



PORT PHILLIP GOVERNMENT GAZETTE,

Published by Authority.

WEDNESDAY, JANUARY 13, 1847.

TENDERS REQUIRED

For the supply of Provisions, &c., for the County of Normandy, including the Towns of Portland and Port Fairy.

THE present contractor for furnishing the supplies of provisions, forage, &c., for the establishment of the Colonial Government, in the County and Towns above mentioned, having according to agreement received three months notice that his contract will cease on the 31st March, 1847, notice is hereby given that Tenders will be received at this Office, until 12 o'clock (noon,) on Saturday the thirteenth day of February next, for furnishing the required supplies for the period, from the 1st April to the 31st December, 1847, both days inclusive.

The particulars of the supplies, and the conditions relating to them, are specified in the notice from this office, dated September 16th, 1846, and published in the PORT PHILLIP GOVERNMENT GAZETTE, any further information can be obtained at the Sub-Treasury.

The Tenders are to be sealed, and endorsed, "Tenders for Provisions" and deposited in the box marked "Tenders," at the West entrance of this Office.

W. LONSDALE,

Superintendent's Office,
January 2nd, 1847.

Colonial Secretary's Office,
Sydney, 14th December, 1846.

HIS Excellency the Governor has been pleased to appoint the following gentlemen to be Magistrates of the Territory and its dependencies, viz.:

James Drummond, Esquire, of Portland
Horace Flower, Esquire, of Portland
George Macleay, Esquire, of the Morumbidgee

William Macleay, Esquire, of the Morumbidgee

By his Excellency's command,
E. DEAS THOMSON

PORT PHILLIP SAVINGS' BANK.

THE Revd. John Joseph Therry has been appointed Trustee of this Institution in the room of the Revd. P.B. Geoghegan, resigned.

W. LONSDALE,
President.

Superintendent's Office,
Melbourne, 2nd January, 1847.

Colonial Secretary's Office,
Sydney, 16th December, 1846.

HIS Excellency the Governor directs it to be notified, for general information, that by an Act of the British Parliament passed in the Session of the eighth and ninth years of the reign of Her present Majesty, intituled "An Act to regulate the trade of British possessions abroad," it was enacted, "That the privileges granted to Foreign Ships shall be limited to the Ships of those Countries which, having Colonial Possessions, shall grant the like privileges of trading with those Possessions to British Ships, or which, not having Colonial Possessions, shall place the Commerce and Navigation of this Country, and of its Possessions abroad, upon the footing of the most favored Nation, unless Her Majesty by her Order in Council shall in any case deem it expedient to grant the whole or any of such privileges to the Ships of any Foreign Country, although the conditions aforesaid shall not in all respects be fulfilled by such Foreign Country. Provided always, that no Foreign Country shall be deemed to have fulfilled the before mentioned conditions or to be entitled to the privileges aforesaid, unless and until Her Majesty shall by some order or orders by her made or to be made by the advice of her Privy Council, have declared that such Foreign Country hath so fulfilled the said Conditions, and is entitled to the said privileges."

Whereof all persons concerned are hereby cautioned to take notice.

By His Excellency's Command,
E. DEAS THOMSON.

PROCLAMATION.

By his Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c.

WHEREAS the Legislative Council of New South Wales now stands prorogued to Tuesday the fifteenth day of December next ensuing, and it is expedient further to prorogue the same: Now, therefore, I, Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, in pursuance of the power and authority in me vested as Governor of the said Colony, do hereby further prorogue the said Legislative Council to Tuesday the twenty-sixth day of January next.

Given under my Hand and Seal at Wellington, this thirtieth day of November, in the year of Our Lord one thousand eight hundred and forty-six, and in the tenth year of Her Majesty's reign.

(Signed) CHS. A. FITZ ROY.

By His Excellency's command,
E. DEAS THOMSON.

GOD SAVE THE QUEEN!

Colonial Secretary's Office
Sydney, 21st December, 1846

PETTY SESSIONS.

