



# Government Gazette

OF  
WESTERN AUSTRALIA.

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No. 57.]

PERTH: TUESDAY, DECEMBER 17.

[1878.

No. 226.—C.S.O.

*Colonial Secretary's Office,  
Perth, 14th December, 1878.*

HIS Excellency the Governor has been pleased to appoint the following gentlemen to be Justices of the Peace for this Colony:—

THOMAS H. LOVEGROVE, ESQUIRE  
FRANK DELISLE, ESQUIRE  
RICHARD GALE, ESQUIRE.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

No. 222.—C.S.O.

*Colonial Secretary's Office,  
Perth, 13th December, 1878.*

THE following amended By-Law, made by the Albany Municipal Council, has been confirmed by His Excellency the Governor, with the advice of the Executive Council.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

#### AMENDED BY-LAW No. 13.

The following Scale of Fines shall be imposed on persons offending against the provisions of the 3rd Section of the 39th Victoria, No. 19:—

1. For each entire horse or bull at large within the boundaries of the Municipality, not more than Forty shillings (40s.).
2. For each mare, gelding, foal, cow, heifer, calf, or any pony, mule or ass, swine or goat at large within the boundaries of the Municipality, not more than Forty shillings.
3. For each of the before mentioned animals tethered in any street, public thoroughfare, or public ground, not more than Forty shillings.
4. For sheep at large within the boundaries of the Municipality, any number not exceeding twenty, not more than Twenty shillings.

W. G. KNIGHT,  
Chairman.

19th November, 1878.

No. 221.—C.S.O.

*Colonial Secretary's Office,  
Perth, 11th December, 1878.*

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

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

#### NOTICE TO MARINERS.

LUCIUS AND AURORA SHOALS, WESTERN ENTRANCE TO TORRES STRAITS.

THE sites of the supposed positions of the Lucius and Aurora Shoals having been examined by Commander Noel S. F. Digby, in H.M.S. "Sappho," these dangers were not found to exist in the position assigned to them on the chart; and though the neighborhood was sounded and examined, no indication of any shoal was found, either by the discolouration or depth of water. The tides were found to be strong and irregular.

As these supposed dangers have, also, never been seen by the mail steamers running through Torres Straits, the positions in which they are shown on the chart are probably erroneous positions of the Proudfoot Shoal.

G. P. HEATH, Commander R.N.,  
Portmaster.

Department of Ports and Harbours,  
Brisbane, 16th October, 1878.

No. 223.—C.S.O.

*Colonial Secretary's Office,  
Perth, 13th December, 1878.*

THE following By-Laws, made by the Geraldton Municipal Council, on the 3rd September last, have been confirmed by His Excellency the Governor, with the advice of the Executive Council.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

At a Meeting of the Geraldton Municipal Council held on the 3rd day of September, the following resolution was unanimously agreed to:—

"That in pursuance of an Act passed by the Legislative Council during the Session of 1878, intituled 'An Act to amend 'The Municipal Institutions' Act, 1876,'"

The Geraldton Municipal Council has made the following regulations respecting the manner in which the leading horses in teams shall be driven or yoked upon any roads within the Geraldton Municipality.

The said regulations will come into force on the 1st day of December next:—

- 1st. When the team consists of three horses, then unless two of the said horses are in the shafts, the two leading horses shall be driven abreast or in pairs.
- 2nd. When the team consists of four horses, then unless two of the said horses are in the shafts, two of the leading horses shall be driven in pairs or the three abreast.
- 3rd. When the team consists of five or more horses, then all the leading horses, as far as may be, shall be driven abreast or in pairs. The fine for violating such law not to exceed Five pounds.

G. BASTON,  
Chairman.

No. 224.—C.S.O.

### TENDERS ACCEPTED.

*Colonial Secretary's Office,  
Perth, 13th December, 1878.*

JOHN HIGGINS,

To convey a Mail between Vasse and Warren River, (Brockman's), *via* Lower Blackwood, twice a month, for three years, for £60 per annum.

ROBERT CARR,

To convey a Mail once a week, for three years, between York and Youndegin, *via* Dargin, Mount Stirling, and Moranupping, for £70 per annum.

A. & S. MORTIMER,

To convey a Mail from Gingin to Yatheroo, and *vice versa*, once every four weeks, for three years, for £20 per annum.

WILLIAM TURTON,

To convey a Mail from Bannister to Wandering, and *vice versa*, three times a month, for three years, for £15 per annum.

