



THE WESTERN AUSTRALIAN
Government Gazette.

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TUESDAY 13th JUNE, 1876.

25

PROCLAMATION

By His Excellency WILLIAM
WESTERN AUSTRALIA, } CLEAVER FRANCIS ROBINSON,
to wit. } Esquire, Companion of the
Most Distinguished Order of
Saint Michael and Saint
George, Governor and Com-
mander-in-Chief in and over
the territory of Western Aus-
tralia and its Dependencies,
&c., &c., &c.

(L.S.)
WILLIAM C. F. ROBINSON.

WHEREAS the Legislative Council now stands prorogued until Monday, the fifth day of June next, and whereas it is expedient further to prorogue the same; Now THEREFORE I, the said Governor, in exercise of the powers in me vested, do by this my Proclamation further prorogue the said Legislative Council from Monday, the fifth day of June next, until Monday, the third day of July, now next ensuing.

Given under my hand, and issued under the Public Seal of the said Colony, at Government House, Perth, this 27th day of May, 1876.

By Command,

A. O'GRADY LEFROY,
Acting Colonial Secretary.

GOD SAVE THE QUEEN!!!

Transfer of Land Act 1874.

I HEREBY certify that Mr. HARRY F. JOHNSTON, of Perth, has this day been duly specially licensed to practise as a Surveyor, under the provisions of the above Act.

J. C. H. JAMES,
Commissioner of Land Titles.
June 12th, 1876.

WESTERN AUSTRALIA.

Colonial Secretary's Office,
Perth, 7th June, 1876.

NOTICE is hereby given, that whereas under and pursuant to the provisions of an Act passed in the 37th year of the reign of Her present Majesty, intituled "An Act to further regulate the Importation of Cattle, Sheep, and Pigs," His Excellency The Governor in Executive Council was pleased to make an order, prohibiting, for a period expiring on the 30th day of June in the present year, the Importation of Cattle, Sheep, and Pigs into Western Australia from all places beyond the Australasian Colonies; and whereas it has appeared to the Governor in Executive Council expedient, on sanitary grounds, to make an order prohibiting the Importation of the said animals from any place beyond the Australasian Colonies as aforesaid, from the expiration of the prohibition aforesaid until further notice, without the special permission of him the said Governor first had and obtained; His Excellency The Governor in Council aforesaid has made an order by which, until further notice, the Importation of Cattle, Sheep, and Pigs from any place beyond the Australasian Colonies, without the special permission of the said Governor first had and obtained, is prohibited; and in the said order the said Governor in the said Council has declared that any person importing any Cattle, Sheep, or Pigs from any place beyond the limits aforesaid, without the special permission aforesaid, or contrary to the terms on which such permission may be granted, shall be liable, for every such offence, to a penalty of Fifty pounds, and that any Cattle, Sheep, or Pigs imported into the Colony without special permission, or contrary to the terms on which such permission may be granted, from any place beyond the limits aforesaid, shall be seized and destroyed.

A. O'GRADY LEFROY,
Acting Colonial Secretary.

Colonial Secretary's Office,
Perth, 13th June, 1876.

HIS Excellency The Governor directs the publication of the following Despatch (with its enclosure) from Her Majesty's Secretary of State for the Colonies, for general information.

A. O'GRADY LEFROY,
Acting Colonial Secretary.

CIRCULAR.

Downing Street, 22nd February, 1876.

SIR,—I have the honor to transmit to you, for publication in the Colony under your Government, a copy of a Treaty between Her Majesty and the Republic of Hayti for the mutual surrender of fugitive criminals, as well as a copy of the Order in Council of the 5th instant for carrying that treaty into effect.

I have, &c.,
CARNARVON.

The Officer Administering the Government of W.A.

Extract from "The London Gazette" of Tuesday, February 8, 1876.