HIS Excellency the Governor has been pleased to appoint the under-mentioned places, in the District of Port Phillip, to be places for the holding of Courts of Petty Sessions, under the provisions of the Act of the Colonial Legislature, 3rd William IV., No. 3, viz:—

In the District of Western Port:

(22.) Mount Macedon, (Wedge's Station.)

(23.) The Pyrenees, (Petit's Station.)

In the District of Portland Bay:—

(24.) The Grange, (The present Police Station.)

In the District of the Murray:—

(25.) The Broken River, (the present Police Station.)

In the District of Gipps Land:—

(26.) Alberton.
(27.) Flooding Creek, on the north side of the River La Trobe.

By His Excellency's Command,
E. DEAS THOMSON.

NOTICE TO TICKET-OF-LEAVE
HOLDERS.

ALL Ticket-of-leave holders residing in the District of Geelong are required, either personally or in writing, to report to this office, between the 1st and 14th of January next, their names, residences, the names of their masters or employers, their trades or callings, or means of maintaining themselves; in conformity with regulations published in the New South Wales Government Gazette of the 21st October, 1841.

ALFRED J. EYRE,
Clerk Petty Sessions.
Police Office, Geelong,
4th Dec., 1846.

PROCLAMATION.

By his Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Captain-General, and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c.

WHEREAS by an Act of the Governor and Legislative Council of New South Wales, passed in the sixth year of the reign of her present Majesty Queen Victoria, intituled, "An Act to consolidate and amend the laws relating to Courts of Requests, and to extend the jurisdiction of such Courts in the County of Cumberland," it was amongst other things enacted, that from and after the first day of January, 1843, Courts of Requests should be holden in and for such Counties and Districts, or other portions of this Colony and its Dependencies, and at such places respectively, as the Governor should, by Proclamation for that purpose from time to time appoint. And it was further enacted, that Courts should be holden in the County of Cumberland, in which Courts, besides a power and authority to hear and determine in a summary way, all Actions for the recovery of any debt, demand, or damage to an amount not exceeding Ten Pounds; Actions also to the amount of Thirty Pounds, of the nature authorised by the above recited Act, should be heard and determined.— And whereas by an Act passed in the tenth year of the reign of her present Majesty, intituled, "An Act to amend the laws respecting the recovery of small Debts in all parts of the Colony," it is enacted, that from and after the first day of January, which will be in the year of Our Lord One thousand eight hundred and forty-seven, the Courts of Requests to be holden in and for the Town of Melbourne, and County of Bourke, in the District of Port Phillip, shall exercise such and the same jurisdiction in all respects as the Courts of Requests in the said County of Cumberland; and that the said first recited Act shall, from the said first day of January, be in force and apply to the said Town of Melbourne and County of Bourke, and to the Courts of Requests to be held therein: Now, therefore, I, the said Governor, in pursuance of the power and authority so vested in me by the said first recited Act, do hereby direct and appoint, that Courts of Requests, in and for the Town of Melbourne and County of Bourke, shall be holden, during the year One thousand eight hundred and forty-seven, at the Town of Melbourne, at the times hereinafter respectively mentioned, that is to say—

The "Ordinary Sittings" of the Court of Requests for the trial of all cases not exceeding Ten Pounds, shall be holden on the first Mondays and following days of the Months of January, February, March, April, May, June, July, August, September, October, November, and December.

The "New Sittings" of the said Court for the trial of all cases from Ten to Thirty Pounds, shall be holden on the following days respectively, viz.: Thursday, 7th January; Thursday, 8th April; Thursday, 8th July; Thursday, 7th October.

Given under my Hand and Seal at Government House, Sydney, this sixteenth day of December, in the year of Our Lord one thousand eight hundred and forty-six, and in the tenth year of Her Majesty's reign.

(Signed)

CHS. A. FITZ ROY.

By his Excellency's Command,
E. DEAS THOMSON.

God save the Queen!

Colonial Secretary's Office,
Sydney, 15th December, 1846.

INDULGENCES TO CONVICTS.

