



## THE WESTERN AUSTRALIAN GOVERNMENT GAZETTE.

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TUESDAY, 26th DECEMBER, 1871.

52

“THE FOREIGN ENLISTMENT ACT 1870.”

### PROCLAMATION.

By His Excellency FREDERICK ALOYSIUS WELD, Esquire, Governor and Commander-in-Chief in and over the Territory of Western Australia and its Dependencies, &c., &c., &c.

**W**HEREAS by an Act of the Imperial Parliament passed in the Session held in the thirty-third and thirty-fourth years of Her Majesty's reign, intituled *An Act to regulate the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace*, it is amongst other things enacted that this Act shall extend to all the dominions of Her Majesty, including the adjacent territorial waters; and it is also enacted that this Act shall come into operation in the United Kingdom immediately on the passing thereof, and shall be proclaimed in every British possession by the Governor thereof as soon as may be after he receives notice of this Act, and shall come into operation in that British possession on the day of such proclamation, and the time at which this Act comes into operation in any place is, as respects such place, in this Act referred to as the commencement of this Act: Now therefore I, the Governor of the British possession called the Colony of Western Australia, in pursuance of the provisions in the above-recited Act contained, do hereby proclaim, certify, and make known that I have received the said Act, and that the Act published herewith is a copy thereof, and that the said Act will, as therein provided, come this day into operation, and commence, take effect, and have the force of law accordingly within the said British possession and its dependencies, including the adjacent territorial waters.

Given under my Hand and the Seal of the Colony, at Perth, this eighteenth day of December, in the year of our Lord One thousand eight hundred and seventy-one, and in the thirty-fifth year of Her Majesty's reign.

(L.S.) FRED. A. WELD,  
Governor.

By Command,  
FRED. P. BARLEE,  
Colonial Secretary.

GOD SAVE THE QUEEN !!!

### CHAP. XC.

*An Act to regulate the conduct of Her Majesty's Subjects during the existence of hostilities between foreign states with which Her Majesty is at peace.* [9th August 1870.]

WHEREAS it is expedient to make provision for the regulation of the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

### PRELIMINARY.

1. *Short title of Act.*—This Act may be cited for all purposes as “The Foreign Enlistment Act 1870.”

2. *Application of Act.*—This Act shall extend to all the dominions of Her Majesty, including the adjacent territorial waters.

3. *Commencement of Act.*—This Act shall come into operation in the United Kingdom immediately on the

passing thereof, and shall be proclaimed in every British possession by the governor thereof as soon as may be after he receives notice of this Act, and shall come into operation in that British possession on the day of such proclamation, and the time at which this Act comes into operation in any place is, as respects such place, in this Act referred to as the commencement of this Act.

#### ILLEGAL ENLISTMENT.

4. *Penalty on enlistment in service of foreign state.*—If any person, without the license of Her Majesty, being a British subject, within or without Her Majesty's dominions, accepts or agrees to accept any commission or engagement in the military or naval service of any foreign state at war with any foreign state at peace with Her Majesty, and in this Act referred to as a friendly state, or whether a British subject or not within Her Majesty's dominions, induces any other person to accept or agree to accept any commission or engagement in the military or naval service of any such foreign state as aforesaid,—

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor.

5. *Penalty on leaving her Majesty's dominions with intent to serve a foreign state.*—If any person, without the license of Her Majesty, being a British subject, quits or goes on board any ship with a view of quitting Her Majesty's dominions, with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state, or whether a British subject or not, within Her Majesty's dominions, induces any other person to quit or to go on board any ship with a view of quitting Her Majesty's dominions with the like intent,—

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor.

6. *Penalty on embarking persons under false representations as to service.*—If any person induces any other person to quit Her Majesty's dominions or to embark on any ship within Her Majesty's dominions under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state,—

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor.

7. *Penalty on taking illegally enlisted persons on board ship.*—If the master or owner of any ship without the license of Her Majesty, knowingly either takes on board, or engages to take on board, or has on board such ship within Her Majesty's dominions any of the following persons, in this Act referred to as illegally enlisted persons; that is to say:—

- (1.) Any person who, being a British subject within or without the Dominions of Her Majesty, has, without the license of Her Majesty, accepted or agreed to accept any commission or engagement in the military or naval service of any foreign state at war with any friendly state:
- (2.) Any person, being a British subject, who, without the license of Her Majesty, is about to quit Her Majesty's dominions with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state:
- (3.) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state:

Such master or owner shall be guilty of an offence against this Act, and the following consequences shall ensue; that is to say:—

- (1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor; and
- (2.) Such ship shall be detained until the trial and conviction or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of two justices of the peace, or other magistrate or magistrates having the authority of two justices of the peace; and
- (3.) All illegally enlisted persons shall immediately on the discovery of the offence be taken on shore, and shall not be allowed to return to the ship.

#### ILLEGAL SHIPBUILDING AND ILLEGAL EXPEDITIONS.

8. *Penalty on illegal shipbuilding and illegal expeditions.*—If any person within Her Majesty's dominions, without the license of Her Majesty does any of the following acts; that is to say:—

- (1.) Builds or agrees to build, or causes to be built any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state: or
- (2.) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state: or
- (3.) Equips any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state: or
- (4.) Despatches, or causes or allows to be despatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state:

Such person shall be deemed to have committed an offence against this Act, and the following consequences shall ensue:—

- (1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor.
- (2.) The ship in respect of which any such offence is committed, and her equipment, shall be forfeited to Her Majesty:

Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section in respect of such building or equipping if he satisfies the conditions following; that is to say:—

- (1.) If forthwith upon a proclamation of neutrality being issued by Her Majesty he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done under the contract as may be required by the Secretary of State:
- (2.) If he gives such security and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for ensuring that such ship shall not be despatched, delivered, or removed without the license of Her Majesty until the termination of such war as aforesaid.

9. *Presumption as to evidence in case of illegal ship.*—Where any ship is built by order of or on behalf of any foreign state when at war with a friendly state, or is delivered to or to the order of such foreign state, or any person who to the knowledge of the person building is an agent of such foreign state, or is paid for

by such foreign state or such agent, and is employed in the military or naval service of such foreign state, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such foreign state.

