if any.

16. Any person who shall remove or wilfully injure or destroy any Buoy, Beacon, or Sea Mark, or shall make fast any vessel, raft, timber, or other article to any such Buoy, Beacon, or Sea Mark, shall, for the first offence on conviction, forfeit and pay any sum not exceeding £200, and for a second offence be transported as a felon for seven (7) years.

17. On the Harbour Master making a signal from the flag staff on the Jail Hill, Fremantle, by hoisting the Union Jack half-mast high, the Master of every vessel is to send down top-gallant yards, strike top-gallant masts, and let go the second anchor.

18. Any Justice of the Peace may upon complaint being made to him, send on board their vessels sailors who have absented themselves without leave, or may imprison them for any period not exceeding one month. For refusal to work or neglect of duty, Sailors may be imprisoned, with or without hard labour, for any period not exceeding three months, and fined in a sum not exceeding £10, upon conviction before any Resident Magistrate or two Justices of the Peace, but they may be delivered up to the Master of the vessel to which they belong before the expiration of their term of imprisonment, provided such vessel is about to proceed to sea immediately.

19. Persons assisting in the escape of Sailors who have been sent on board as aforesaid by the Magistrates, are liable to a penalty of £10 for each individual.

20. In the event of death on board any vessel at anchor in any part of the Harbours or Roadsteads, the Master of such vessel is to cause the body to be buried on shore. Should such death have been sudden the Master must report the circumstance immediately to the Government Resident at the Port.

21. Masters or Owners of vessels are prohibited from discharging any of their crew, not belonging to the colony, without written authority from the Colonial Secretary, under a penalty of not less than £5 nor more than £20 for each of the crew so discharged.

22. Should any of the crew of a vessel clear-

ing outwards be absent through the negligence or consent of the Master or Mate in charge, no clearance will be granted and a fine of £10 will be imposed on the said Master or Mate in charge for every person so absent.

23. Sailors found in the colony after the departure of the vessel to which they belong, without the consent of the Master of such vessel and of the Colonial Secretary as aforesaid, are liable to a penalty not exceeding £20, and to be imprisoned not longer than 3 months, and to be further imprisoned till the fine be paid.

24. Masters of vessels about to sail from the colony are to deliver forty-eight hours before sailing into the Office of the Collector or Sub-Collector of Revenue of the Port of departure, a statement in writing of all goods, wares, or merchandise, about to be exported in his vessel from the colony, with the marks of the respective shippers and consignees thereof; and if required he is to verify such statement by oath; and he is likewise to deliver a list of the crew and passengers, together with a statement of the Port to which he is bound, and he is to obtain from the Collector or Sub-Collector a clearance for his ship for her outward voyage, and any such Master or Commander who shall deliver a false statement; or shall sail or attempt to sail from any Port in this colony, without such clearance, shall forfeit and pay a sum not exceeding £50; and no Master will be entitled to his clearance until he has given a receipt for all Mails put on board, and shall also have satisfied all claims or demands for Pilotage or other Dues.

25. Masters of vessels about to leave the colony are required to take letters and Mails upon demand of the Postmaster and safely to keep them in some dry place, and duly to convey them upon their intended voyage, under a penalty not exceeding £100; they may however demand from the Postmaster, one penny for every letter so delivered to them excepting for despatches from the Governor of the colony.

26. Any drunkenness, misconduct, or incivility on the part of the Pilots, to be immediately reported to the Harbour-master.

*Colonial Secretary's Office, Perth,  
June 20, 1849.*

#### ACCEPTED TENDERS.

**H**IS Excellency the Governor directs it to be notified, for the information of all whom it may concern, that the following Tenders have been accepted:—

W. Ellery and Thomas Roach, for 100 yards of Stone.

L. Langolant, for supplying, at the Perth Gaol, Firewood for six months.

Thomas Smith, for erecting a double privy at the new school house.

*By His Excellency's command,*

**R. H. BLAND,**

*Acting Colonial Secretary.*

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