HIS Excellency the Governor has been pleased to direct, that the Notice from this Office of the 1st May, 1846, respecting Indulgences to Convicts, be republished; and that the particular attention of all persons in charge of Convict Establishments be drawn to the periods of probation necessary to entitle Prisoners to have their applications forwarded for his Excellency's decision.

These periods are on no account to be abridged, unless for some special meritorious service, to be separately reported on through the Principal Superintendent of Convicts; and it is to be explained to all Prisoners seeking indulgence, that the caution given in the last paragraph of the Regulations referred to will in future be rigidly enforced.

By His Excellency's Command,
E. DEAS THOMSON.

Colonial Secretary's Office,
Sydney, 1st May, 1846.

INDULGENCES TO CONVICTS.

CIRCUMSTANCES appearing to require a revision of the Regulations under which Tickets of Leave and Conditional Pardons are now granted to Prisoners of the Crown in this Colony, His Excellency the Governor is pleased to direct, that the following modifications be adopted in these Regulations from the date hereof.

1.—Without reference to the periods fixed by former Regulations, any Convict who may have served three entire years without punishment, and without any record of misconduct being made against him, may apply in the usual manner for a Ticket of Leave; and if on the investigation of his case, he appear to be deserving of the indulgence, and no legal or other impediment exist to his receiving it, a Ticket of Leave will be granted to him, and will remain in force during the Governor's pleasure.

2.—In like manner, any person who may have held a Ticket of Leave with continued good conduct during a period of not less than three years, and may be recommended by not less than three Magistrates or other persons of respectability known to the Government, may apply, by Petition, to the Governor for a Conditional Pardon.

In promulgating these Regulations, however, the Governor feels it necessary to remark, that his attention has been drawn to the unnecessary labour which is occasioned in the Department of the Principal Superintendent of Convicts, by the irregular and improper applications of persons for indulgences which they are not entitled to ask for; and His Excellency gives this general Notice, that all persons who may hereafter by their applications give unnecessary trouble of any sort, will expose themselves to the loss of the advantage promised by these Regulations, or to other punishment as the case may require.

By His Excellency's Command,
E. DEAS THOMSON.

Post Office, Melbourne,
29th December, 1846.

SYDNEY OVERLAND MAIL FOR 1847.

THE arrangement for arrival and despatch of the Sydney Overland Mail for 1847, will be as follows:—
Arrival at Melbourne, every Monday and Thursday, at 4 o'clock, p.m.
Despatch from Melbourne, every Tuesday and Friday, at a quarter to 2 o'clock, p.m.

HENRY D. KEMP,
Chief Postmaster.

Superintendent's Office,
Melbourne, 29th December, 1846.
GOVERNMENT GAZETTE.

HEADS of Departments are informed that Notices and Advertisements, intended for insertion in the local GOVERNMENT GAZETTE, must be delivered to the Clerk of Works on or before each Tuesday at noon.

W. LONSDALE.

Colonial Secretary's Office,
Sydney, 28th December, 1846.

ALLOWANCES TO WITNESSES.

HIS Excellency the Governor is pleased to direct that the public Notice respecting allowances to witnesses dated 9th December, 1844, be rescinded, and, that until further orders, the following rates of allowances to witnesses summoned to attend the Supreme Court, Courts of Assize, and Courts of Quarter Sessions, throughout the Colony, shall be revived from 1st January next.

- 1.—To a Witness, not being a Constable, a Mounted Policeman, a Soldier, or a Convict, there shall be allowed six-pence for every mile beyond five miles he may reside from the Court as travelling expenses, and two shillings and eight-pence for each day's attendance at any of the said Courts; but no allowance whatever shall be made to any witness residing within five miles of the Court he may be summoned to attend.
- 2.—To Constables, if their residences be situated at a distance of more than seven miles from the place where the Court is held, there shall be allowed the sum of four pence for every mile they may reside from such Court, to meet their expenses both in going and returning, and one shilling and nine-pence per diem for every day they may be necessarily detained in attendance at the Court.
- 3.—To men of the Mounted Police, there shall be allowed the sum of one shilling and nine-pence per diem for every day they may be necessarily detained in attendance on the Court, but they are not to receive any allowance for travelling.
- 4.—Soldiers when summoned as witnesses, are to be allowed at the same rate as in England, namely, one shilling and ten-pence for every ten miles travelled both in coming to the Court and returning home.
- 5.—Prisoners of the Crown when summoned and detained as witnesses to give evidence are to be allowed a Ration of Provisions in kind, but no money allowance is to be made to them.

