

WESTERN AUSTRALIAN
GOVERNMENT GAZETTE.
(PUBLISHED BY AUTHORITY.)

FRIDAY, OCTOBER 15, 1847.

[NUMBER 106]

WESTERN AUSTRALIA.
ANNO DECIMO,
VICTORIÆ REGINÆ.

By His Excellency Lieutenant Colonel
FREDERICK CHIDLEY IRWIN, Knight
Companion of the Royal Hanoverian
Guelphic Order, Governor and Com-
mander-in-Chief of the Territory of
Western Australia, and Vice-Admiral
of the same; with the advice and con-
sent of the Legislative Council thereof

NO. XVIII.

An Ordinance to repeal the existing Laws
respecting the Solemnization of Matri-
mony; and to make other regulations
respecting the same.

[CONTINUED.]

XXIV. And be it enacted, that if any
person shall knowingly and wilfully so-
lemnize any marriage (except marriages by
license or banns by a minister of the Church
of England) in any other place than the
church, office or building specified in the
notice and certificate, or registrar's license
as aforesaid, or in the absence of a registrar
of the district, in which such church, office
or building is situated, or of his deputy,
shall be guilty of felony; and any person
who shall knowingly and wilfully solemnize
any marriage (except marriage by license
or banns by ministers of the Church of
England) within twenty-one days after the
entry of the notice to the registrar as afore-
said or after the expiration of three calendar
months after the date of such entry if the
marriage is by certificate, or, if the marriage
is by a registrar's license, after the expiration
of three calendar months after the date
of such licence, shall be guilty of felony.

XXV. And be it enacted, that every
registrar who shall knowingly and wilfully
issue any certificate for marriage after the
expiration of three calendar months after
the notice shall have been entered as afore-
said, or before the expiration of twenty-one
days after the entry of the notice, or any
certificate the issue of which is forbidden
as aforesaid by any person authorised to
forbid the issue of the registrar's certificate,
or who shall knowingly and wilfully
solemnize in his office any marriage herein
declared to be null and void, shall be guilty
of felony.

XXVI. And be it enacted, that every
prosecution under this ordinance shall be
commenced within the space of two years
after the offence committed.

XXVII. And be it enacted, that if
any persons shall knowingly and wilfully
intermarry contrary to the provisions of this
ordinance in any place other than the
church, office or building specified in the
notice and certificate or registrar's license
as aforesaid, or (such intermarriage not
being by license or banns by a minister of
the Church of England) without either
certificate or registrar's license, or shall
knowingly and wilfully intermarry in any
case in the absence of a registrar, or his
deputy, the marriage of such persons shall
be null and void.

XXVIII. And be it enacted, that if
any valid marriage shall be had between
parties one of whom is a minor under the
provisions of this ordinance by means of
any wilfully false notice, certificate, or de-
claration made by either party to such mar-
riage, as to any matter to which a notice,
certificate, or declaration is herein required,
it shall be lawful for Her Majesty's
Advocate-General to sue for a forfeiture of
all estate and interest in any property
accruing to the offending party by such
marriage; and the proceedings thereupon
and consequences thereof shall be the same
as are provided in the like case by the
twenty-third, twenty-fourth and twenty-fifth
sections of an act of parliament passed in
the fourth year of the reign of His late
Majesty King George the Fourth intituled

"An Act for amending the Laws respecting
"the Solemnization of Marriages in
"England."

XXIX. And be it enacted, that if any
minister, registrar, or other person shall
knowingly and wilfully solemnize, or if
any witness shall knowingly and wilfully
attest, any marriage without consent of
parents or guardians, where such consent
is hereby required, between parties one or
both of whom has not or have not attained
the age of twenty-one years, every person
so offending shall forfeit and pay, for every
such offence, such sum not exceeding five
hundred pounds as any superior court of
record shall in its discretion award in that
behalf; and that every such forfeiture
shall be recoverable in any such court at
the suit of Her Majesty's Advocate Gen-
eral by information or action of debt at any
time within two years after the offence
committed; and shall be appropriated to
the use of Her Majesty, Her Heirs and
Successors, for the public uses of this
colony.