10. *Penalty on aiding the warlike equipment of foreign ships.*—If any person within the dominions of Her Majesty, and without the license of Her Majesty,—

By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting the warlike force of any ship which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any foreign state at war with any friendly state,—

Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor.

11. *Penalty on fitting out naval or military expeditions without license.*—If any person within the limits of Her Majesty's dominions, and without the license of Her Majesty,—

Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly state, the following consequences shall ensue:

- (1.) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labor.
- (2.) All ships, and their equipments, and all arms and munitions of war, used in or forming part of such expedition, shall be forfeited to Her Majesty.

12. *Punishment of accessories.*—Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender.

13. *Limitation of term of imprisonment.*—The term of imprisonment to be awarded in respect of any offence against this Act shall not exceed two years.

#### ILLEGAL PRIZE.

14. *Illegal prize brought into British ports restored.*—If, during the continuance of any war in which Her Majesty may be neutral, any ship, goods, or merchandise captured as prize of war within the territorial jurisdiction of Her Majesty, in violation of the neutrality of this realm, or captured by any ship which may have been built, equipped, commissioned, or despatched, or the force of which may have been augmented, contrary to the provisions of this Act, are brought within the limits of Her Majesty's dominions, by the captor, or any agent of the captor, or by any person having come into possession thereof with knowledge that the same was prize of war so captured as aforesaid, it shall be lawful for the original owner of such prize, or his agent, or for any person authorised in that behalf by the Government of the foreign state to which such owner belongs, to make application to the Court of Admiralty for seizure and detention of such prize, and the Court shall, on due proof of the facts, order such prize to be restored.

Every such order shall be executed and carried into effect in the same manner, and subject to the same right of appeal, as in case of any order made in the exercise of the ordinary jurisdiction of such court; and in the meantime and until a final order has been made on such application the court shall have power to make all such provisional and other orders as to the care or custody of such captured ship, goods, or merchandise, and (if the same be of perishable nature or incurring risk of deterioration) for the sale thereof, and with respect to the deposit or investment of the

proceeds of any such sale, as may be made by such court in the exercise of its ordinary jurisdiction.

#### GENERAL PROVISION.

15. *License by Her Majesty, how granted.*—For the purposes of this Act, a license by Her Majesty shall be under the sign manual of Her Majesty, or be signified by Order in Council or by proclamation of Her Majesty.

#### LEGAL PROCEDURE.

16. *Jurisdiction in respect of offences by persons against Act.*—Any offence against this Act shall, for all purposes of and incidental to the trial and punishment of any person guilty of any such offence, be deemed to have been committed either in the place in which the offence was wholly or partly committed, or in any place within Her Majesty's dominions in which the person who committed such offence may be.

17. *Venue in respect of offences by persons*—24 & 25 Vict., c. 97.—Any offence against this Act may be described in any indictment or other document relating to such offence, in cases where the mode of trial requires such a description, as having been committed at the place where it was wholly or partly committed, or it may be averred generally to have been committed within her Majesty's dominions, and the venue or local description in the margin may be that of the country, city, or place in which the trial is held.

18. *Power to remove offenders for trial.*—The following authorities, that is to say, in the United Kingdom any judge of a superior court, in any other place within the jurisdiction of any British court of justice, such court, or, if there are more courts than one, the court having the highest criminal jurisdiction in that place, may, by warrant or instrument in the nature of a warrant in this section included in the term "warrant," direct that any offender charged with an offence against this Act shall be removed to some other place in Her Majesty's dominions for trial in cases where it appears to the authority granting the warrant that the removal of such offender would be conducive to the interests of justice, and any prisoner so removed shall be triable at the place to which he is removed, in the same manner as if his offence had been committed at such place.

Any warrant for the purposes of this section may be addressed to the master of any ship or to any other person or persons, and the person or persons to whom such warrant is addressed shall have power to convey the prisoner therein named to any place or places named in such warrant, and to deliver him, when arrived at such place or places, into the custody of any authority designated by such warrant.

Every prisoner shall, during the time of his removal under any such warrant as aforesaid, be deemed to be in the legal custody of the person or persons empowered to remove him.

19. *Jurisdiction in respect of forfeiture of ships for offences against Act.*—All proceedings for the condemnation and forfeiture of a ship, or ship and equipment, or arms and munitions of war, in pursuance of this Act, shall require the sanction of the Secretary of State or such chief executive authority as is in this Act mentioned, and shall be had in the Court of Admiralty, and not in any other court; and the Court of Admiralty shall, in addition to any power given to the court by this Act, have in respect of any ship or other matter brought before it in pursuance of this Act all powers which it has in the case of a ship or matter brought before it in the exercise of its ordinary jurisdiction.

20. *Regulations as to proceedings against the offender and against the ship.*—Where any offence against this Act has been committed by any person by reason whereof a ship, or ship and equipment, or arms or munitions of war, has or have become liable to forfeiture, proceedings may be instituted contemporaneously or not, as may be thought fit, against the offender in any court having jurisdiction of the offence, and against the ship, or ship and equipment, or arms and munitions of war, for the forfeiture in the Court of Admiralty; but it shall not be necessary to take proceedings against the offender because proceedings are instituted for the forfeiture, or to take proceedings for the forfeiture because proceedings are taken against the offender.

21. *Officers authorised to seize offending ships.*—The following officers, that is to say:—

- (1.) Any officer of customs in the United Kingdom, subject nevertheless to any special or general instructions from the Commissioners of Customs or any officer of the Board of Trade, subject nevertheless to any special or general instructions from the Board of Trade;
- (2.) Any officer of customs or public officer in any British possession, subject nevertheless to any special or general instructions from the governor of such possession;
- (3.) Any commissioned officer on full pay in the military service of the Crown, subject nevertheless to any special or general instructions from his commanding officer;
- (4.) Any commissioned officer on full pay in the naval service of the Crown, subject nevertheless to any special or general instructions from the Admiralty or his superior officer,

may seize or detain any ship liable to be seized or detained in pursuance of this Act, and such officers are in this Act referred to as the "local authority"; but nothing in this Act contained shall derogate from the power of the Court of Admiralty to direct any ship to be seized or detained by any officer by whom such court may have power under its ordinary jurisdiction to direct a ship to be seized or detained.

