



THE WESTERN AUSTRALIAN
GOVERNMENT GAZETTE.

[PUBLISHED BY AUTHORITY.]

Tuesday, JULY 16th, 1861.

30

Colonial Secretary's Office, Perth,
16th. July, 1861

THE following Proclamation by Her Majesty The Queen is published for general information.

By His Excellency's command,
FRED. P. BARLEE,
Colonial Secretary.

BY THE QUEEN.

A PROCLAMATION.

VICTORIA R.

WHEREAS We are happily at Peace with all Sovereigns, Powers, and States :

And whereas Hostilities have unhappily commenced between the Government of the United States of America and certain States styling themselves the Confederate States of America :

And whereas We, being at Peace with the Government of the United States, have declared Our Royal Determination to maintain a strict and impartial Neutrality in the Contest between the said contending Parties :

We therefore have thought fit, by and with the Advice of Our Privy Council, to issue this Our Royal Proclamation :

And We do hereby strictly charge and command all Our loving Subjects to observe a strict Neutrality in and during the aforesaid Hostilities, and to abstain from violating or contravening either the Laws and Statutes of the Realm in this Behalf, or the Law of Nations in relation thereto, as they will answer to the contrary at their Peril :

And whereas in and by a certain Statute made and passed in the Fifty-ninth Year of His Majesty King George the Third, intituled " An Act to prevent the Enlisting " or Engagement of His Majesty's Subjects to serve in a Foreign Service, and " the fitting out or equipping, in His Majesty's Dominions, Vessels for Warlike " Purposes, without His Majesty's Licence," it is amongst other things declared and enacted as follows : —

" That if any natural-born Subject of His Majesty, His Heirs and Successors, without the Leave or Licence of His Majesty, His Heirs or Successors, for that Purpose first had and obtained, under the Sign Manual of His Majesty, His Heirs or Successors, or signified by Order in Council, or by Proclamation of His Majesty, His Heirs or Successors, shall take or accept, or shall agree to take or accept, any Military Commission, or shall otherwise enter into the Military Service as a Commissioned or Non-commissioned Officer, or shall enlist or enter himself to enlist, or shall agree to enlist or to enter himself to serve as a Soldier, or to be employed or shall serve in any Warlike or Military Operation in the Service of or for or under or in aid of any Foreign Prince, State, Potentate, Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province or People, either as an Officer or Soldier, or in any other Military Capacity ; or if any natural-born Subject of His Majesty shall, without such Leave or Licence as aforesaid, accept, or agree to take or accept, any Commission, Warrant, or Appointment as an Officer, or shall enlist or enter himself, or shall agree to enlist or enter himself, to serve as a Sailor or Marine, or to be employed, or engaged, or shall serve in and on board any Ship or Vessel of War, or in and on board any Ship or Vessel used or fitted out, or equipped or intended to be used for any Warlike Purpose, in the Service of or for or under or in aid of any Foreign Power, Prince, State, Potentate, Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province or People : or if any natural-born Subject of His Majesty shall, without such Leave and Licence as aforesaid, engage, contract, or agree to go, or shall go to any Foreign State, Country,

Colony, Province, or Part of any Province, or to any Place beyond the Seas, with an Intent or in order to enlist or enter himself to serve, or with intent to serve in any Warlike or Military Operation whatever, whether by Land or by Sea, in the Service of or for or under or in aid of any Foreign Prince, State, Potentate, Colony, Province, or Part of any Province or People, or in the Service of or for or under or in aid of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province or Part of any Province or People either as an Officer or a Soldier, or in any other Military Capacity, or as an Officer or Sailor, or Marine in any such Ship or Vessel as aforesaid, although no Enlisting Money or Pay or Reward shall have been or shall be in any or either of the Cases aforesaid actually paid to or received by him, or by any Person to or for his Use or benefit; or if any Person whatever, within the United Kingdom of Great Britain and Ireland, or in any Part of His Majesty's Dominions elsewhere, or in any Country, Colony, Settlement, Island, or Place, belonging to or subject to His Majesty, shall hire, retain, engage, or procure, or shall attempt or endeavour to hire, retain, engage, or procure any Person or Persons whatever to enlist, or to enter or engage to enlist, or to serve or to be employed in any such Service or Employment as aforesaid, as an Officer, Soldier, Sailor, or Marine, either in Land or Sea Service, for or under or in aid of any Foreign Prince, State, Potentate, Colony, Province, or Part of any Province or People, or for or under or in aid of any Person or Persons exercising or assuming to exercise any Powers of Government as aforesaid, or to go or to agree to go, or embark from any Part of His Majesty's Dominions, for the Purpose or with Intent to be so enlisted, entered, engaged, or employed as aforesaid, whether any Enlisting Money, Pay, or Reward shall have been or shall be actually given or received, or not; in any or either of such Cases, every Person so offending shall be deemed guilty of a Misdemeanor, and upon being convicted thereof, upon any Information or Indictment, shall be punishable by Fine and Imprisonment, or either of them, at the Discretion of the Court before which such Offender shall be convicted."

