



THE WESTERN AUSTRALIAN
Government Gazette.

[Published by Authority.]

TUESDAY, 27th FEBRUARY, 1877.

9

Western Australian Volunteers.

*Colonial Secretary's Office,
 Perth, 26th February, 1877.*

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

GERALDTON COMPANY:

JOHN DECOURCY HILLMAN, Gentleman, to be Captain.

A. O'GRADY LEFROY,
 Acting Colonial Secretary.

*Colonial Secretary's Office,
 Perth, 20th February, 1877.*

TENDERS in duplicate (endorsed "Tenders for Wandering Mail,") will be received at this Office until noon of Tuesday, the 20th day of March, 1877, from persons willing to convey a Mail three times a month between Bannister and Wandering, on horseback, for one, two, or three years.

A. O'GRADY LEFROY,
 Acting Colonial Secretary.

*Colonial Secretary's Office,
 Perth, 22nd February, 1877.*

HIS Excellency the Governor directs the publication of Sections Nos. 4, 5, 22, 24, and 44, taken from the Merchant Shipping Act, 1876, 39th and 40th Victoria, Chapter 80, for general information.

A. O'GRADY LEFROY,
 Acting Colonial Secretary.

UNSEAWORTHY SHIPS.

Sending unseaworthy ship to sea a misdemeanor.

4. Every person who sends or attempts to send, or is party to sending or attempting to send a British ship to sea in such unseaworthy state that the life of any person is likely to be thereby endangered, shall be guilty of a misdemeanor, unless he proves that he used all reasonable means to insure her being sent to sea in a seaworthy state, or that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable, and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

Every master of a British ship who knowingly takes the same to sea in such unseaworthy state that the life of any person is likely to be thereby endangered shall be guilty of a misde-

meanor, unless he proves that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable, and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

A prosecution under this section shall not be instituted except by or with the consent of the Board of Trade, or of the governor of the British possession in which such prosecution takes place.

A misdemeanor under this section shall not be punishable upon summary conviction.

Obligation of shipowner to crew with respect to use of reasonable efforts to secure seaworthiness.

5. In every contract of service, express or implied, between the owner of a ship and the master or any seaman thereof, and in every instrument of apprenticeship whereby any person is bound to serve as an apprentice on board any ship, there shall be implied, notwithstanding any agreement to the contrary, an obligation on the owner of the ship, that the owner of the ship, and the master, and every agent charged with the loading of the ship, or the preparing thereof for sea, or the sending thereof to sea, shall use all reasonable means to insure the seaworthiness of the ship for the voyage at the time when the voyage commences, and to keep her in a seaworthy condition for the voyage during the same: Provided, that nothing in this section shall subject the owner of a ship to any liability by reason of the ship being sent to sea in an unseaworthy state where, owing to special circumstances, the so sending thereof to sea is reasonable and justifiable.

GRAIN CARGOES.

Stowage of cargo of grain, &c.

22. No cargo of which more than one-third consists of any kind of grain, corn, rice, paddy, pulse, seeds, nuts, or nut kernels, hereinafter referred to as "grain cargo," shall be carried on board any British ship, unless such grain cargo be contained in bags, sacks or barrels, or secured from shifting by boards, bulkheads, or otherwise.

If the managing owner or master of any British ship, or any agent of such owner who is charged with the loading of the ship or the sending her to sea, knowingly allows any grain cargo or part of a grain cargo to be shipped therein for carriage contrary to the provisions of this section, he shall for every such offence incur a penalty not exceeding three hundred pounds, to be recovered upon summary conviction.

Penalty for carrying deckloads of timber in winter.

24. After the first day of November one thousand eight hundred and seventy-six, if a ship, British or foreign, arrives between the last day of October and the sixteenth day of April in any year at any port in the United Kingdom from any port out of the United Kingdom, carrying as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, any wood goods coming within the following descriptions; that is to say,

- (a.) Any square, round, waney, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or
- (b.) Any more than five spare spars or store spars, whether or not made, dressed, and finally prepared for use; or
- (c.) Any deals, battens, or other light wood goods of any description to a height exceeding three feet above the deck;

the master of the ship, and also the owner, if he is privy to the offence, shall be liable to a penalty not exceeding five pounds for every hundred cubic feet of wood goods carried in contravention of this section, and such penalty may be recovered by action or on indictment or to an amount not exceeding one

hundred pounds (whatever may be the maximum penalty recoverable) on summary conviction.