22. *Powers of officers authorized to seize ships.*—Any officer authorized to seize or detain any ship in respect of any offence against this Act may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of Her Majesty's army, or navy or marines, or any excise officers or officers of customs, or any harbor-master or dock-master, or any officers having authority by law to make seizures of ships, and may put on board any ship so seized or detained any one or more of such officers to take charge of the same, and to enforce the provisions of this Act, and any officer seizing or detaining any ship under this Act may use force, if necessary, for the purpose of enforcing seizure or detention, and if any person is killed or maimed by reason of his resisting such officer in the execution of his duties, or any persons acting under his orders, such officer, so seizing or detaining the ship, or other person, shall be freely and fully indemnified as well against the Queen's Majesty, her heirs and successors, as against all persons so killed, maimed, or hurt.

23. *Special power of Secretary of State or chief executive authority to detain ship.*—If the Secretary of State or the chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within Her Majesty's dominions has been or is being built, commissioned, or equipped contrary to this Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to this Act, such Secretary of State or chief executive authority shall have power to issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant the local authority shall have power to seize and search such ship, and to detain the same until it has been either condemned or released by process of law, or in manner hereinafter mentioned.

The owner of the ship so detained, or his agent, may apply to the Court of Admiralty for its release, and the court shall as soon as possible put the matter of such seizure and detention in course of trial between the applicant and the Crown.

If the applicant establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Act, the ship shall be released and restored.

If the applicant fail to establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Act, then the ship shall be detained till released by order of the Secretary of State or chief executive authority.

The court may in cases where no proceedings are pending for its condemnation release any ship detained under this section on the owner giving security to the satisfaction of the court that the ship shall not be employed contrary to this Act, notwithstanding that the applicant may have failed to establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or intended to be despatched contrary to this Act. The Secretary of State or the chief executive authority

may likewise release any ship detained under this section on the owner giving security to the satisfaction of such Secretary of State or chief executive authority that the ship shall not be employed contrary to this Act, or may release the ship without such security if the Secretary of State or chief executive authority think fit so to release the same.

If the court be of opinion that there was not reasonable and probable cause for the detention, and if no such cause appear in the course of the proceedings, the court shall have power to declare that the owner is to be indemnified by the payment of costs and damages in respect of the detention, the amount thereof to be assessed by the court, and any amount so assessed shall be payable by the Commissioners of the Treasury out of any moneys legally applicable for that purpose. The Court of Admiralty shall also have power to make a like order for the indemnity of the owner, on the application of such owner to the court, in a summary way, in cases where the ship is released by the order of the Secretary of State or chief executive authority, before any application is made by the owner or his agent to the court for such release.

Nothing in this section contained shall affect any proceedings instituted or to be instituted for the condemnation of any ship detained under this section where such ship is liable to forfeiture, subject to this provision, that if such ship is restored in pursuance of this section all proceedings for such condemnation shall be stayed; and where the court declares that the owner is to be indemnified by the payment of costs and damages for the detainer, all costs, charges, and expenses incurred by such owner in or about any proceedings for the condemnation of such ship shall be added to the costs and damages payable to him in respect of the detention of the ship.

Nothing in this section contained shall apply to any foreign non-commissioned ship despatched from any part of Her Majesty's dominions after having come within them under stress of weather or in the course of a peaceful voyage, and upon which ship no fitting out or equipping of a warlike character has taken place in this country.

24. *Special power of local authority to detain ship.*—Where it is represented to any local authority, as defined by this Act, and such local authority believes the representation, that there is a reasonable and probable cause for believing that a ship within Her Majesty's dominions has been or is being built, commissioned, or equipped contrary to this Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to this Act, it shall be the duty of such local authority to detain such ship, and forthwith to communicate the fact of such detention to the Secretary of State or chief executive authority.

Upon the receipt of such communication the Secretary of State or chief executive authority may order the ship to be released if he thinks there is no cause for detaining her, but if satisfied that there is reasonable and probable cause for believing that such ship was built, commissioned, or equipped or intended to be despatched in contravention of this Act, he shall issue his warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant being issued further proceedings shall be had as in cases where the seizure or detention has taken place on a warrant issued by the Secretary of State without any communication from the local authority.

Where the Secretary of State or chief executive authority orders the ship to be released on the receipt of a communication from the local authority without issuing his warrant, the owner of the ship shall be indemnified by the payment of costs and damages in respect of the detention upon application to the Court of Admiralty in a summary way in like manner as he is entitled to be indemnified where the Secretary of State having issued his warrant under this Act releases the ship before any application is made by the owner or his agent to the court of such release.

25. *Power of Secretary of State or executive authority to grant search warrant.*—The Secretary of State or the chief executive authority may, by warrant, empower any person to enter any dockyard, or other place within Her Majesty's dominions and inquire as to the destination of any ship which may appear to him to be intended to be employed in the naval or military service of any foreign state at war with a friendly state, and to search such ship.

26. *Exercise of powers of Secretary of State or chief*

*executive authority.*—Any powers or jurisdiction by this Act given to the Secretary of State may be exercised by him throughout the dominions of Her Majesty, and such powers and jurisdiction may also be exercised by any of the following officers, in this Act referred to as the chief executive authority, within their respective jurisdictions; that is to say:—

- (1.) In Ireland by the Lord Lieutenant or other the chief governor or governors of Ireland for the time being, or the chief secretary to the Lord Lieutenant:
- (2.) In Jersey by the Lieutenant-Governor:
- (3.) In Guernsey, Alderney, and Sark, and the dependent islands by the Lieutenant-Governor.
- (4.) In the Isle of Man by the Lieutenant-Governor.
- (5.) In any British possession by the Governor.

A copy of any warrant issued by a Secretary of State, or by any officer authorised in pursuance of this Act, to issue such warrant in Ireland, the Channel Islands, or the Isle of Man, shall be laid before Parliament.