At the Court at Osborne House, Isle of Wight, the 5th day of February, 1876.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-third and thirty-fourth years of the reign of Her present Majesty, intituled "An Act for amending the law relating to the Extradition of Criminals," and also by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-sixth and thirty-seventh years of the reign of Her present Majesty, intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the seventh day of December, one thousand eight hundred and seventy-four, between Her Majesty and the President of the Republic of Hayti, for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:—

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Excellency the President of the Republic of Hayti, having judged it expedient, with a view to a better administration of justice, and to the prevention of crime within the two countries and their jurisdictions, that persons charged with or convicted of the crimes hereinafter enumerated and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up;

Her Britannic Majesty and the President of Hayti have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Spenser St. John, Esq., Minister-Resident and Consul-General of Her Britannic Majesty in the Republic of Hayti and Her Chargé d'Affaires in the Dominican Republic;

And His Excellency the President of the Republic of Hayti, M. Surville Toussaint, ex-Senator;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime committed in the territory of the one Party, shall be found within the territory of the other Party, under the circumstances and conditions stated in the present Treaty.

ARTICLE II.

The crimes for which the extradition is to be granted, are the following:—

1. Murder, or attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, uttering or bringing into circulation counterfeit or altered money.
4. Forgery, or counterfeiting, or altering, or uttering what is forged or counterfeited or altered.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences.

7. Malicious injury to property, if the offence be indictable.
8. Crimes against bankruptcy law.
9. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company, made criminal by any law for the time being in force.
10. Perjury or subornation of perjury.
11. Rape.
12. Abduction.
13. Child-stealing.
14. False imprisonment.
15. Burglary or housebreaking.
16. Arson.
17. Robbery with violence.
18. Threats, by letter or otherwise, with intent to extort.
19. Piracy by law of nations.
20. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
21. Assaults on board a ship on the high seas with intent to destroy life, or to do grievous bodily harm.
22. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master.

The extradition is also to take place for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

ARTICLE III.

No Haytian shall be delivered up by the Government of Hayti to the Government of the United Kingdom, and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of Hayti.

ARTICLE IV.

The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of the Republic of Hayti, has already been tried and discharged, or punished, or is still under trial in Hayti or in the United Kingdom respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of the Republic of Hayti should be under examination for any other crime in Hayti or in the United Kingdom respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

ARTICLE V.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the state applied to.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

ARTICLE VII.

A person surrendered can in no case be kept in prison, or be brought to trial in the state to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place.

This stipulation does not apply to crimes committed after the extradition.

ARTICLE VIII.

The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the state requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed *in contumaciam*.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent magistrate, who is to examine him, and to conduct the preliminary investigations of the case, just as if the apprehension had taken place for a crime committed in the same country.

ARTICLE X.

The extradition shall not take place before the expiration of fifteen days from the apprehension, and then only if the evidence be found sufficient, according to the laws of the state applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition.

ARTICLE XI.

In the examination which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the sworn depositions or statements of witnesses taken in the other state, or

copies thereof, and likewise the warrants and sentences issued therein, provided such documents are signed or certified by a Judge, Magistrate, or Officer of such State, and are authenticated by the oath of some witnesses, or by being sealed with the official seal of the Minister of Justice or some other Minister of State.

ARTICLE XII.

If sufficient evidence for extradition be not produced within two months from the date of the apprehension of the fugitive, he shall be set at liberty.

ARTICLE XIII.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend, not merely to the stolen articles, but to everything which may serve as a proof of the crime.

ARTICLE XIV.

The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered and his conveyance till placed on board ship; they reciprocally agree to bear such expenses themselves.

ARTICLE XV.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of Her Britannic Majesty.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such Colonies or foreign possessions shall be made to the Governor or chief authority of such Colony or Possession by the Chief Consular Officer of Hayti in such Colony or Possession.

Such requisition may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of Haytian criminals who may take refuge within such colonies and foreign possessions, on the basis, as nearly as may be, of the provisions of the present Treaty.

The requisition for the surrender of a fugitive criminal from any Colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

ARTICLE XVI.

The present Treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for six months after notice has been given for its termination.

The President of the Republic of Hayti engages to apply to the Senate for the necessary authorization to give effect to the present Treaty, immediately after its meeting.

The present Treaty shall be ratified, and the ratifications shall be exchanged as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Port au Prince, the seventh day of December, in the year of our Lord one thousand eight hundred and seventy-four.

(L.S.) SPENSER ST. JOHN.
(L.S.) SURVILLE TOUSSAINT.

And whereas the ratifications of the said Treaty were exchanged at Port au Prince on the second day of September last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the twenty-first day of February, one thousand eight hundred and seventy-six, the said Acts shall apply in the case of the said Treaty with the President of the Republic of Hayti.