Provided that a master or owner shall not be liable to any penalty under this section—

- (1.) In respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak, or of any other damage to the ship received or apprehended; or
- (2.) If he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval according to the ordinary duration of the voyage for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or
- (3.) If he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the sixteenth day of April as allowed a reasonable interval according to the ordinary duration of the voyage for the ship to arrive after that day at the said port in the United Kingdom, and by reason of an exceptionally favorable voyage arrived before that day.

Provided further, that nothing in this section shall affect any ship not bound to any port in the United Kingdom which comes into any port of the United Kingdom under stress of weather, or for repairs, or for any other purpose than the delivery of her cargo.

Saving for colonial inland waters.

44. Nothing in this Act shall apply to any vessel employed exclusively in trading or going from place to place in any river or inland water of which the whole or part is in any British possession, and the provisions of this Act relating to deck cargo shall not apply to deck cargo carried by a ship while engaged in the coasting trade of any British possession.

*Colonial Secretary's Office,
Perth, 26th February, 1877.*

HIS Excellency The Governor has been pleased to direct the publication of the following translation of an Ordinance published by His Excellency The Governor-General of Netherlands India, under date the 14th November, 1876.

A. O'GRADY LEFROY,
Acting Colonial Secretary.

IN THE NAME OF THE KING!

THE Governor General of Netherlands India, having heard the Council of Netherlands India;

To all to whom these presents shall come. GREETING.

Announces:

That he, thinking it desirable to alter as follows the Ordinance of 8th February, 1875 (*Government Gazette*, No. 49), in accordance with that of 2nd December, 1875 (*Government Gazette*, No. 274), made applicable to the natives of the Government Celebes and dependencies, bearing in view the Articles 20, 29, 31, 33, and 35, of the regulations for the direction of the Government of Netherlands India, has approved and confirmed that the second paragraph of the Ordinance of 8th February, 1875 (*Government Gazette*, No. 49), in accordance with that of 2nd December, 1875 (*Government Gazette*, No. 274), made applicable to the natives of the Government Celebes and dependencies, shall be read as follows:—

There must, moreover, be executed a personal or monetary guarantee to the extent of f. 200 (two hundred guilders) for every sailor who is engaged on one of the islands belonging to the Residency of Timor, by an inhabitant of Netherlands India, or by a commercial firm established in Netherlands India, the one or the other, at the discretion of the head of the district.

This guarantee is forfeited if the sailor is not sent back to the chief town Koepong within thirteen months after his engagement, unless in the case of death, which must be legally certified. And in order that no person shall be ignorant of the present, it shall be published in the *Government Gazette*, as far as may be necessary, in the Chinese and Native languages.

Done at Buitenzorg, 14th November, 1876.

(Sd.) LANDSBERGE.

*Department of Public Works,
Perth, 14th February, 1877.*

TENDERS (endorsed "Tender for Erection of Additional Room, &c., at Northam Police Station,") will be received at this Office until noon of Wednesday, the 28th March, 1877, from persons willing to remove various old buildings, and erect an additional room for a kitchen, at the Northam Police Station.

Plan and Specification may be seen, and full particulars obtained, on application at the Department of Public Works, Perth, or at the Police Station, Northam.

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.

JAS. H. THOMAS,
Director of Public Works.

*Department of Public Works,
Perth, 24th February, 1877.*

TENDERS (endorsed "Tender for Police Stores, Perth,") will be received at this Office until noon of Wednesday, the 28th March, 1877, from persons willing to re-shingle, &c., the Perth Police Lock-up, Stores, &c.

Full particulars may be obtained on application at the Public Works Department, 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.

JAS. H. THOMAS,
Director of Public Works.