27. *Appeal from Court of Admiralty.*—An appeal may be had from any decision of a Court of Admiralty under this Act, to the same tribunal and in the same manner to and in which an appeal may be had in cases within the ordinary jurisdiction of the court as a Court of Admiralty.

28. *Indemnity to officers.*—Subject to the provisions of this Act providing for the award of damages in certain cases in respect of the seizure or detention of a ship by the Court of Admiralty no damages shall be payable, and no officer or local authority shall be responsible, either civilly or criminally, in respect of the seizure or detention of any ship in pursuance of this Act.

29. *Indemnity to Secretary of State or chief executive authority.*—The Secretary of State shall not, nor shall the chief executive authority, be responsible in any action or other legal proceedings whatsoever for any warrant issued by him in pursuance of this Act, or be examinable as a witness, except at his own request, in any court of justice in respect of the circumstances which led to the issue of the warrant.

#### INTERPRETATION CLAUSE.

30. *Interpretation of terms.*—In this Act, if not inconsistent with the context, the following terms have the meanings hereinafter respectively assigned to them; that is to say:—

“*Foreign State.*”—“Foreign state” includes any foreign prince, colony, province, or part of any province or people, or 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:

“*Military Service.*”—“Military Service” shall include military telegraphy and any other employment whatever in or in connexion with any military operation.

“*Naval Service.*”—“Naval service” shall, as respects a person, include service as a marine, employment as a pilot in piloting or directing the course of a ship of war or other ship when such ship of war or other ship is being used in any military or naval operation, and any employment whatever on board a ship of war, transport, store ship, privateer or ship under letters of marque; and as respects a ship, include any user of a ship as a transport, store ship, privateer or ship under letters of marque:

“*United Kingdom.*”—“United Kingdom” includes the Isle of Man, the Channel Islands, and other adjacent islands:

“*British possession.*”—“British possession” means any territory, colony, or place, being part of Her Majesty’s dominions, and not part of

the United Kingdom, as defined by this Act:

“*The Secretary of State.*”—“The Secretary of State” shall mean, any one of Her Majesty’s Principal Secretaries of State:

“*Governor.*”—“The Governor” shall, as respects India, mean the Governor-General or the governor of any presidency, and where a British possession consists of several constituent colonies, mean the Governor-General of the whole possession, or the Governor of any of the constituent colonies, and as respects any other British possession it shall mean the officer for the time being administering the government of such possession; also, any person acting for or in the capacity of a governor shall be included under the term “Governor.”

“*Court of Admiralty.*”—“Court of Admiralty” shall mean the High Court of Admiralty of England or Ireland, the Court of Session of Scotland, or any Vice-Admiralty Court within Her Majesty’s dominions:

“*Ship.*”—“Ship” shall include any description of boat, vessel, floating battery, or floating craft; also any description of boat, vessel, or other craft or battery, made to move either on the surface of or under water, or sometimes on the surface of and sometimes under water:

“*Building.*”—“Building” in relation to a ship shall include the doing any act towards or incidental to the construction of a ship, and all words having relation to building shall be construed accordingly:

“*Equipping.*”—“Equipping” in relation to a ship shall include the furnishing a ship with any tackle, apparel, furniture, provisions, arms, munitions, or stores or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea or for naval service, and all words relating to equipping shall be construed accordingly:

“*Ship and Equipment.*”—“Ship and Equipment” shall include a ship and everything in or belonging to a ship:

“*Master.*”—“Master” shall include any person having the charge or command of a ship.

#### REPEAL OF ACTS, AND SAVING CLAUSES.

31. *Repeal of Foreign Enlistment Act.* 59 G. 3 c. 69.—From and after the commencement of this Act, an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, chapter sixty-nine, intituled “An Act to prevent the enlisting or engagement of His Majesty’s subjects to serve in foreign service, and the fitting out or equipping, in His Majesty’s dominions, vessels for warlike purposes, without His Majesty’s license,” shall be repealed: Provided that such repeal shall not affect any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before this Act comes into operation, nor the institution of any investigation or legal proceeding, or any other remedy for enforcing any such penalty, forfeiture, or punishment as aforesaid.

32. *Saving as to commissioned foreign ships.*—Nothing in this Act contained shall subject to forfeiture any commissioned ship of any foreign state, or give to any British Court over or in respect of any ship entitled to recognition as a commissioned ship of any foreign state any jurisdiction which it would not have had if this Act had not passed.

33. *Penalties not to extend to persons entering into military service in Asia.* 59 G. 3 c. 69 s. 12.—Nothing in this Act contained shall extend or be construed to extend to subject to any penalty any person who enters into the military service of any prince, state, or potentate in Asia, with such leave or license as is for the time being required by law in the case of subjects of Her Majesty entering into the military service of princes, states, or potentates in Asia.

Government House,  
Perth, 18th December, 1871.

WHEREAS the second Session of the Legislative Council was prorogued by me on the thirty-first day of October, 1871, until the tenth day of January, 1872, and whereas it is desirable that the same should be further prorogued; I do now hereby prorogue the said Legislative Council until the tenth day of March, 1872.

FRED. A. WELD,  
Governor, &c.

## TENDERS ACCEPTED for 1872.

Colonial Secretary's Office,  
Perth, 26th December, 1871.