(Signed) C. L. PEEL.

*Public Works' Office,
Perth, 20th May, 1876.*

TENDERS (endorsed "Tender for Bunbury Jetty,") will be received at this Office until noon of Saturday, the 18th June, 1876, from persons willing to undertake the erection of Guard Rails, Braces, and other work at the Bunbury Jetty.

Specification may be seen, and full particulars obtained on application at the Public Works' Office, Perth, or at the Office of the Resident Magistrate, Bunbury.

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

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

By Command,
RICHD. R. JEWELL,
Officer in charge of Works Department.

*Public Works' Office,
Perth, 22nd May, 1876.*

TENDERS (endorsed "Tender for Guard Rails,") will be received at this Office until noon of Wednesday, the 14th June, 1876, from persons willing to supply 8000 lineal feet of 4" x 3" first class Jarrah Timber, in lengths of 16, 19, or 22 feet, to be delivered on the Champion Bay Jetty.

Intending Contractors to state in their Tenders the shortest time they will undertake to deliver the above in, after acceptance of Tender.

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

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

By Command,
RICHD. R. JEWELL,
Officer in Charge Works Department.

*Public Works Office,
Perth, 26th May, 1876.*

TENDERS (endorsed "Tender for Shingling,") will be received at this Office until noon of Wednesday, the 14th June, 1876, from persons willing to undertake the Shingling and other work at the Medical Officer's Quarters at York.

Full particulars may be had, and specification seen, on application at the Resident Magistrate's Office, York, and at the Public Works' Office, Perth.

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

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

By Command,
RICHD. R. JEWELL,
Officer in Charge Works Department.

*Public Works' Office,
Perth, 19th May, 1876.*

TENDERS (endorsed "Tender for Timber and Spikes,") will be received at this Office until noon of Monday, the 21st June, 1876, from persons willing to supply Timber of first class quality, and Spikes, required for the construction of two Bridges on the Road between Roebourne and Cossack. To be delivered at the latter place.

Plans and Specifications may be seen, and all particulars known, on application at the Office of Works, Perth.

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

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

By Command,
RICHD. R. JEWELL,
Officer in charge of Works Department.

*Public Works' Office,
Perth, 17th May, 1876.*

TENDERS (endorsed "Tender for Timber,") will be received at this Office until noon of Wednesday, the 14th June, 1876, from persons willing to supply and deliver at North Fremantle Bridge Jetty, 3000 feet of 7ft. x lin. Jarrah Boards. To be delivered within three weeks from date of acceptance of Tender.

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

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

By Command,
RICHD. R. JEWELL,
Officer in charge of Works Department.

*Public Works' Office,
Perth, 17th May, 1876.*

TENDERS (endorsed "Tender for Timber,") will be received at this Office until noon of Wednesday, the 14th June, 1876, from persons willing to supply and deliver at Champion Bay, for Railway purposes, the following Timber, to be delivered within four weeks from date of acceptance of Tender.

25 pieces	17 feet long,	12" x 8"
15 "	12 "	12" x 8"
8 "	17 "	12" x 4"
5 "	34 "	18" x 18"

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

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

By Command,
RICHD. R. JEWELL,
Officer in charge of Works Department.

WESTERN AUSTRALIA.

Meteorological Observations for the month ending 31st May, 1876.

WIND Registered by Mr. Forsyth, Harbor Master, at Arthur's Head, Fremantle; altitude above the sea 55 feet, in Latitude 32° 03' 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.	Mean Reading of Barometer, corrected, and reduced to sea level, and 32 deg. Fahr.	THERMOMETERS IN SHADE.		RAIN: In Inches.	WIND.		Cloud: mean amount for the week.	Degree of Humidity, Saturation=100: mean amount for week.
		(mean) Maximum	(mean) Minimum		Horizontal movements in miles per hour for the week.	General Direction.		
7th	30·049	75·5	50·7	·06	7½	E.	5	47
14th	30·233	70·1	45·3	·03	11	S.E.	5	51
21st	30·051	77·2	53·7	1·18	10	N.W.	4	50
28th to 31st	30·088 30·271	71·6 66	53·9 44·2	1·19 ·17	14 11½	N.W. W.	5 5	67 66

Highest reading of Barometer 30·36—12th. Thermometers in shade. { Maximum 80° —3rd.
Lowest do. do. 29·73—20th. { Minimum 40·7—29th.