XXX. And be it enacted, that every
registrar shall be entitled to demand and
receive for his own use and benefit the sever-
al fees mentioned in Schedule D to this
ordinance annexed.

XXXI. And be it enacted, that this
Ordinance shall commence and take effect
on the first day of November next.

FREDERICK CHIDLEY IRWIN,
Governor and Commander-in-Chief.
Passed the Council, }
12th August, 1847. }

WALKINSHAW COWAN,
Clerk of the Council.

Schedules to which the 10 V. No 18 refers

SCHEDULE A.

To the Registrar of the District of

I hereby give you notice that a Mar-
riage is intended to be had within three
calendar months from the date hereof
between me and the other party herein
named and described (that is to say) —

Name.	Condition.	Rank or Profession.	Age.	Dwelling place.	Length of residence.	Church, public build- ing or office in which marriage is to be so- lemnized.	District in which either party resides, when the parties dwell in differ- ent places.
*James Smith	Widower	Carpenter	of full age.		more than a month.		
*Martha Green	Spinster	Minor.				

Witness my hand this day of
184 .

*JAMES SMITH.

[The italics* and blanks in this schedule
to be altered and filled up according to fact.]

SCHEDULE B.

I , Registrar of the District of
do hereby certify that on the
day of , notice was duly
entered in the Marriage Notice Book of
the said District of a Marriage intended
between the parties therein named and de-
scribed, delivered under the hand of James
Smith, one of the parties (that is to say) —

[Here follows a form similar to that in
schedule A.]

Date of Notice entered } The issue of this
6th August, 1847. } certificate has not
been forbidden by
any person autho-
rised to forbid the
issue thereof.

Date of certificate given }
27th August, 1847. }

Witness my hand this 27th day of Aug.,
1847.

(Signed) , Registrar.
This Certificate will be void unless the
Marriage is solemnized on or before the 6th
day of November, 1847.

[The italics* and blanks in this schedule
to be altered and filled up according to
fact.]

SCHEDULE C.

A B, Registrar, of , to C D,
of , and E F, of , sendeth
greeting: —

Whereas ye are minded, as it is said, to
enter into a contract of Marriage under the
provisions of an Ordinance passed in the
tenth year of the reign of Her present Ma-
jesty Queen Victoria, intituled "An Ordi-
nance to repeal the existing laws respecting
"the solemnization of Matrimony, and to
"make other regulations respecting the
"same;" and are desirous that the same
may be speedily and publicly solemnized;
and whereas you C D (or E F) have made
and subscribed a declaration under your
hand that you believe there is no impediment
of kindred or alliance, or other lawful hin-
drance to the said Marriage, and that you
C D (or E F) have (or "has") had your
(or "his," or "her") usual place of abode
for the space of fifteen days last past within
the district of , and that you C D
(or E F) not being a Widower (or "Wi-
dow") are (or "is") under the age of 21
years, and that the consent of G H, whose
consent to your (or "his," or "her") Mar-
riage is required by law, has been obtained
thereto, (or that there has been a judicial
approval thereof); I do hereby grant unto
you full license, by the authority in that
behalf given to me by the said Ordinance, to
proceed to solemnize such Marriage in the
aforesaid District of ; provided
that the said Marriage be publicly solemn-
ized in the presence of the Registrar of the
said District, and of two Witnesses, within
three calendar months from the date hereof,
in the (here describe the building in which
the Marriage is to be solemnized), between
the hours of eight in the forenoon, and four
in the afternoon.

Given under my hand the day of
(Signed) A B, Registrar.

SCHEDULE D.