## Forage for Police Horses.

	Hay at per ton.			Barley at per bushel.	
	£	s.	d.	s.	d.
<i>Albany.</i>					
McKail, John ...	7	17	6	4	7½
<i>Albany Road (33 mile.)</i>					
Knight, Bros. ...	5	0	0		
Farmer, Thos. ...				5	0
<i>Albany Road (131 mile.)</i>				Oats.	
Fallon, J. B. ...	5	0	0	4	0
<i>Bannister.</i>				Barley.	
Lavender, W. ...	6	0	0	4	10
<i>Bunbury.</i>					
Fee, Forbes ...	4	8	0	Oats.	
Hayward, Thos. ...				4	1
<i>Blackwood No. 1.</i>				Barley	
Blechynden, J. ...	4	18	0	5	5
<i>Blackwood No. 2.</i>					
Blechynden, J. ...	6	6	0		
Maslin, J. ...				5	0
<i>Blackwood (Lower.)</i>					
Longbottom, J. ...	7	0	0	6	6
<i>Baylup.</i>					
Drummond, J. ...	4	15	0		
Throssell, Geo. ...				3	3
<i>Beverley.</i>					
Fleay, John ...	2	15	0	2	6
<i>Champion Bay.</i>				Oats.	
Scott & Gale ...	2	17	6	2	11
<i>Canning.</i>					
Knight, Bros. ...	5	0	0	Barley.	
Compton, C. S. ...				4	0
<i>Dongarra.</i>					
Massingham, C. ...	3	0	0		
Moore, W. & S. ...				2	9
<i>Etlicup.</i>					
Cronin, M. ...				5	0
<i>Fremantle.</i>					
From Rottne Farm	5	19	0	3	5
<i>Guildford.</i>					
Moore, W. D. ...	4	10	0		
Throssell, Geo. ...				3	6
<i>Gingin.</i>					
Anderson, J. ...	3	15	0	3	11
<i>Greenough.</i>				Oats.	
Scott & Gale ...	2	10	0	2	6
<i>Gwalla.</i>					
McConkey, J. ...	3	19	0		
Hosken, J. ...				3	6
<i>Harvey.</i>					
Hayward, J. ...	5	0	0	4	5
<i>Irwin.</i>					
Massingham, C. ...	3	19	0	Barley.	
Moore, W. & S. ...				3	6
<i>Kojonup.</i>					
Zuilecom, C. Van ...	5	10	0		
Cronin, M. ...				5	0
<i>Lakes, York Road.</i>					
Gregory, J. H. ...	3	18	0		
Parker, S. S. ...				3	3

Forage for Police Horses (Continued.)	Hay at per ton.			Barley at per bushel.	
	£	s.	d.	s.	d.
<i>Mandurah.</i>					
Armstrong, A. ...	4	10	0		
Cooper, J. & J. ...				4	6
<i>Mount Barker.</i>					
Spencer, Jos. ...	5	19	0		
McKail, John ...				4	6
<i>Northam.</i>					
Burges, S. E. ...	3	19	0		
Forward, Jun., W.				2	6
<i>Perth.</i>					
Padbury, Loton & Co	5	0	0		
Throssell, Geo. ...				3	7
<i>Pinjarra.</i>					
Armstrong, A. ...	4	0	0	Oats.	
Paterson, W. ...				4	6
<i>Quindalup.</i>					
Seymour, W. F. ...	6	2	6	Barley.	
Cross, Geo. ...				4	9
<i>Stanton Springs.</i>					
Seabrook, J. ...	5	0	0		
Bell, R. ...				3	9
<i>Toodyay.</i>				Oats.	
Monger, C. S. ...	3	8	0	2	11
<i>Vasse.</i>					
Seymour, W. F. ...	5	7	6	Barley.	
Higgins, H. W. ...				4	0
<i>Victoria Plains.</i>					
Fitzgerald & Dennett	6	0	0		
Eaton, R. ...				3	10½
<i>Williams River.</i>					
Bingham, J. ...	5	0	0		
Quinn, M. ...				4	6
<i>York.</i>					
Parker, S. S. ...	2	7	0		
Fleay, J. ...				2	6
<i>Youndegin.</i>					
York, H. ...	4	4	0		
Massingham, C. ...				3	6

## Shoeing Police Horses.

	New Shoes per set.		Removes per set.	
	s.	d.	s.	d.
<i>Albany.</i>				
Durman, S. G. ...	5	3	2	6
<i>Bunbury.</i>				
Keen, A. R. ...	6	0	3	6
<i>Greenough.</i>				
Looke, Henry ...	5	6	3	6
<i>Guildford.</i>				
Chatterton, Edward	4	10	2	4
<i>Fremantle.</i>				
Brown & Son ...	5	6	2	9
<i>Irwin &amp; Dongarra.</i>				
Clarkson, E. W. ...	6	6	4	0
<i>Newcastle.</i>				
Martin, James ...	5	0	2	0
<i>Perth.</i>				
Kenworthy, Jos. ...	6	0	3	0
<i>York.</i>				
Stevens, Henry ...	5	0	2	0

## Burial of Paupers.

	Each Adult.			Each Child.		
	£	s.	d.	£	s.	d.
<i>Bunbury.</i>						
Moore, Jas. ... ..	2	4	0	1	6	0
<i>Busselton.</i>						
Rose, Samuel ... ..	3	10	0	1	15	0
<i>Champion Bay.</i>						
Pead, A. ... ..	2	10	0	1	15	0
<i>Fremantle.</i>						
Wellstead, E. ... ..	4	10	0	2	10	0
<i>Newcastle.</i>						
Wood, Jas. J. ... ..	3	10	0	2	10	0
<i>Perth.</i>						
Love, Wm. ... ..	1	15	0	0	15	0
<i>York.</i>						
Wall, Geo. ... ..	2	10	0	0	10	0

## Annual Supplies.

*Albany.*

McKail, John, at various prices.  
Miner, C., Firewood, at 11s. 3d.  $\varphi$  cord.

*Bunbury.*

Spencer, W., at various prices.

*Champion Bay.*

Crowther, C., at various prices.

*Fremantle.*

Kett, W., at various prices.  
Albert, H., Fresh Meat, at 3½d. per lb.  
Dixon, H., Firewood, at 9s. 8d.  $\varphi$  cord.

*Guildford.*

Padbury, Loton, & Co., at various prices.  
Hamersley, S. R., Fresh Meat, at 3¼d. per lb.  
White, Jos., Firewood, at 5s. 8d.  $\varphi$  cord.

*Newcastle.*

Monger, C. S., at various prices.

*Perth.*

Padbury, Loton, & Co., at various prices.  
Taylor, John, Fresh Meat, at 2d. per lb.  
Mews, J. R., Firewood, at 8s. 3d.  $\varphi$  cord.