6.—In cases where there is a regular Steam conveyance, or the passage be made by water, the allowance for travelling shall be limited to the actual amount of the passage money.

7.—In the case of the Supreme Court, and Courts of Assize, the abstract of payments to witnesses are to be certified as hitherto, by the Criminal Crown Solicitor, or the clerk acting on his behalf; and of the Courts of Quarter Sessions by the Clerk of the Peace, countersigned by the Chairman as inspected and approved.

By His Excellency's Command,
E. DEAS THOMSON.

Colonial Secretary's Office,
Sydney, 28th December, 1846.

POSTAGE.

HIS Excellency the Governor has been pleased to direct the publication, for general information, of the accompanying copy of a letter from the Secretary to the General Post Office, to the Post Master General of this Colony, explaining the Regulations under which letters from New South Wales conveyed to the Indian Ports, by the Sydney Packets, will be transmitted to England, and the rates of Postage chargeable on such letters.

By His Excellency's Command,
E. DEAS THOMSON.

(Copy)

General Post Office,
25th August, 1846.

Sir,

I am directed by the Postmaster General to inform you, that the last Homeward Mails from New South Wales were landed at Calcutta, and forwarded thence to this Country via Marseilles, and that the correspondence brought by these mails was consequently charged with a postage of 2s. 2d. for each letter under a quarter of an ounce, whereas if the mails had been forwarded via Southampton, the letters would have been liable only to a charge of 1s. 4d. under the weight of half an ounce.

The Contractors for the conveyance of the Sydney Mails have the option, as you are aware, under their Contract, of landing the Homeward Mails at either Calcutta, Madras, Singapore, or Ceylon, although this is the first time they have availed themselves of their privilege, and the various Officers in India, entrusted with the despatch of the British Mails, have orders to send all letters for England by the route of Marseilles, that being the quickest route, unless specially addressed to be forwarded via Southampton.

No irregularity, therefore has been committed in this case, the proceedings being strictly in accordance with the standing Regulations.

As, however, the Postmaster General fears, that notwithstanding the benefit which the public have derived by the earlier delivery of their correspondence, much dissatisfaction will be experienced by reason of the higher charge to which the letters have been subjected, his Lordship, with the view of obviating, as far as

possible, the inconvenience which may result from this circumstance happening again, thinks it right thus to explain to you the Regulations under which letters from New South Wales conveyed to any of the Indian Ports before mentioned by the Sydney Packets, will be transmitted to this country; and he directs me to suggest, that such notices may be, at once, issued to the public as will put them in possession of the requisite information on this subject.

I have to add, for your information, the following table shewing the number of British and French rates to which letters, forwarded via Marseilles, are liable, according to their weight.

	British	French
A Letter under $\frac{1}{4}$ of ounce is liable to 1 and 1 Rate	1	1
Do. weighing $\frac{1}{4}$ & not exceeding $\frac{1}{2}$ oz.	1	2
Do. exceeding $\frac{1}{4}$ & under $\frac{1}{2}$ oz.	2	3
Do. weighing $\frac{1}{2}$ & not exceeding 1 oz.	2	4
Do. exceeding 1 oz. and under 1 $\frac{1}{2}$ oz.	4	5

It must be observed, however, that the English and French modes of charging by weight are dissimilar, a letter not being liable to an increased British rate, unless it exceeds the half-ounce or ounce, while an additional foreign rate is chargeable if it actually attain, though it do not exceed the quarter, half, three-quarters of an ounce, or ounce respectively.