And it is in and by the said Act further enacted,—

"That if any Person, within any Part of the United Kingdom, or in any Part of His Majesty's Dominions beyond the Seas, shall, without the Leave and Licence of His Majesty for that Purpose first had and obtained as aforesaid, equip, furnish, fit out, or arm, or attempt or endeavour to equip, furnish, fit out, or arm, or procure to be equipped, furnished, fitted out, or armed, or shall knowingly aid, assist, or be concerned in the equipping, furnishing, fitting out, or arming, of any Ship or Vessel, with Intent, or in order that such Ship or Vessel shall be employed in the Service of any Foreign Prince, State, or Potentate, or of any Foreign Colony, Province, or Part of any Province or People, or of any Person or Persons, exercising or assuming to exercise any Powers of Government in or over any Foreign State, Colony, Province, or Part of any Province or People as a Transport or Store Ship, or with Intent to cruise or commit Hostilities against any Prince, State, or Potentate, or against the Subjects or Citizens of any Prince, State, or Potentate, or against the Persons exercising or assuming to exercise the Powers of Government in any Colony, Province, or Part of any Province or Country, or against the Inhabitants of any Foreign Colony, Province, or Part of any Province or Country, with whom His Majesty shall not then be at War; or shall, within the United Kingdom, or any of His Majesty's Dominions, or in any Settlement, Colony, Territory, Island, or Place belonging to or subject to His Majesty, issue or deliver any Commission for any Ship or Vessel, to the Intent that such Ship or Vessel shall be employed as aforesaid, every such Person so offending shall be deemed guilty of a Misdemeanor, and shall, upon Conviction thereof upon any Information or Indictment, be punished by Fine and Imprisonment, or either of them, at the discretion of the Court in which such Offender shall be convicted; and

every such Ship or Vessel, with the Tackle, Apparel, and Furniture, together with all the Materials, Arms, Ammunition, and Stores, which may belong to or be on board of any such Ship or Vessel, shall be forfeited; and it shall be lawful for any Officer of His Majesty's Customs or Excise, or any Officer of His Majesty's Navy, who is by Law empowered to make Seizures for any Forfeiture incurred under any of the Laws of Customs or Excise, or the Laws of Trade and Navigation, to seize such Ships and Vessels aforesaid, and in such Places and in such Manner in which the Officers of His Majesty's Customs or Excise and the Officers of His Majesty's Navy are empowered respectively to make Seizures under the Laws of Customs and Excise, or under the Laws of Trade and Navigation; and that every such Ship and Vessel, with the Tackle, Apparel, and Furniture, together with all the Materials, Arms, Ammunition, and Stores which may belong to or be on board of such Ship or Vessel, may be prosecuted and condemned in the like Manner and in such Courts as Ships or Vessels may be prosecuted and condemned for any Breach of the Laws made for the Protection of the Revenues of Customs and Excise, or of the Laws of Trade and Navigation."

And it is in and by the said Act further enacted,—

"That if any Person in any Part of the United Kingdom of Great Britain and Ireland, or in any Part of His Majesty's Dominions beyond the Seas, without the Leave and Licence of His Majesty for that Purpose first had and obtained as aforesaid, shall, by adding to the number of the Guns of such Vessel, or by changing those on board for other Guns, or by the addition of any Equipment for War, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing or augmenting, the Warlike Force of any Ship or Vessel of War, or Cruiser, or other armed Vessel, which at the Time of her Arrival in any Part of the United Kingdom, or any of His Majesty's Dominions was a Ship of War, Cruiser, or Armed Vessel in the Service of any Foreign Prince, State, or Potentate, or of any Person or Persons exercising, or assuming to exercise any Powers of Government in or over any Colony, Province, or Part of any Province or People belonging to the Subjects of any such Prince, State, or Potentate, or to the Inhabitants of any Colony, Province, or Part of any Province or Country under the Control of any Person or Persons so exercising or assuming to exercise the Powers of Government, every such Person so offending shall be deemed guilty of a Misdemeanor, and shall, upon being convicted thereof upon any Information or Indictment, be punished by Fine and Imprisonment, or either of them, at the Discretion of the Court before which such Offender shall be convicted."