*Rottneet.*

Padbury, Loton, & Co., at various prices.  
Birch, H., Fresh Meat, at 3½d. per lb.

*York.*

Parker, S. S., at various prices.

## Police Saddlery Supplies.

DeLeech, A., at various prices.

## Cartage.

*Fremantle.*

Chester, John, at various prices.

## Sweeping Chimneys.

Gardiner, S., at 1s. 6d.  $\varphi$  chimney or flue.

## Emptying Cess Pits.

Cole, Abraham, for the sum of £5.

## TENDER ACCEPTED.

Colonial Secretary's Office,  
Perth, 26th December, 1871.

JOSEPH THOMAS,

To convey a weekly Mail between  
Rockingham and Fremantle, for one year,  
at £15 per annum.

By Command,

FRED. P. BARLEE,  
Colonial Secretary.

## Main Road from Busselton to Augusta.

Colonial Secretary's Office,  
Perth, 15th December, 1871.

IT is hereby notified, that on the recommendation of the Local Road Board for the Sussex District, His Excellency The Governor has been pleased to declare the following Main Road from Busselton to Augusta, viz.:—

To commence at a point where the Busselton and Dunsbro' Road intersects Sussex Location No. 6; thence in a due South line along that location's East boundary, through Sussex Location 5, to the North boundary of Busselton Commonage, and continuing the same South line through and beyond the Commonage till it intersects the old Augusta track.

By Command,

FRED. P. BARLEE,  
Colonial Secretary.

Colonial Secretary's Office,  
Perth, 12th December, 1871.

IT is hereby notified, for general information, that under the provisions of "The Local Road Boards Act, 1871," His Excellency The Governor has been pleased to direct that the first Election of Members of a Local Board for the Blackwood District shall be held at the Bridgetown Police Station, on Thursday, the 28th December, 1871; the poll to be open between the hours of 2 p.m. and 4 p.m.; and that W. P. Clifton, Esq., J.P., shall be the Returning Officer at such Election.

By command,

FRED. P. BARLEE,  
Colonial Secretary.

## NOTICE.

Customs House, Fremantle,  
13th December, 1871.

THE Board of Officers appointed to issue Licenses for Boats under the Ordinance 25th Victoria, No. 12, will meet at the South Jetty, Fremantle, at 11 a.m. on the following days:—

On Saturday, 30th December, 1871.

„ Tuesday, 2nd January, 1872.

„ Friday, 5th January, 1872.

„ Friday, 12th January, 1872.

Subsequent to the 12th January, 1872, the owner of any Boat found plying without a License will be proceeded against.

L. WORSLEY CLIFTON,  
Collector of Customs.



## LAND SALES.

Colonial Secretary's Office,  
Perth, 26th December, 1871.

**T**HE undermentioned Allotments of Land will be offered for Sale, at Public Auction, by the Collector of Revenue at Perth, on the 3rd January, 1872:—

- Perth Town Lot*, No. E 55,  
Upset price, £6.
- Perth Town Lot*, No. Y 187,  
Upset price, £6.
- York Town Lots*, Nos. 431, 432, 433,  
& 434,  
Contents 1 acre each,  
Upset price, £5 per lot.
- York Suburban Lot*, No. 49,  
Contents 10 acres, 2 roods, 21 perches,  
Upset price, £1 per acre.
- York Suburban Lot*, No. 50,  
Contents 10 acres, 2 roods, 21 perches,  
Upset price, £1 per lot.
- York Suburban Lots*, Nos. 51 & 52,  
Contents 9 acres, 20 perches, each,  
Upset price, £1 per acre.
- York Suburban Lot*, No. 47,  
Contents 9 acres, 38 perches,  
Upset price, £1 per acre.
- York Suburban Lot*, No. 54,  
Contents 6 acres, 8 perches,  
Upset price, £1 per acre.
- York Suburban Lots*, Nos. 57 & 58,  
Contents 6 acres, 32 perches, each,  
Upset price, £1 per acre.
- York Suburban Lot*, No. 43,  
Contents 5 acres, 2 roods, 2 perches,  
Upset price, £1 per acre.
- York Suburban Lot*, No. 39,  
Contents 5 acres,  
Upset price, £1 per acre.
- York Town Lot*, No. 416,  
Upset price, £5.
- York Town Lots*, No. 209, and 210,  
Upset price, £5 per lot.
- Gingin Town Lot*, No. 48,  
Upset price, £6.
- Gingin Town Lot*, No. 40,  
Upset price, £6.
- Gingin Town Lot*, No. 49,  
Upset price, £6.
- Gingin Town Lot*, No. 50,  
Upset price, £6.
- Gingin Town Lot*, No. 51,  
Upset price, £6.
- Gingin Town Lot*, No. 7,  
Upset price, £6.
- Beverley Suburban Lot*, No. 2,  
Contents 5 acres,  
Upset price, £1 per acre.

By the Sub-Collector of Revenue at  
Bunbury, on the 10th January, 1872:—

*Coolingrup Suburban Lot*, No. 19,  
Contents 10 acres,  
Upset price, £1 per acre.

By command,

FRED. P. BARLEE,  
Colonial Secretary.

## Town Lots, Gingin.

Survey Office, Perth,  
16th December, 1871.

**I**T is hereby notified that (52) fifty-two lots of land on the new Townsite of Gingin have been laid out for sale, and are now open to general application for purchase, under the existing Regulations.

The said lots comprise generally about (3) three acres each, and are numbered 1 to 52 inclusively; and will be offered for sale at the Revenue Office at Perth, at the upset price of £6 per lot.

The purchaser of any two or more lots at the same Auction Sale will be entitled, on application to that effect, to have the same included in one Title Deed, and for one fee only.

By Command,  
MALCOLM FRASER,  
Surveyor General.

## MAIL NOTICE.

General Post Office,  
Perth, 15th December, 1871.

**M**AILS for transmission by Contract Packet *via* King George's Sound will close at the General Post Office, Perth, as under:—

For Europe, India, Cape of Good Hope, &c., on Thursday, the 4th January, 1872, at 4 o'clock, p.m.