E. & F. WITTENOOM,

To convey a Mail from Geraldton to Cheangwa, and *vice versa*, once a month, for £140 per annum.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

No. 205.—C.S.O.

*Colonial Secretary's Office,  
Perth, 25th November, 1878.*

HIS Excellency the Governor directs it to be notified, for general information, that until further orders the hours of business at the Public Offices will be from 9 a.m. to 4 p.m., except on Saturdays, when they will open as heretofore at 10 a.m. and close at 1 p.m.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

No. 216.—C.S.O.

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

WHEREAS the Municipality of Guildford failed, on the day appointed by law in that behalf, to duly elect two Councillors and two Auditors to serve for the year commencing on the first day of December instant; Notice is hereby given, that His Excellency the Governor, in exercise of the powers in him vested, hereby appoints Friday, the Twentieth of December instant, for the holding of such election.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

No. 217.—C.S.O.

*Colonial Secretary's Office,  
Perth, 6th December, 1878.*

WHEREAS the Municipality of Newcastle failed, on the day appointed by law in that behalf, to duly elect two Auditors to serve for the year commencing on the first day of December instant; Notice is hereby given that His Excellency the Governor, in exercise of the powers in him vested, hereby appoints Friday, the twentieth of December instant, for the holding of such election.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

No. 225.—C.S.O.

*Colonial Secretary's Office,  
Perth, 13th December, 1878.*

THE following By-Laws, made by the Newcastle Municipal Council, have been confirmed by His Excellency the Governor, with the advice of the Executive Council.

By His Excellency's Command,  
ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,  
Colonial Secretary.

### By-Laws, Newcastle Municipality.

1. The Council shall meet at the Mechanics' Hall, on the first Monday evening in every month, at the hour of 7.30 p.m., from April to September, and 8 p.m., from September to April, for the transaction of their ordinary business, and the business of the Council shall be conducted with open doors. A Special Meeting of the Council may be convened at any time by the Chairman, by giving notice to that effect to the Councillors, the Chairman shall convene a Special Meeting within seven days of the receipt of a requisition signed by three Councillors, requiring him to do so. The said notice shall state the business for which such Special Meeting is called, and such business alone shall be discussed at such meeting.

2. The Council shall commence business so soon after the above mentioned hours as there is a sufficient number of members in attendance to constitute a quorum; but if at the expiration of one-half hour from the above-mentioned hours there is not a quorum present, no business shall be transacted by the Council at that meeting.

3. That if at the expiration of the said one-half hour of 7.30 p.m. and 8 p.m., the Chairman should not be present, the Council shall, if a quorum be present, proceed to elect a Chairman from the Councillors so present, who shall act as such during the absence of the Chairman of the Council.

4. At all meetings of the Council, when there is not a quorum present, or when the Council is counted out (which counting out shall take place whenever there shall be less than one-third of the members of the Council present, exclusive of the Chairman or the Councillor chosen to preside in his absence), such circumstance, together with the names of the members present, shall be recorded in the Minute Book.

5. At all meetings of the Council, the minutes of any preceding meeting, not previously confirmed, shall be read as the first

business of all meetings of the Council, in order to their confirmation; and no discussion shall be permitted thereupon, except as to their accuracy as a record of their proceedings.

6. Immediately after confirmation of the minutes, the Chairman may make any communication to the Council he may deem advisable, or bring under consideration any business he may think necessary, and then the ordinary business shall be proceeded with.

7. No By-Law shall be finally passed or adopted at the meeting at which it shall have first been proposed, nor until the next ordinary meeting of the Council; and every such By-Law shall, in the interim, remain open for the inspection of any of the Burgesses, at the office of the Council.

8. The Collector for the time being duly appointed by the Council, shall demand, collect, and receive all rates, assessments, fines, forfeitures, rents, tolls, and other sums due to the Council, and his receipt will be a full and sufficient discharge for any sums paid to him; and all sums so received by the Collector shall be paid by him to the Treasurer of the Council monthly.

9. The Clerk to the Council shall keep all books of the Council, and shall keep and enter in a proper minute book, minutes of all proceedings of the Council, issue notices of all meetings, and shall prepare for the Council or Chairman thereof, and in due time, the Voters' Lists for the Municipality and for the Wards thereof, and cause them to be affixed as by the said Act required, and shall supply copies thereof as by the said Act required; and shall make up and complete, under the like direction of the Council, the Rate Book; and shall under the like direction prepare the Annual Estimates as by the said Act required. He shall also keep all such books of accounts as are required to be kept by the 124th section of the said Act. He shall also under the direction of the Council prepare the Annual Financial statement or summary; and shall do and perform all such other acts as the Council or Chairman may lawfully require him to do under or by virtue of the said Act; and shall attend the office of the Council during such hours as the Council may determine.