*Department of Public Works,
Perth, 5th January, 1877.*

TENDERS (endorsed "Tender for Jarrah Timber for Colombo,") will be received at this Office until noon of Tuesday, the 6th March, 1877, from persons willing to supply and deliver at Colombo, Ceylon, for the Government of that Colony, 1340 feet of Jarrah Timber in long lengths, and 13" x 13" square.

The timber being for trial on the wharves and breakwater works of Colombo; none will be passed but that of the very best description.

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 at the Public Offices, Perth; and no tender will be entertained unless rendered on the prescribed form.

JAS. H. THOMAS,
Director of Public Works.

THE following applications have been received for Licenses to destroy Wild Cattle under "The Wild Cattle Nuisance Act, 1871, 34 Viet., No. 24."

A. G. Robins.—On his runs at Balley Balle, Beverley. Assistants—Fred. Gillman, Henry Blechynden, and native Dick Duncour.

Norris Taylor.—On his runs at Walwalling, Beverley. Assistants—D. Sewell and W. Sewell.

John Seabrook.—On his runs at Brookton, Beverley District. Assistants—Henry Seabrook and native Johnny Worrell.

J. T. Parker.—On his runs at Greenhills and Salt River, in the York District.

E. Doncon.—On his runs at Boyadine, Beverley.

T. Mead.—On his runs at Springhill, York District.

E. B. Lennard.—On his runs at Annandale, in the Beverley District. Assistants—R. and W. Potts and native Benil.

W. COWAN, R. M.

York, 22nd February, 1877.

WESTERN AUSTRALIA.

Meteorological Observations for the month ending 31st January, 1877.

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

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

JOHN FORREST,
Deputy Surveyor General.

Week ending.	BAROMETER: Mean Reading corrected, and reduced to sea level, and 32 deg. Fah.	THERMOMETERS IN SHADE.				RADIATION THERMOMETERS.		RAIN: Amount in inches.	WIND.		DEGREE OF HUMIDITY, Saturation = 100: mean amount.	CLOUD: Mean amount.	OZONE: Mean amount.	EVAPO- RATION: Amount in inches.
		Dry.		Wet.		Solar.	Terres- trial.		Horizontal velocity in miles, per hour.	General direction.				
		Maxi- mum.	Mini- mum.	Maxi- mum.	Mini- mum.									
7th	29.723	84.7	61.5	72.2	57.2	57.5	3.2	.0	24.64	S.W.	37	0	5	2.32
14th	29.882	84.8	60.9	70.8	55.9	55.5	4.8	.0	19.48	S.S.W.	32	1	5	2.26
21st	30.021	79.6	57.2	70.8	53.2	64.2	4.0	.18	*	*	52	3	6	2.01
28th	29.973 30.058	97.0	68.3	83.4	63.2	52.3	3.3	.0	...	...	49	2	4	2.47
28th to 31st		81.8	59.9	73.7	56.1	64.3	3.8	.0	...	...	58	2	7	.75

* NOTE.—Wind Gauge out of order from 19th January.

Total Rainfall for the month—18 inches.

Highest reading of Barometer 30.122. | Thermometers in shade. { Maximum Dry 106.5.
Lowest do. do. 29.731. | { Minimum Dry 51.3.

The Observations are taken at Perth at 9 a.m., (excepting Barometer, which is also registered at 12 a. m. and 3 p.m.), and at Fremantle at 6 a.m., and 6 p.m.

M. A. C. FRASER,
Observer.

LAND SALES.

Crown Lands' Office, Perth, 27th February, 1877.

THE undermentioned Allotments of Land will be offered for Sale, at Public Auction, on the dates and at the places 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.	
1877.							
March 1	Geraldton ...	Geraldton ... Town	350 ...				£15.
Do. 7	Perth ...	Kelmscott ... Sub.	58 ...	5	0	0	30s. per acre.
Do.	Busselton ...	Busselton ... Sub.	30 ...	3	0	0	£1 per acre.
Do.	Do. ...	Do. ... Do.	49 ...	3	3	10	Do.
Do.	York ...	York ... Town	59, 60 ...				£10 each.
April 4th	Geraldton ...	Northampton ... Do.	136 ...				£12.