For the Australian Colonies, New Zealand, and Tasmania, on Saturday, the 6th January, 1872, at 10 o'clock, a.m.

Money Orders for transmission by the above conveyance will be issued on the United Kingdom up to 11 o'clock a.m. on Wednesday, 3rd January, and on the Australian Colonies, New Zealand, and Tasmania, up to 11 o'clock a.m. on Friday, 5th January.

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

Late Letters, on payment of a fee of 6d., may be posted up to 5 o'clock, p.m., for the European Mails, and up to 10h. 30m., a.m., for the Colonial Mails.

Newspapers must be posted one hour before the closing of the Mail by which they are intended to be sent, otherwise they will not be forwarded until the next Mail.

A. HELMICH,  
Postmaster-General.

N.B.—All letters for the "Australian Colonies" posted at the General Post Office up to the time of closing the "English Mail" will be forwarded to Albany by that conveyance.

General Post Office,  
Perth, 4th December, 1871.

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

A. HELMICH,  
Postmaster-General.



Comptroller General's Office,  
Perth, 23rd December, 1871.

CONDITIONAL Pardons have been  
issued to the undermentioned  
Convicts:—

Reg. No. 5706 Michael McNamara  
" 6060 Henry Hawkins  
" 6419 Morris Reece  
" 6730 James Smith  
" 7054 James Clarke  
" 7115 Thomas Gwilliam  
" 7177 Daniel Keyte

CONDITIONAL RELEASES have  
been issued to the undermentioned  
Convicts:—

Reg. No. 8670 Joseph Orton  
" 8749 William Wingfield

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

Reg. No. 844 Henry Lee  
" 4248 John Bentley  
" 4679 Peter Borer  
" 5888 Henry Barnsdale  
" 6676 James Morrison  
" 8282 John Glynn  
" 8335 David King  
" 8607 John Jones  
" 8825 Robert Donovan  
" 8965 John Perry  
" 9272 Job Roberts  
" 9464 Samuel Houghton  
" 9611 George White

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

Reg. No. 6532 Michael Clarke  
" 6715 William Rose  
" 8444 Charles Thompson  
" 8694 Edward Riley  
" 9243 Edward McNalty

The undermentioned men, respecting  
whom letters of inquiry have been received,  
are requested to communicate with this  
office:—

Reg. No. 2352 John Hughes, who  
received a Conditional Pardon on the  
19th July, 1856.

Reg. No. 8134 Mark Smith, who  
became an Expiree on the 13th  
April, 1871.

THE undermentioned men are requested  
to communicate with this office:—

Reg. No. 6174 William Martin  
" 7739 William Johnson

HENRY WAKEFORD,  
Comptroller General.

Census, 1870.

COPIES of the Census, 1870, can be  
obtained at the Government Printing  
Office, Perth. Price, 2s. 6d.

THE "Elementary Education Act,  
1871," with Regulations for the  
Conduct and Management of Elections  
of District Boards of Education, and  
By-Laws and Regulations of the Central  
Board of Education, in a pamphlet form,  
can be procured at the Government  
Printing Office, Perth. Price, 1s.

### Fremantle Municipality.

#### CASH ACCOUNT, Half-Year ending 30th November, 1871:—

1871.	Dr.	£ s. d.
June 5	By Balance in hands of Treasurer ...	80 10 6
	" Assessments ... ..	354 15 2
	" Cow Licenses... ..	0 5 0
	" Cart Do. ... ..	1 6 8
	" Carriage Do. ... ..	0 10 0
	" Dog Do. ... ..	2 2 6
	" Fines ... ..	1 17 6
	" Licenses under "Dan- gerous Goods Act" } ... ..	3 10 0
		364 6 10
	" Barque 'Fitzroy' for stone ballast	16 17 6
	" Balance due to the Treasurer ...	12 5 4
		<u>£474 0 2</u>
1871.	Cr.	
	To Collector's Commission ... ..	21 14 10
	" Supervisor's Salary ... ..	20 0 0
	" Wages: 24s., 12s., 22s., 24s. } ... ..	4 2 0
	" Do.: 18s., 48s., 52s., 12s. } ... ..	6 10 0
		10 12 0
5th July	" Carting: F. Shearn, £9 15s.; T. Crowdy, £8 9s.; H. Dixon, £18 4s.; C. Sharpe, £17 11s.; A. Burns, £9 2s. ...	63 1 0
4th Aug.	" Carting: H. Dixon, £9 2s.; A. Burns, £5 5s.; F. Shearn, £8 12s. 6d.; T. Crowdy, £8 9s.; C. T. Sharpe, £17 11s. ...	48 19 6
6th Sept.	" Carting: A. Burns, £9 9s.; H. Dixon, £9 9s.; T. Crowdy, £8 15s. 6d.; F. Shearn, £10 2s. 6d.; C. T. Sharpe, £18 4s. 6d. ... ..	56 0 6
4th Oct.	" Carting: H. Dixon, £5 12s.; C. T. Sharpe, £16 4s.; F. Shearn, £9 15s.; T. Crowdy, £8 9s.; A. Burns, £4 18s. ... ..	44 18 0
Nov.	" Carting: C. T. Sharpe, £14 3s. 6d.; F. Shearn, £9 7s. 6d.; H. Dixon, £3 10s.; A. Burns, £2 2s.; T. Crowdy, £8 9s. ...	37 12 0
29th Nov.	" Carting: F. Shearn, £9 15s.; T. Crowdy, £4 17s. 6d. ... ..	14 12 6
		265 3 6
	" Old Account, T. Crowdy, Posts and Rails ... ..	5 9 9
	" Timber for Kerbing, J. & W. Bateman ... ..	31 3 11
	" Stone Ballast: 'Fitzroy,' £15 15s.; 'Highflyer,' £52 10s. ... ..	68 5 0
	" Miscellaneous Accounts:	
	J. Olsen ... ..	1 5 0
	Rent ... ..	5 0 0
	D. Tunney ... ..	0 8 0
	L. Henderson ... ..	4 1 0
	'Herald' ... ..	6 8 7
	H. Jarvis ... ..	0 5 0
	W. Owston ... ..	4 0 8
	J. Olsen ... ..	0 13 0
	Francisco, Bros. ... ..	0 9 0
	H. Jarvis ... ..	1 16 0
	T. & H. Carter ... ..	9 8 4
	M. Higham ... ..	1 17 0
	Stirling & Sons ... ..	10 15 6
	J. Henderson ... ..	0 10 0
	J. Henderson ... ..	0 4 0
	L. Henderson ... ..	0 5 0
	J. Povey ... ..	0 13 0
	Walker ... ..	0 7 6
	J. Rankin ... ..	0 3 0
	Incidentals ... ..	3 1 7
		51 11 2
		<u>£474 0 2</u>