Now, in order that none of our Subjects may unwarily render themselves liable to the Penalties imposed by the said Statute, We do hereby strictly command, that no Person or Persons whatsoever do commit any Act, Matter, or Thing whatsoever, contrary to the Provisions of the said Statute, upon Pain of the several Penalties by the said Statute imposed, and of Our high Displeasure.

And We do hereby further warn all Our loving Subjects, and all Persons whatsoever entitled to Our Protection, that if any of them shall presume, in contempt of this Our Royal Proclamation, and of Our high Displeasure, to do any Acts in derogation of their Duty, as Subjects of a Neutral Sovereign in the said Contest, or in violation or contravention of the Law of Nations in that behalf; as for Example, and more especially, by entering into the Military Service of either of the said contending Parties as Commissioned or Non-Commissioned Officers or Soldiers; or by serving as Officers, Sailors, or Marines on board

any Ship or Vessel of War or Transport of or in the Service of either of the said contending Parties; or by serving as Officers, Sailors, or Marines on board any Privateer bearing Letters of Marque of or from either of the said contending Parties; or by engaging to go or going to any Place beyond the Seas with Intent to enlist or engage in any such Service, or by procuring or attempting to procure, within Her Majesty's Dominions at home or abroad, others to do so; or by fitting out, arming, or equipping any Ship or Vessel to be employed as a Ship of War or Privateer or Transport by either of the said contending Parties: or by breaking or endeavouring to break any Blockade lawfully and actually established by or on behalf of either of the said contending Parties; or by carrying Officers, Soldiers, Despatches, Arms, Military Stores, or Materials, or any Article or Articles considered and deemed to be Contraband of War, according to the Law or Modern Usage of Nations, for the Use or Service of either of the said contending Parties, all Persons so offending will incur and be liable to the several Penalties and penal Consequences by the said Statute or by the Law of Nations in that behalf imposed or denounced.

And We do hereby declare, that all Our Subjects, and Persons entitled to Our Protection, who may misconduct themselves in the Premises, will do so at their Peril and of their own wrong, and that they will in nowise obtain any Protection from Us against any Liabilities or penal Consequences, but will, on the contrary, incur Our high Displeasure by such Misconduct.

Given at Our Court at the White Lodge, Richmond Park, this Thirteenth Day of May, in the Year of our Lord One thousand eight hundred and Sixty-one, and in the Twenty-fourth Year of Our Reign.

GOD SAVE THE QUEEN ! ! !

*Colonial Secretary's Office, Perth,
2nd July, 1861.*

TENDERS (in duplicate) endorsed "Tenders for Serpentine Road," will be received at this office until noon of Thursday the 18th instant, from persons willing to undertake the clearing of the Fremantle and Serpentine Road, from the point where the prisoners left off to the Serpentine Bridge.

The road to be cleared to the width of 33 feet, and all overhanging boughs to be cut off.

The Government do not bind themselves to accept the lowest or any tender, and will require the guarantee of two responsible persons for the due performance of the Contract.

Forms of Tender may be had on application to the various Resident Magistrates, and at the Public Offices, Perth; and no tender will be entertained unless rendered on the prescribed form.

By His Excellency's Command,
FRED. P. BARLEE,
Colonial Secretary.

*Colonial Secretary's Office, Perth,
16th July, 1861.*

TENDERS (in duplicate) endorsed "Tenders for Capel Road," will be received at this Office until noon of Thursday, the 1st August, 1861, from persons desirous to undertake the clearing of that part of the road between Bunbury and the Capel, at present remaining uncleared.

A Tracing may be seen and all information obtained at the Office of the Resident Magistrate, at Bunbury.

The Government do not bind themselves to accept the lowest or any tender, and will require the guarantee of two responsible persons for the due performance of the contract.

Forms of Tender may be had on application to the various Resident Magistrates, and at the Public Offices, Perth, and no tender will be entertained unless rendered on the prescribed form.

