



Government Gazette

OF
WESTERN AUSTRALIA.

[Published by Authority.]

No. 10.]

TUESDAY, MARCH 5.

[1878.

No. 32.—C.S.O.

PROCLAMATION

Western Australia, }
to wit. }

(L.S.)
H. ST. GEORGE, ORD.

By His Excellency Major-General SIR HARRY ST. GEORGE ORD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of Our Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the territory of Western Australia and its Dependencies, &c., &c., &c.

WHEREAS the Legislative Council now stands prorogued until Wednesday, the twentieth instant, and whereas it is expedient further to prorogue the same; Now THEREFORE I, the said Governor, in exercise of the powers in me vested, do by this my Proclamation further prorogue the said Legislative Council from Wednesday, the twentieth instant, until Thursday, the second day of May, next ensuing.

Given under my hand, and issued under the Public Seal of the said Colony, this eighth day of February, One thousand eight hundred and seventy-eight.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

GOD SAVE THE QUEEN!!!

No. 41.—C.S.O.

Colonial Secretary's Office,
Perth, 27th February, 1878.

HIS Excellency the Governor directs the publication of the following Order in Council, applying "The Foreign Deserters' Act, 1852," to the Kingdom of Madagascar, for general information.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

AT THE COURT AT OSBORNE HOUSE,
ISLE OF WIGHT,
The 28th day of December, 1866.

PRESENT,
THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL.

WHEREAS by the "Foreign Deserters' Act, 1852," it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may by Order in Council stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such power when within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships, and may limit the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient; and whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of Her Majesty the Queen of Madagascar:

NOW, THEREFORE, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserter's Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared that from and after the publication hereof in the London Gazette, seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions desert from merchant ships belonging to the Kingdom of Madagascar, shall be liable to be apprehended and carried on board their respective ships.

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Right Honorable the Earl of Carnarvon, the Right Honorable Viscount Cranborne, and the Right Honorable Spencer Horatio Walpole, three of Her Majesty's Principal Secretaries of State, are to give the necessary directions accordingly.

EDMUND HARRISON.

No. 42.—C.S.O.

*Colonial Secretary's Office,
Perth, 27th February, 1878.*

HIS Excellency the Governor directs the publication of the following Despatch for general information.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

CIRCULAR.

Downing Street, 15th December, 1877.

SIR,—With reference to my Circular Despatch of the 5th February last, I have the honor to inform you that I have received a communication from the Earl of Derby, stating that the intention at one time announced by the Austro-Hungarian Government to conclude a new Treaty of Commerce with this Country, with full provisions on all matters usually comprised in such Treaties, has not been carried into effect. Instead of this course it has been found advisable to prolong the duration of the Treaty concluded for the term of one year on the 5th of December, 1876, of which copies were enclosed in my Circular Despatch above referred to. That Treaty has now been prolonged indefinitely, the two Powers reserving to themselves the usual right to terminate it upon twelve months' previous notice. It will be remembered that its stipulations provide for most favored nation treatment, without specific provisions in regard to details of tariff.

I have, &c.,
CARNARVON.

The Officer Administering the
Government of Western Australia.

No. 43.—C.S.O.

*Colonial Secretary's Office,
Perth, 27th February, 1878.*

IT is hereby notified, for general information, that His Excellency the Governor has received a Despatch from Her Majesty's Secretary of State for the Colonies, informing him that Her Majesty will not be advised to exercise her power of disallowance with respect to the following Acts passed by the Legislative Council of Western Australia during the Session of 1877:—

- No. 2.—“An Act to make further provision for the maintenance of discipline among prisoners employed outside the walls of a prison.”
No. 3.—“An Act to make further provision for the Audit of Accounts of Local Road Boards.”
No. 4.—“An Act to amend ‘The Imported Stock Act, 1876.’”
No. 5.—“An Act to confirm the Expenditure for the services of the year One thousand eight hundred and seventy-six beyond the grant for that year.”
No. 6.—“An Act to provide for the enclosure of certain portions of certain streets in the Town of Fremantle.”
No. 7.—“An Act to amend ‘The Industrial School Act, 1874.’”
No. 8.—“An Act to repeal an Act intituled ‘An Act to prohibit the importation to, and use within the Colony of Western Australia, of certain dangerous matches.’”
No. 9.—“An Act to facilitate Leases and Sales of Settled Estates.”
No. 10.—“An Act to amend ‘The Pawnbroker's Ordinance, 1860.’”