10. The Treasurer shall receive monthly from the Collector all sums stated to be received by him under By-Law 8, and give the Collector a receipt for such monies.

11. The Treasurer shall have the custody of the Common Seal, and of all deeds and records of the Council; but he shall not affix the Common Seal to any Corporate document without the express order of the Council.

12. The Treasurer shall (if required by the Council at any time to do so) give a bond with two sureties, in a sum to be named by the Council, conditioned for the fair and diligent discharge of his duties.

13. The Treasurer shall, out of all the moneys received by him as Treasurer of the Council, pay all accounts duly and lawfully passed by the Council at its ordinary monthly meetings, and shall make all other payments which the Council may lawfully pass and order for payment.

14. That on the appointment of an Examiner of Weights and Measures, under the provisions of "The Municipal Institutions' Act," 40 Vict., No. 13, section 55, the Council

shall from time to time notify the same and also the place or places where the Standard Weights and Measures are deposited, by an order in their hands and under the Common Seal, and inserted in the *Government Gazette*.

15. All Butchers' Shops and premises to be inspected, and the shop or premises thoroughly cleansed of all impurities at the close of each and every day by the occupiers of such shops or premises; failing which any such person will be subject to a penalty not exceeding Forty shillings.

16. Whenever any builder or other person is engaged in building the walls of any building abutting on any footpath in any of the said streets or roadways within the Town, such builder or person shall make and keep clear such street or roadway of all materials or rubbish arising from such building. Any builder, plasterer, or person so building as aforesaid, who shall neglect, fail, or refuse to clear the footway as aforesaid, shall forfeit and pay, upon conviction, a penalty not exceeding Five pounds.

17. When any building materials, rubbish, or other things shall be laid, or any hole or excavation shall be made in any of the streets or footpaths in the Town, the person depositing or causing such materials or other things to be so laid, or the said hole or excavation to be made, shall at his own expense cause a sufficient light to be placed in a proper place upon or near the same, and continue such light every night from sun-set to sun-rise during the time such materials, hole, or excavation shall remain; and in case such person shall refuse or neglect to so light and keep lighted as aforesaid, the person so offending shall for every such offence forfeit and pay, on conviction, any sum not exceeding Five pounds.

18. Any person lighting any unguarded fire, or burning any straw, wood, or rubbish, within the boundary of the Municipality of Newcastle, between the months of October and March, inclusive, of each year, without having obtained permission from the Council so to do, shall be liable to a penalty not exceeding Five pounds.

19. Any person stacking any hay, straw, or firewood, or other inflammable material, within twelve feet of any house or other such building, and who shall not remove the same within forty-eight hours after notice so to do is given by the Council, shall forfeit and pay a sum not exceeding Five pounds.

20. Any person or persons furiously riding or driving through the streets of Newcastle to the danger of travellers or passers by, shall, on conviction for every such offence, forfeit and pay any sum not exceeding Five pounds.

21. No person or persons shall be allowed to lunge or back any young unbroken horse, mare, gelding, pony, mule, or ass, in any street or thoroughfare of the Municipality; any person or persons so offending shall forfeit and pay, upon conviction, any sum not exceeding Five pounds.

22. Any person or persons who shall knowingly or carelessly suffer any horse, mare, gelding, foal, bull, ox, cow, heifer, or calf, or any pony, mule, or ass, swine, sheep, or goat belonging to him or in his apparent ownership, or in his charge, to be tethered, or to depasture, feed, or roam about, whether attended by a keeper or not, in or upon any street, or

thoroughfare, forming a portion of the Municipality, shall, on conviction, forfeit and pay for every such offence, in lieu of the penalty imposed by the 3rd section of the 39 Vict., No. 19, the following fines, agreeably to the provisions of the aforesaid section of the said Act:—

	s.	d.
For each entire horse or bull at large by day ... ..	5	0
For each entire horse or bull at large by night ... ..	7	6
For each pig at large by day ... ..	2	6
For each pig at large by night ... ..	5	0
For every other head of cattle, &c., at large by day or night ... ..	1	0

23. The Public Pound for the Town shall be the yards used by the Toodyay Agricultural Society, and the following fees shall and may be charged and taken by the poundkeeper:—

	Per diem.
	s. d.
For every entire horse above twelve months' old ... ..	1 0
For every mare, gelding, mule, pony, or foal ... ..	0 6
For every bull above 12 months old ... ..	1 0
For every cow, ox, steer, or calf ... ..	0 6
For every pig or goat ... ..	1 0
Sheep at the rate of 1s. 6d. for the first 20, over 20 and under 50, 2s. 6d., over 50 and upwards, 2s. 6d., and 2s. 6d. for every 100.	
One poundage fee only chargeable.	