To Balance due to the Treasurer, brought down £12 5 4

W. S. PEARSE,  
Chairman.

Audited, H. M. LEFROY, Fremantle,  
November 30, 1871.

## Fremantle Municipality.

**ESTIMATE**, shewing the probable Expenditure and Receipts of the Council, during the Year, 1872.

EXPENDITURE.		£	s.	d.
To raise North side of Fitzgerald Terrace, Mouatt Street to Collie Street, and also Henry Street from Mr. Moore's Store to Manning Street, to ensure a regular fall to the Beach, at a probable expense of	...	20	0	0
To Macadamize Scott Street	...	5	0	0
„ Make a footpath in Scott and Manning Streets	...	10	0	0
„ Lay down Paving Stones in High Street...	...	100	0	0
„ Macadamize Streets at North Fremantle...	...	20	0	0
„ Do. King's Square and Queen Street	...	20	0	0
„ Macadamize Quarry Street	...	9	0	0
„ Do. Part of Fitzgerald Terrace	...	50	0	0
„ Do. Part of South Terrace, From Lot 602 to Russell Street	...	26	3	4
„ Do. Part of Arundel Street	...	9	18	4
„ Do. Russell Street...	...	30	0	0
„ Do. Howard Street	...	30	0	0
„ General Repairs, Footpaths, and Kerbing	...	271	3	6
„ Salaries, Clerk and Collector...	...	52	0	0
„ Do. Supervisor	...	50	0	0
„ Rent of Odd Fellows' Hall	...	10	0	0
„ Printing and Advertising	...	15	0	0
„ Stone Ballast for Metalling Streets...	...	50	0	0
„ Cleaning Streets...	...	25	0	0
„ Watering Cart and Tank for Water	...	35	0	0
„ Incidental Expenses	...	20	0	0
„ Contingencies	...	11	14	10
		870	0	0
„ Repairs to Main Street (from Local Government Funds)	...	100	0	0
		£970	0	0

RECEIPTS.		£	s.	d.
By Dog Licenses	...	50	0	0
„ Cow do.	...	25	0	0
„ Cart do.	...	50	0	0
„ Carriage or Cart Licenses	...	6	0	0
„ Carriage Licenses	...	12	0	0
„ Farming Town Lands...	...	10	0	0
„ Fines	...	2	0	0
„ Licenses under "Dangerous Goods Act,"	...	5	0	0
„ Arrears of Assessments	...	130	0	0
„ Balance proposed to be raised by an Assessment, at 5 per cent.	...	580	0	0
		£870	0	0
„ Local Government for Main Street...	...	100	0	0
		£970	0	0

W. S. PEARSE,  
Chairman.

Fremantle, 30th November, 1871.

## Albany Municipality, K.G.S.

**NOTICE** is hereby given, pursuant to 34 Vic., No. 6, Part 7, Section 46, that at a Meeting of Council held in the Court House, Albany, on the 27th day of November, 1871, for the purpose of adopting a scheme for carrying on the Public Works in this Municipality, during the year 1872, it was decided unanimously that no more new streets should be made, and that stone drains be laid down in the streets already begun, in the direction shewn in the accompanying Schedule, and the road made good on the drain side as far as the drain.

Frederick Street and Peel Place, N. side.  
Earl Street, N. side.  
Aberdeen Street, from Short Street to Frederick Street, E. side.  
Stirling Street, from Gordon Street to Duke Street, W. side.  
Spencer Street, N. of Frederick Street, E. side.  
Spencer Street S. of Court House, drain only, W. side.

Labor, Local Prisoners, average for year 1871, seven per diem.  
Materials required—Stone, 2,000 yards cube; Gravel, 900 yards cube.  
Estimated cost of Carting ... .. £234 3 4

To provide for the carting the Council propose a 6d. rate on all inhabited houses in the Municipality	62	11	0
A 1s. rate on all empty houses and vacant allotments...	11	10	0
Sale of allotments for arrears of rates due	119	0	0
Tolls, Fees, and Licenses...	60	0	0
Total	£253	0	0

Leaving a balance of £18 16s. 8d. for wages and contingencies. These latter amounts being uncertain, it was decided to leave the incoming Council the option of making a further rate for this service.

Work performed at Albany from 1st May, to 30th November, 1871, inclusive:—

Average No. Local Prisoners, 7 per diem.  
Road made good, 2002 yards square.  
Road formed, 6200 „ „  
Earth removed, 470 „ cube.  
Stone got, 460 „ „  
Gravel got, 180 „ „

and all the open drains in the town cleared, and the roads repaired from time to time as required.

ROBERT MUIR,

Chairman, Albany Municipality.  
30th November, 1871.

## The Government Gazette.

**SUBSCRIPTIONS** :—The Subscription will be at the rate of 5s. per annum, payable in advance. Subscriptions are required to terminate at the end of June or December; a less period than six months cannot be subscribed for.

**ADVERTISEMENTS** will be charged at the following rates:—

For the first 8 lines, 3s. 6d.  
For every additional line, 2d.  
and half-price for each subsequent insertion.

The GOVERNMENT GAZETTE is published on TUESDAY in each week, and Notices for insertion must be received by the Government Printer on or before Ten o'clock of the day preceding the day of publication.

\*\*\* All payments are required in advance; and Letters and Remittances should be addressed to "The Government Printer, Perth."