- No. 11.—“An Act to further amend ‘The Elementary Education Act, 1871.’”
No. 12.—“An Act to amend and extend the ‘Telegraphic Messages Act, 1874.’”
No. 13.—“An Act to amend ‘The Scab-in-Sheep Ordinance of 1866.’”
No. 14.—“An Act to vest in certain Officers of Customs in this Colony certain powers which, by ‘The Merchant Shipping Act, 1871,’ are, in the United Kingdom, vested in the Board of Trade.”
No. 16.—“An Act to amend ‘The Railways Act, 1873.’”
No. 18.—“An Act to amend the twenty-sixth section of ‘The Police Ordinance, 1861.’”
No. 20.—“An Act to appropriate the sum of One Hundred and Fifty-one Thousand One Hundred and Fifteen Pounds Seven Shillings and Eightpence out of the General Revenue of the Colony for the Service of the year One thousand eight hundred and seventy-eight.”

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

No. 44.—C.S.O.

*Colonial Secretary's Office,
Perth, 27th February, 1878.*

HIS Excellency the Governor directs the publication of the following Notice to Mariners, for general information.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

The information contained in this notice is to be carefully considered, to be noted in the Sailing Directions, and compared with the chart when the ship is navigating the parts to which it refers.

Hydrographic Notice.

[No. 27.]

AUSTRALIAN DIRECTORY, VOL. I.

NOTICE No. 2.

(Supplementing Hydrographic Notice No. 3 of 1877.)

AUSTRALIA.—SOUTH COAST.

The following additional information relating to the sea mouth of Murray river, is derived from a Notice published by the Marine Board, Port Adelaide, 30th August, 1877.*

[All bearings are Magnetic. Variation 5° 30' Easterly in 1877.]

SEA MOUTH OF MURRAY RIVER.—Nation Bank, on the east side of Murray River entrance, extends now 1½ cables in a westerly direction from the base of Barker knoll.

BUOY.—A red buoy has been placed in 6 feet water to mark the sandspit which extends from the south-east extreme of Hindmarsh island.

TIDES.—On the bar at the sea mouth of the Murray river, high tide occurs in the night or morning from September to March; and from March to September in the day or afternoon. Also that the time of high water only varies two hours from the time observed on full and change days (0h. 50m.) ranging from 11h. when the moon's age is 10 or 25 days; to 3h. when the moon's age is 20 or 7 days.†

SEMAPHORE.—A flagstaff has been erected on Mundoo island from which tidal and other signals are made. The following signals to guide vessels across the bar will be made from a semaphore affixed to the flagstaff:—

The arm pointing to the eastward means port the helm, or steer in the direction indicated.

The arm lowered, steady.

The arm pointing to the westward, means starboard the helm, or steer in the direction indicated.

TIDAL SIGNALS.

The following signals will be shown from the flagstaff, on vessels approaching the bar from seaward; or to those proceeding to sea, namely:—

First quarter flood.—Red flag at mast-head.

Half flood.—Red flag at mast-head; ball at east yard-arm.

Last quarter flood.—Red flag over ball at east yard-arm.

High water.—Red flag over ball at mast-head.

First quarter ebb.—Blue flag at mast-head.

Half ebb.—Blue flag at mast-head; ball at west yard-arm.

Last quarter ebb.—Blue flag over ball at west yard-arm.

Low water.—Blue flag over ball at mast-head.

* See Admiralty Charts—Australia, general, southern portion, No. 2750 b; Cape Jervis to Guichen Bay, No. 1014; Also, Australian Directory, Vol. I., seventh edition, 1876, pages 215 to 218.

† Navigating Lieutenant W. N. Gealen, R.N., Admiralty Surveyor, 1870.

As it frequently happens, that owing to freshets and other causes, the tide rises without the stream setting over the bar from seaward, the following signals in such cases will be made, viz. :—

Instead of one ball with the flood tide signals, two will be used.

Bar dangerous.—When the bar is dangerous, and should not be approached, a blue flag over a red flag will be hoisted at the mast-head.

Information relating to the state of the channel and bar should be obtained at Goolwa or Mundoo island before proceeding to sea.

Directions.—Masters of vessels, acquainted with the entrance, having taken all requisite precautions, should steer towards it; but before shoaling the water to less than 5 fathoms (if the bar be not quite smooth) it would be advisable to keep the vessel in that position, in order to observe if the rollers break with sufficient force to endanger the steering; being satisfied that the condition of the bar is safe, steer in, promptly following the signals from the semaphore.

Having passed Barker knoll (where the channel is only about half a cable wide) and proceeding up Goolwa channel, leave the red buoy off the south-west extreme of Hindmarsh island on the starboard hand.