The Observations are taken at Perth at 9 a.m., 12 a.m., and 3 p.m., and at Fremantle at 6 a.m., and 6 p.m.

CHAS. YOULE DEAN,
Observer.

LAND SALES.

Crown Lands' Office, Perth, 13th June, 1876.

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

SCHEDULE.

Date of Sale.	Place of Sale.	Description of Lot.	Number of Lot.	Quantity.			Upset Price.
				a.	r.	p.	
1876. June 15	Northam ...	Northam Town	110	0	3	24	£7 10s.

MALCOLM FRASER, Commissioner of Crown Lands.

INLAND MONEY ORDERS.

POSTAL AND TELEGRAPH DEPARTMENT.

General Post Office,
Perth, 29th May, 1876.

NOTICE is hereby given, for the information of the Public, that the undermentioned Post Offices have been constituted Local Money Order Offices, at which, on and after the 1st July next, Money Orders will be issued and paid, at the following rates of Commission:—

Perth, Fremantle, Guildford, York, Newcastle, Northam, Geraldton, Greenough, Pinjarrah, Bunbury, Vasse, Albany, and Williams.

For sums not exceeding £5 6d.
Above £5 but not exceeding £10 ... 1s.

N.B.—No Money Order can be issued for a sum exceeding £10.

A. HELMICH,
Postmaster General.

WESTERN AUSTRALIA.

POSTAL AND TELEGRAPH DEPARTMENT.

General Post Office,
Perth, June 9th, 1876.

NOTICE TO POSTMASTERS AND THE PUBLIC.

NOTICE is hereby given, for the information of the Public, that from the 1st July next the postage levied in this Colony upon letters addressed to the United Kingdom, and forwarded in the mails *via* Brindisi, will be reduced from *ninepence* to *eightpence*; and the postage upon each newspaper forwarded by the same route from *threepence* to *twopence*.

A. HELMICH,
Postmaster-General.

For Sale at the Government Printing Office.

ACTS OF COUNCIL, Blue Books,
Votes and Proceedings of the Legislative Council, &c.

*Crown Lands' Office,
Perth, 15th May, 1876.*

Township of Northampton, Victoria District.

THE external boundaries of the above-named Township have been extended in two parts, and as follows:—

Part 1, containing about 156 acres.—Bounded by part of East boundary of Location 27, for about 12 chains North from its S.E. corner; thence by a line due East 55 chains 21 links, passing through Trig. No. 20; thence by a line extending South about 99 chains 64 links, passing along the W. boundary of Location 259; thence by a line 10 chains 21 links, extending West to a spot 1 chain South from the S.E. corner of the old townsite; thence by the E. and N. boundaries of the said townsite, and part of the N. boundary of Location 207, to the first-named boundary.

Part 2, containing about 24 acres.—Bounded on the *West* by about 24 chains of E. boundary of Location 325; on the *North* by about 9 chains 85 links of the S. boundary of the old townsite; on the *East* by the W. boundary of Location 141, 24 chains in length; and on the *South* by a W. line from the S.W. corner of Location 141 to the first-named boundary.

MALCOLM FRASER,
Commissioner of Crown Lands.

I HEREBY give notice that I have applied to the Swan Roads Board for permission to close the old road leading from Guildford to the Perth Race Course.

R. D. HARDEY.
Grove Farm, June 7th, 1876.

*Comptroller of Convicts' Office,
Fremantle, 10th June, 1876.*

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

Reg. No. 9126 George Collins
" 9171 Thomas Griss
" 9492 Samuel Langford

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

Reg. No. 6145 Matthew Molyneux
" 6968 James Slater
" 10040 James Clinton

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

Reg. No. 5901 John Marsden, who received a Conditional Pardon on the 23rd December, 1871.

Reg. No. 7062 William Clements, who received a Conditional Pardon on the 1st October, 1870.

Reg. No. 8457 William Warris, who received a Certificate of Freedom on the 30th May, 1874.

W. R. FAUNTLEROY,
Comptroller of Convicts.

New Edition.

THE "Elementary Education Act, 1871," (as amended by 38th Vict., No. 5,) 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.