By His Excellency's Command,
FRED. P. BARLEE,
Colonial Secretary.

Tenders Accepted.

*Colonial Secretary's Office, Perth,
14th July, 1861.*

S. S. PARKER,

To construct a bridge over Bland's brook at York for £140.

WILLIAM FORREST,

To construct two bridges on the Preston Road for £100.

WILLIAM CRUSE,

To repair a portion of the Upper Swan Road for £25.

WILLIAM SLOAN,

To erect a Guard House at Perth for £48.

By His Excellency's command,
FRED. P. BARLEE,
Colonial Secretary.

*Colonial Secretary's Office, Perth,
9th July, 1861.*

THE undermentioned Allotments of Land will be offered for sale at Public Auction, by the Collector and Sub-Collector of Revenue respectively at the places and on the dates hereunder mentioned,

At Perth,
on the 7th August, 1861.

Newcastle building lot, No. 16.

Upset price £10.

Newcastle building lot, No. 19.

Upset price £10.

Newcastle building lot, No. 44.

Upset price £10.

At Busselton,
on the 7th August, 1861.

Busselton building lots, No. 111, 112,
113 and 114.

Upset price £7 each.

At Perth,
on the 4th September, 1861.

Geraldton building lot, No. 14.

Upset price £15.

By His Excellency's command,
FRED. P. BARLEE,
Colonial Secretary.

PROCLAMATION.

*By His Excellency Arthur Edward
Kennedy, Esquire, Governor and Com-
mander-in-Chief, in and over the Ter-
ritory of Western Australia and its
Dependencies, and Vice-Admiral of
the same.*

WHEREAS, by certain Land Regu-
lations set forth in Her Most
Gracious Majesty the Queen's Order in
Council, dated the 22nd day of March,
1850, it is declared, among other things,
that nothing in that Order or in any Pas-
toral Lease granted under the provisions
thereof, should prevent the Governor from
making Grants or Sales of any Lands com-
prised in such lease for public purposes,
nor from entering upon and disposing of in
such other manner as for the public inter-
ests may seem best, such lands as may be
required for facilitating the improvement
and settlement of the Colony: And whereas
I the said Governor am satisfied the pro-
gress of population requires the lands
hereinafter particularized to be opened for
disposal, agricultural occupation, and the
improvement and settlement of the colony
—Now, therefore, I the said Governor, by
virtue and in exercise of the authority in
me vested, do hereby notify and proclaim
unto all whom it may concern, that I do
hereby resume and reserve absolutely, and
also do intend to offer for disposal, sale,
and grant, in manner hereinafter provided,
all that piece or parcel of land situate in
the Victoria District, containing twenty
thousand acres more or less, and forming
the centre portion of the Pastoral Leases,
Numbers 61 and 62, now in the tenure
and occupation of Messrs. Hamersley and
Co., which said piece or parcel of land is
known in the Survey Office as follows:—
Bounded on the South West by a North
West line of about nine hundred chains in
length, from a spot about one hundred and
ten chains North East. and about three
hundred chains South East from North
corner of Victoria location No. 22. On
the South East by a North East line of
about three hundred chains from the spot
above described, opposite boundaries pa-
rallel and equal and all true: Provided
that such resumed land will be opened for
selection, sale, and tillage lease, in several
portions of about five thousand acres, each
of which will be notified from time to time
as occasion may require, by the Govern-
ment in the "Government Gazette."

Given, at Perth, under the Public Seal,
this 11th day of July, 1861.

A. E. KENNEDY,
Governor.

By His Excellency's Command,
FRED. P. BARLEE,
Colonial Secretary.

GOD SAVE THE QUEEN!

*Colonial Secretary's Office, Perth,
July 16th, 1861.*

THE following Notice is published for
general information at the request
of the Chairman of the Perth City Council

By His Excellency's command,
FRED. P. BARLEE,
Colonial Secretary.

22nd Vict. No. 10.

XIV. THAT the said City Council
shall cause to be published in the First
Number of the Government Gazette or in
Two of the Local Newspapers issued next
after the First days in January and July
respectively in each year, a List of all Per-
sons who shall be in arrear of or for any
Rate, whether assessed by virtue of this,
or of the said recited Ordinance, and of
the amounts due by them respectively,
and in respect of what Hereditaments or
Premises; and from and after the date of
such Publication, such Rates with Interest
thereon, at Ten per Centum per Annum
and the Expenses of Proceedings to re-
cover the same, shall constitute a Lien
and have Priority after Crown Debts to
every Security or Claim of any Descrip-
tion, against the Estate real and personal
of the Debtors respectively.