*Hydrographic Office, Admiralty, London,
14th November, 1877.*

No. 45.—C.S.O.

*Colonial Secretary's Office,
Perth, 4th March, 1878.*

HIS Excellency The Governor has been pleased to make the following appointment:—

Mr. CHARLES JOHN ENNIS to be Resident Medical Officer at the Colonial Hospital, Perth, *vice* Mr. C. W. Wilson.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

No. 46.—C.S.O.

*Colonial Secretary's Office,
Perth, 4th March, 1878.*

HIS Excellency the Governor directs it to be notified, for general information, that Her Majesty's Secretary of State for the Colonies has been pleased to confirm the appointment of Mr. J. A. O'Meehan as Resident Medical Officer of the Greenough District, *vice* Mr. Scott.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

No. 47.—C.S.O.

*Colonial Secretary's Office,
Perth, 28th February, 1878.*

HIS Excellency the Governor, on the recommendation of the Swan District Roads Board, has been pleased to direct that the Track between the Swan and Toodyay Roads, running through Mr. S. W. Viveash's property, be closed.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

No. 48.—C.S.O.

Minor Road—Swan District.

*Colonial Secretary's Office,
Perth, 28th February, 1878.*

IT is hereby notified, that on the recommendation of the Swan District Roads Board, and subject to the condition that the Board provide and erect all gates or fences that may lawfully be required by the owner of the fee-simple land through which such road passes, His Excellency the Governor has been pleased to declare the following Minor Road:—

A Road 50 links wide on the North side of the South boundary of Swan Location 13, from the Upper Swan Road to the Guildford and Toodyay Road.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

No. 31.—C.S.O.

*Colonial Secretary's Office,
Perth, 4th February, 1878.*

TENDERS (endorsed "Tenders for Jayes Mail,") will be received at this Office until noon of Wednesday, the 6th March, 1878, for the conveyance of a Mail between Bridgetown and Jayes, once a week, on horseback, for one, two, or three years.

The arrival and departure of the Mails will be subject to instructions from the Postmaster General, and liable to alteration at any time during the year.

Two approved sureties will be required to join the Contractor in a guarantee for the due fulfilment of the duties contracted to be performed.

Special Forms of Tender, with conditions attached, may be had on application to the various Resident Magistrates, and at the General Post Office, Perth; and no Tender will be entertained unless rendered on the prescribed form.

The Government will reserve to themselves the right to terminate the Contract at any time by giving three months' notice.

The Government do not bind themselves to accept the lowest or any Tender.

Further information may be had on application to the Postmaster General.

By His Excellency's Command,
ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

BY VIRTUE of Her Majesty's Writ, under the hand of the Governor and the Public Seal, to me directed, dated the 20th day of February, 1878, I do hereby give Public Notice that a General Election for the Election of one member to serve in the Legislative Council for the Electoral District of the Vasse, will be held in the Court House, in the town of Busselton, at 10 o'clock in the forenoon of Thursday, the twenty-eighth day of March next ensuing, pursuant to an Ordinance of the Legislative Council intitled "An Ordinance to provide for the Establishment of a Legislative Council, the Division of the Colony into Electoral Districts, and the Election of Members to serve in such Council": at which day and place all persons entitled to vote at the said General Election are requested to give their attendance.

Dated the 27th day of February, 1878.

J. S. HARRIS,
Returning Officer for the Electoral District of Vasse.

MAIL NOTICE.

*General Post Office,
Perth, 2nd March, 1878.*

MAILS for transmission by Coasting Mail Steamer for Europe, India, Cape of Good Hope, &c.; the Australian Colonies, New Zealand, Tasmania, and America, will close as under:—

At Geraldton, Champion Bay, on Wednesday, March 13th, at noon.

At the GENERAL POST OFFICE, PERTH, on Saturday, March 16th, at 6 p.m.

At Fremantle, on Saturday, March 16th, at 9 p.m.

At Bunbury, on Sunday, March 17th, at 2 p.m.

At Busselton, on Sunday, March 17th, at 4 p.m.

At the General Post Office, Perth:—

Money Orders for transmission by the above conveyances will be issued on the United Kingdom, the Australian Colonies, New Zealand, and Tasmania up to 11 a.m. on Friday, 15th March.

Letters for Registration must be posted one hour before the closing of the Mails.

Late Letters, on payment of a fee of 6d., may be posted one hour after the closing of the Mails.

Newspapers must be posted one hour before the closing of the Mails, otherwise they will not be forwarded until the next Mail.