FEES FOR SUSTENANCE.		Per diem.
		s. d.
For every horse, mare, gelding, pony, or head of horned cattle, excepting sucking foals and calves ... ..		2 0
For every pig... ..		1 0
For every goat ... ..		0 6
For every sheep ... ..		0 3
Such rates to be charged each day of 24 hours, half rates only to be charged for less than 12 hours, and no charge for less than three hours.		

24. It shall not be lawful for any person to keep any kind of living swine within a distance of fifty feet from any inhabited dwelling house, or within a like distance of fifty feet from any public street or footway of the said town of Newcastle. Any person who shall so offend shall forfeit and pay, on conviction, any sum not exceeding Forty shillings for every such offence.

25. Any person who shall wilfully or negligently break up, cut down, damage, or destroy, or injure any footpath, tree, plant, post, fence, gate, drain, watercourse, culvert, building, or other property belonging to or in charge of the Council, shall forfeit and pay for every such offence any sum not exceeding Five pounds.

26. That any person or persons requiring to erect, fit up, or enclose any stall at any fair or annual gathering (held in this district) along or on any part of the main streets of the town of Newcastle, must first obtain the permission of the Chairman of the said Council in writing, and for each and every day the said stall or stalls shall remain erected the holders or occupiers of each and every stall pay to the said Council or their Collector, on demand being made by him, the sum of five shillings; and at the close of such fair, the holders or occupiers shall, as aforesaid, clear away all materials used in the erection of any such stalls or any rubbish that may have accumulated, so that the said streets shall be clear and free from obstruction, as if no such stall or stalls had been erected; and any person offending against this By-Law shall, upon conviction, forfeit and pay any sum not exceeding Forty shillings.

27. Any person wishing to cut firewood or timber on any lands belonging to or in charge of the Council, shall pay a fee of Five shillings per month for one man, and ten shillings per month for two men; and any offender against this By-Law shall, upon conviction, forfeit and pay any sum not exceeding Forty shillings.

28. That the occupier of any premises within the said town whereof any chimney flue shall take fire from having been suffered to become foul, shall forfeit and pay, upon conviction, a penalty not exceeding Two pounds ten shillings; provided, if any defendant shall plead that such chimney flue did not take fire in consequence of being foul, the proof shall lie with such defendant.

Revised at a Special Meeting held on the 25th October, 1878.

C. S. MONGER,  
Chairman, N.M.C.

No. 206.—C.S.O.

### Government Notice.

Colonial Secretary's Office,  
Perth, 25th November, 1878.

**H**IS Excellency the Governor has been pleased to approve of the establishment of a Mail Service conducted by the Police Department, for the purpose of conveying Mails between Perth and Albany, under the following regulations, which will be subject to such modifications as experience may show to be necessary.

There will be a Mail twice in each month, each way, between Perth and Albany; the date and hour of departure from either town being fixed by the Postmaster General.

The Mail will be conveyed in a Mail Van with four horses, the Van having accommodation for three adult Passengers.

The distance between Perth and Albany will be divided into eight Stages, corresponding, as far as possible, with the Police Stations on the Albany Road. A fresh team of horses being provided at each Stage.

The Mail Van will be driven at an average rate of five miles an hour, including stoppages, which will be a quarter of an hour midway between each Stage, and one hour at the Bannister, at the 131-Mile, and at the Gordon River Stations; the whole journey being performed in 58 hours. When there are no Passengers there will be no delay at the 131-Mile Station.

The Police Constables in charge at the different Stations will have the immediate control of, and be responsible for, the Native Assistants and the mail horses at their Stations. They will see that the Natives attend to their duty, and that the horses are at all times ready when required for service.

The through Fare between Perth and Albany will be Four pounds (£4). Children under ten years, half price. Fares between intermediate Stages, Ten shillings per Stage or portion of a Stage.

Passengers may secure their seats by booking at the General Post Office, or at the Post Office, Albany, two clear days before the departure of the Mail, of which due notice will be published; preference will be given to through passengers, or those going the longest distances.

Each adult passenger will be allowed as personal luggage one trunk or portmanteau, not exceeding 70lbs. in weight. A small quantity of extra luggage, if accommodation can be provided for it, will be taken at a charge of twopence per lb.