	£	s.	d.
For every declaration and entry thereof	2	0	
For every notice and entry thereof	2	0	
For every certificate	2	6	
License	2	0	0
Marriage by Registrar at his Office	1	0	0
Attendance at marriage, if by license	10	0	
Ditto, if by certificate or banns .	5	0	
Travelling expenses, 1s. 6d. per mile for not exceeding six miles, and 1s. a mile beyond that; distance reckoned one way only.			
For receiving a Caveat	5	0	

Colonial Secretary's Office, Perth,
October 14, 1847.
Weekly Report of Licences issued to Depasture Stock.

By Government Resident, Albany—
E. M. Spencer, 4,000 acres, on Hay River
By Government Resident, Vasse—
T. Turner, 4,000 acres, Sussex District
G. Chapman, 4,000 acres, Sussex District

Sandal Wood Licences.
Sept. 6.—W. Barnard, 3 months, 2 men,
York District

Sawyer's Licences.
By Government Resident, Albany—
James Cooper, 1 month
Solomon Cook, 1 month
Thomas Sherratt, 1 month
By His Excellency's command,
G. F. MOORE,
Colonial Secretary.

Colonial Secretary's Office, Perth,
October 6, 1847.

Depasturing Licences.

The following applications have been received:—

Sept. 30—James Payne, 6,000 acres, on the Ferguson River, adjoining the lands of James Henty, Esq.

Oct. 1—G. M. Whitfield, 4,000 acres, Avon District, adjoining the lands of Messrs. Foley, Anderson, and P. Whitfield.

* Particulars of boundaries have been forwarded to the respective Government Residents.

By His Excellency's command,
G. F. MOORE,
Colonial Secretary.

Proclamation.

By His Excellency, FREDERICK CHIDLEY IRWIN, ESQUIRE, Knight Companion of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief of 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 act of the Imperial Parliament of Great Britain and Ireland, and passed in the fifth and sixth years of Her Majesty's reign, intituled 'an act for regulating the sale of waste lands belonging to the Crown in the Australian colonies,' I do hereby notify and proclaim, that the following portion of land in the District of the Swan, will be offered for sale by Public Auction, by the Collector of Revenue at Perth, on Wednesday the 10th day of November, 1847, at the upset price affixed thereto, on the terms and conditions set forth in certain regulations, dated the 14th June, 1843.

Swan Location, No. 111—comprising 9 acres more or less, adjoining the West boundary of Swan location, No. 94, and in form of a double square with its N.E. corner 10 chains South from N.W. corner of location 94 aforesaid.
Upset price £2 per acre.

Given under my hand and seal at Perth this seventh day of October, 1847.

F. C. IRWIN,

GOVERNOR, &c.

By His Excellency's command,

G. F. MOORE.

Colonial Secretary.

GOD SAVE THE QUEEN!!

General Post Office, Perth,
Oct. 13, 1847.

Notice is hereby given, that certificates have been received of the arrival of the following Mails at their respective destinations, dispatched from this colony in the undermentioned vessels:—

Madras—*Vixen*, Back, Jan. 2, 1846, arrived Feb. 19, 1846

Singapore—*Champion*, Helpman, Aug. 1, 1846, arrived Aug. 25

London (overland)—*Ditto*, arrived Nov. 2

Calcutta—*Ditto*, arrived Sept. 29

Adelaide—*Empress*, Thomas, March 6, 1847, arrived April 17

" *Alexander*, April 9, 1847, arrived May 10

Van Diemens Land—*Ditto*, arrived May 10

" *Champion*, Helpman, Feb. 17, arrived March 26

" *Empress*, Thomas 6th March, 1847, arrived May 7

Mauritius—*Emma Sherratt*, Spears, Apl. 21, 1847, arrived May 24

Sydney—*Champion*, Helpman, Feb. 17, 1847, arrived March 26

" *Empress*, Thomas, March 6, arrived April 28

A. HELMICH,
Postmaster General.

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