NOTE:—Mails for Albany, Bannister, Williams River, Arthur River, Kojonup, and the Albany Road, will be made up at this Office on Friday, 15th March, at noon.

A. HELMICH, Postmaster-General,
and General Superintendent of Telegraphs.

GOVERNMENT GAZETTE.
LAND SALES.

Crown Lands' Office, Perth, 5th March, 1878.

THE undermentioned Allotment of Land will be offered for Sale, at Public Auction, on the date and at the place specified in the Schedule below, at one o'clock, p.m.

SCHEDULE.

Date of Sale.	Place of Sale.	Description of Lot.	Number of Lot.	Quantity.			Upset Price.
				a.	r.	p.	
1878. March 6	Newcastle ...	Bejoording ... Sub.	78	10	0	0	30s. $\frac{1}{2}$ acre.

JNO. FORREST, *pro* Commissioner of Crown Lands.

*Comptroller's Office,
Fremantle, 2nd March, 1878.*

CERTIFICATES of Freedom have been issued to the undermentioned Convicts, whose sentences have expired:—

Reg. No. 8031 Henry Johnson
 „ 8627 Thomas King
 „ 8975 Michael Rourke
 „ 9494 Joseph Lee
 „ 9594 Samuel Tolley

HIS Excellency the Governor has been pleased to revoke the Tickets-of-Leave of the undermentioned Convicts:—

Reg. No. 8293 George Haver
 „ 9503 John McAllen
 „ 9827 Emanuel Morelas

THE undermentioned man is requested to communicate with this Office:—

Reg. No. 6144 Joseph Cowburn, who received a Conditional Pardon on 27th March, 1872. *Vide* s⁴ 2⁷.

JOHN F. STONE,
Superintendent.

DEPARTMENT OF LAND TITLES.

Transfer of Land Act, 1874.

TAKE NOTICE that Henry Thoby Prinsep of Little Holland House Kensington Middlesex William Prinsep of Woneroh near Guildford in the County of Surrey and Henry White of Lenton in the County of Inverness by Edward Albert Stone their Attorney and Henry Charles Prinsep of Perth in Western Australia Esquire as being entitled to an estate in fee simple in possession in the undermentioned lands have made application to bring the same under the operation of the above-named Act viz.:—

Leschenault Locations Nos. 9 18 24 and 28 and Wellington Location No. 61 as the same are described in the maps and books of the Survey Office and of record therein.

AND FURTHER TAKE NOTICE that all persons claiming to have any estate title or interest in the aforesaid lands or any of them **ARE HEREBY REQUIRED** to lodge with the Registrar of Titles on or before the twenty-seventh day of March next a *caveat* forbidding the same from being brought under the operation of the aforesaid Act.

J. C. H. JAMES,
Commissioner of Titles.

Perth, 27th Feb., 1878.

The Bankruptcy Act, 1871.

IN THE SUPREME COURT.

In the matter of proceedings for liquidation of arrangement of composition with creditors instituted by John Eatch, of the City of Perth, in the Colony of Western Australia, Baker.

NOTICE is hereby given that a first general meeting of the creditors of the above-named person has been summoned to be held at the Supreme Court House, Perth, on the twentieth day of March next, at eleven o'clock in the forenoon.

Dated this fourth day of March, 1878.

(L.S.) ROWLEY C. LOFTIE,
Registrar in Bankruptcy.

Nathaniel Howell, Attorney for the said John Eatch.

The Bankruptcy Act, 1871.

IN THE SUPREME COURT.

In the matter of a special resolution for liquidation by arrangement of the affairs of Michael Conway, of Mount Hardey, near York, farmer and grazier.

THIS is to certify that James William Monger, of York, Bailiff, has been appointed and is hereby declared to be trustee under this liquidation by arrangement.

Given under my hand and the seal of the Court this twenty-seventh day of February, 1878.

ROWLEY C. LOFTIE,
Registrar in Bankruptcy.

I HEREBY give notice that I intend applying to the York Roads Board, for permission to close up the road from Mr. Thos. Grigson's, on the West side of the Avon, running through my enclosed paddock.

SAM. E. BURGES.
Tipperary, York, February 9th, 1878.

NOTICE.

I HAVE applied to the Geraldton Roads Board for permission to close the old Tibadden Road on the Eastern boundary of my P.P.R. Section No. 5, and to place a gate across the same road at the Western boundary of P.P.R. Section No. 4. Also to place two gates across the road leading from Monunooka to Glengarry: one near Monunooka, and the other about 200 chains Southward.

MATTLAND BROWN.
26-12-77.