In accordance with the above the fol-
lowing list of Defaulters is published, viz.:

Mathew Dixon, Allotment S. No. 14,
Amount due £2 18 0

Edward Jeffers, Allotment V. Nos. 17 & 18
Amount due £1 7 0

J. G. C. CARR,
Chairman City Council.

NOTICE.

*Colonial Secretary's Office, Perth,
13th July, 1861.*

IT is hereby notified for general infor-
mation, that the large Ferry Boat at
Mandurah having broken adrift, there are
no means for other than foot passengers
to cross the Murray River at Mandurah.

By His Excellency's Command,
FRED. P. BARLEE,
Colonial Secretary.

Colonial Secretary's Office, Perth,
16th July, 1861.

RETURN of Ticket-of-Leave Holders whose Original Sentence of Transportation has expired during June, 1861.

925	Thomas Dixon
2489	Daniel Dundon
2467	John Carroll
2524	Michael Bowen
2635	Andrew Atkins
2680	John Hooper
2850	Edward French
3044	James Berry
3061	Edward Abbett
3705	Mark Padbury
3981	John Gatcliffe
4237	Francis Lonsone
4483	James Gough
4713	John Owen
4765	Robert Wilson
4774	John Anderson
5365	Archibald Scott
5412	James Carroll
5413	William Gristy
5414	Daniel Jukes
5415	Thomas Oakden
5416	William Pontin
5417	James Holden
5432	Robert Hillary
5434	Thomas Davis
5441	George Freeman
5442	Edward Horton
5443	John Pierpont
5444	Henry Smith
5451	Hermann Isenberg
5463	James Jones
5465	Thomas Evans
5482	Thomas Jennings
5489	Mark Collins
5493	William Watkins
5494	Henry Hill
5498	Stephen Ponton
5500	John Beasley
5502	Joseph Hindmarsh
5503	Michael Coggins
5504	Thomas Cooper
5507	Samuel Randall
5508	John Hackett
5510	William Jones
5511	Joseph Carter
5513	Richard Withers
5538	James Dale
5546	Edward Bryant
5547	Henry Potter
5551	John Edwards
5553	Charles Barrett
5555	Hezekiah Draper
5558	Joseph Sullivan
5559	John Leane

By His Excellency's command,
FRED. P. BARLEE,
Colonial Secretary.

Colonial Secretary's Office, Perth,
July 16th. 1861.

RETURN of Conditional Pardons reported at this Office as being received during June, 1861.

No. of PARDON.	REG. No.	NAME.
2781	303	Robert Fergus
2771	1350	Frederick Judd
2614	1560	Hugh Galvin
2531	2162	John Slevin
2766	2910	George Walker
2718	3139	George Bye
2570	3153	Francis Compton
2406	3274	Cornelius Dering
2782	3356	William Boxall
2760	3565	William Fagg
2695	3676	Allen Mc. Quarrie
2522	3753	Alexander Ramage
2720	3794	John Darnall
2783	3809	William J. Jones
2784	3864	George Little
2698	3875	George Robinson
2769	3960	Richard Johnson
2767	4027	Griffiths Boyer
2768	4063	Donald Cameron
2591	4132	John Jordon
2769	4144	James Wright
2765	4195	John Dolin
2776	4255	Robert Wright
2787	4284	Jeremiah Foley
2788	4290	James Taylor
2789	4371	James Everett
2790	4379	Thomas Rawson
2746	4628	Matthew Flowers
2536	4696	James Shaw
2590	4702	John Scollard
2544	4705	Charles Rawson
2754	4746	Edward Beechan
2764	4972	Humphrey Lowe
2772	4976	Edwin Payne
2586	5011	Benjamin Plummer
2774	5336	Richard Stafford
2757	5348	John Ellison
2779	5394	John Finn
2589	5396	Richard Lane
2791	5397	James Haseman
2543	5431	Frederick Kennedy
2719	5445	Matthew Sherlock
2744	5488	John Davis
2773	5522	William Stewart
2778	5523	John Swap

By His Excellency's command,
FRED. P. BARLEE,
Colonial Secretary.

Printed at the Convict Establishment,
Fremantle, Western Australia.