A limited number of parcels, not exceeding seven pounds in weight each, will be carried at the rate of sixpence per lb., for any distance.

Passengers' luggage and parcels must be at the General Post Office, and Post Office, Albany, half an hour before the departure of the Mail.

By His Excellency's Command,  
**ROGER TUCKER<sup>D</sup>. GOLDSWORTHY,**  
 Colonial Secretary.

**TENDERS ACCEPTED.**

*Department of Public Works,  
 Perth, 12th December, 1878.*

SLOAN, WM.,

To perform various repairs and alterations at Perth Poor House, for £150.

LENNON, W. P.,

To perform certain additions to the Albany Gaol, for the sum of £115.

JAS. H. THOMAS,  
 Director of Public Works.

**Post Office Savings' Bank.**

*General Post Office,  
 Perth, 5th December, 1878.*

**D**EPOSITORS in the Post Office Savings' Bank are requested to forward their Books to this office at the end of the current month, in order that the entries therein may be compared with the Ledgers, and that the interest due to Depositors may be entered in their books.

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

**DEPARTMENT OF LAND TITLES.**

<sup>1878</sup> Transfer of Land Act, 1874.

**T**AKE NOTICE that Frederick Davis of Adelaide in the province of South Australia gentleman by Elias Solomon of Fremantle merchant his attorney duly therefor authorised has made application to be certificated as the owner of an estate in fee simple in possession in the following parcels of land situate in the Sussex district viz:—

*Locations 60 and 61*

as the same are described in the maps and books of the Survey Office and are of record therein.

The locations are 40 acre blocks and adjoin one another.

Location 60 was granted to John M'Gibbon and Henry Yelverton in 1858 and Location 61 to Charles Alexander Manning in the same year.

**AND FURTHER TAKE NOTICE** that all other persons claiming to have any estate right title or interest in the above lands or in either of them are hereby required to lodge with the Registrar of Titles on or before the 31st day of December 1878, a *caveat* forbidding the same to be brought under the Act.

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

9th Dec. 1878.

<sup>1878</sup> Transfer of Land Act, 1874.

**T**AKE NOTICE that Barrington Clarke Wood and Abraham Moses (otherwise Moise) Josephson both of Fremantle merchants have made application to be certificated as the owners of an estate in fee simple in possession as tenants in common in the following parcel of land situate in the City of Perth viz:—

*Building Lot No. 43 Y*

as the same is described in the maps and books of the Survey Office and is of record therein.

The allotment fronts upon Francis Street Lake Street and James Street.

**AND FURTHER TAKE NOTICE** that all other persons claiming to have any estate right title or interest in the above land are hereby required to lodge with the Registrar of Titles on or before the 7th day of January next a *caveat* forbidding the same from being brought under the Act.

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

12th Dec. 1878.

**WESTERN AUSTRALIA.**

**Meteorological Observations for the week ending 14th December, 1878.**

WIND Registered by Mr. Forsyth, Harbor Master, at Arthur's Head, Fremantle; altitude above the sea 55 feet, in Latitude 32° 02' 14" S., Longitude 115° 45' 12" E.

The other instruments registered are placed in the grounds adjoining the Survey Office, Perth; altitude above the sea 47 feet, in Latitude 31° 57' 25" S., Longitude 115° 52' 02" E.

MALCOLM FRASER,  
 Surveyor General.

Week ending.	BAROMETER: Mean Reading corrected, and reduced to sea level, and 32 deg. Fah.	THERMOMETERS IN SHADE.				RADIATION THERMOMETERS.		RAIN: Amount in inches.	WIND.		DEGREE OF HUMIDITY, Saturation = 100: mean amount.	CLOUD: Mean amount.	EVAPORATION: Mean amount.	EVAPORATION: Amount in inches.
		Dry.		Wet.		Solar.	Terrestrial.		Horizontal velocity in miles, per 24 hours.	General direction.				
		Maxi-mum.	Mini-mum.	Maxi-mum.	Mini-mum.									
14th	29.904	87.8	60.6	77.4	58.4	144.8	54.7	0	619.7	S.W.	79	1.7	5.8	1.92

Highest reading of Barometer 30.058 9th  
 Lowest do. do. 29.768 12th

Thermometers in shade. { Maximum Dry 109.5 11th  
 { Minimum 55 9th

The Observations are taken at 10 a.m., (excepting Barometer, which is registered at 12 a.m.)

M. A. C. FRASER,  
 Observer.