JOHN FORREST, pro Commissioner of Crown Lands.

THE following application has been received at the Resident Magistrate's Office, Geraldton, for a License under "The Wild Cattle Nuisance Act, 1871."

Caleb Sewell ... For Self, George Sewell and John M. Davis.

GEORGE ELIOT,
Resident Magistrate.

Resident Magistrate's Office, }
Geraldton, 3rd February, 1877. }

NOTICE.

THE undermentioned person has applied for a License to destroy Wild Cattle and Horses in the Wellington District under the "Wild Cattle Nuisance Act, 1871," during the remaining portion of the year 1877, viz. :—

James Forrest ... Self.

W. PEARCE CLIFTON, R.M.
Bunbury, 6th Feb., 1877.

Comptroller's Office,
Fremantle, 24th February, 1877.

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

Reg. No. 4856 James Murphy
 „ 5071 Edward Dodd
 „ 8127 Thomas Smith
 „ 9056 Thomas Brodie
 „ 9920 Charles Wright

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

Reg. No. 8026 William Hughes
 „ 9545 James Potter
 „ 9556 James Robertson
 „ 9681 James Campbell

W. R. FAUNTLEROY,
Comptroller.

The Bankruptcy Act, 1871.

IN THE SUPREME COURT.

In the matter of a Bankruptcy Petition against Elizabeth King and Thomas Stockley King, of Fremantle, Merchants, Storekeepers, Dealers, and Chapmen.

UPON the hearing of this petition this day, and upon proof satisfactory to the Court of the debt of the Petitioners, and of the trading, and of the act or acts of the bankrupts alleged to have been committed by the said Elizabeth King and Thomas Stockley King having been given, it is ordered that the said Elizabeth King and Thomas Stockley King be and they are hereby adjudged bankrupts.

Given under the seal of the Court, this 21st day of February, 1877.

By the Court,
J. C. H. JAMES,
Acting Registrar.

The first meeting of the creditors of the said Elizabeth King and Thomas Stockley King is hereby summoned to be held at the Supreme Court House, in Perth, on the 12th day of March, 1877, at eleven o'clock in the forenoon, and that the Court has ordered the bankrupts to attend thereat for examination, and to produce thereat a statement of their affairs, as required by the statute.

Until the appointment of a trustee, all persons having in their possession any of the effects of the bankrupts must deliver them, and all debts due to the bankrupts must be paid to the Registrar. Creditors must forward their proofs of debts to the Registrar.

ABSTRACT of Receipts and Expenditure of Canning Roads Board, for 1876:—

RECEIPTS.		£	s.	d.
1876.—By	Balance in hand, Jany. 1st	...	78	7 3
	„ Govt. Grant for 1876	...	300	0 0
	„ Cart Licenses	...	34	15 0
			£413	2 3
EXPENDITURE.		£	s.	d.
1876.	Dec.—To Cloud, wages	...	1	0 0
	„ Hyde do.	...	1	0 0
	„ Stirling & Son, printing	...	1	9 11
	„ W. L. Gibbs, supervision, com- mission, &c.	...	23	4 11
	„ J. Stevens, contract	...	9	15 0
	„ J. Collard, day labor	...	60	5 0
	„ J. Jackson, do.	...	35	15 0
	„ E. Gibbs, do.	...	12	10 6
	„ Young, do.	...	5	5 0
	„ Roser, blacksmith's work	...	2	13 0
	„ E. Brown, do.	...	2	10 0
	„ Hansbury, day labor	...	9	12 6
	„ Anderson, do.	...	1	10 0
	„ Byrne, do.	...	22	5 0
	„ Downes, do.	...	11	17 6
	„ F. Dearden, carting account	...	6	0 0
	„ P. White, do.	...	78	7 6
	„ T. Martin, day labor and cart- ing account	...	89	16 6
	„ W. Spencer	...	11	11 0
	„ Padbury, Loton, & Co.	...	2	8 10
	„ Balance in hand	...	24	5 1
			£413	2 3

B. MASON,
Chairman.

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.

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For every additional line, 2d.

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