The single rate of postage, therefore, for a letter from New South Wales, weighing under a quarter of an ounce, forwarded via Marseilles, will be

	s.	d.
British	1	5
Foreign	0	5
Indian Ship-letter rate...	0	4
	<hr/>	
	2	2

when forwarded via Southampton it will be under half an ounce.

	s.	d.
British rate	1	0
Indian Ship-letter rate..	0	4
	<hr/>	
	1	4

When letters are forwarded to Ceylon for despatch to this country, the Indian Ship-letter rate is not chargeable. You are aware, of course, that in both cases the postage must be collected in England.

Newspapers, when sent via Marseilles, will be liable to a charge of 3d. each.

As it may be useful also for you to know the days of the month on which the Contract Packets usually leave the Indian Ports with the Homeward Mails, I have to state that they leave

Calcutta on the 10th of each month,
Madras " 15th
Singapore " 10th
Point de Galle 19th
(Ceylon)

and that the mails via Marseilles generally arrive in London four or five days earlier than those forwarded via Southampton.

I have the honor to be,

Sir,

Your obedient humble servant,

(Signed) W. A. MABERLY.
J. RAYMOND, Esquire,
&c., &c., &c.,
Sydney New South Wales.

GOVERNMENT NOTICE.

IT having been represented to the Government, that a wanton outrage was committed on the night of the 10th ultimo, by forcibly removing and destroying an ornamental piece of stone work, from the Eastern gable of the Church of St. Peter's, now in the course of erection in this town, a reward of Ten Pounds, will be paid to any person or persons, who shall give such information as will lead to the apprehension and conviction of the parties who perpetrated the offence.

W. LONSDALE,
Superintendent's Office,
Melbourne, 6th January, 1847.

**COURT OF REQUESTS,
FOR THE COUNTY OF BOURKE.**

NOTICE is hereby given that the Court of Requests for this County will be holden in Melbourne, at the Court House, Collins-street, on Monday, the 1st of February, 1847, and the following days, at the hour of nine o'clock in the forenoon.

Plaints must be delivered at the office of the Registrar on or before Saturday, the 23rd day of January instant.

Defences or sets-off must be filed on or before Thursday, the 28th instant.

Every plaint, defence, or set off, must have the name and residence of plaintiff and defendant written thereon.

In defended cases the plea of defence, or notice of set-off, must be in accordance with the forms krescribed by the late Rules of Court.

By order of the Commissioner,
J. S. GRIFFIN,
Registrar.
Melbourne, January 11th, 1847.

Colonial Secretary's Office,
Sydney, 1st January, 1847.

PUBLIC MONEY.

HIS Excellency the Governor directs the republication of the following Notice, relating to Public Monies placed in the Banks by persons in the Service of Government.

By His Excellency's Command,
E. DEAS THOMSON.

Colonial Secretary's Office,
Sydney, 16th January, 1845.

PUBLIC MONEY.

WITH a view to prevent the recurrence of the inconvenience which has, in some cases been found to result from Public Monies having been placed in the Banks by persons in the service of Government to their private accounts; His Excellency the Governor directs it to be notified that, for the future, no Public Monies shall, on any pretence whatever, be paid to the private account of Officers at the Banks; but that, if transmitted through the Banks at all, they must be carried to a public account, wholly distinct from any private account.

By His Excellency's Command,
E. DEAS THOMSON.

Custom House, Melbourne,
12th January, 1847.

NOTICE is hereby given, that unless the undermentioned goods are cleared from the Bonding Warehouse, on or before Wednesday, the 3rd February next, they will be sold by public auction on the following day, namely, Thursday 4th February, 1847, on the premises, commencing at 11 o'clock precisely, in accordance with the provisions of the 70th section of the Act of the Governor and Council, 9th Vic., No. 15, for the duties and warehouse rent.

When Bonded.	Ship.	Whence.	By whom Bonded.	Bonded Mark and Number.	Goods.	Transferred to
1843. January 13	Tamar,	Launceston,	Alexander Orr,	A O 3.5. 6.	3 kegs Tobacco,	Alfred Woolley.
February 21	Rebecca,	Liverpool,	Dunlop & Co,	D M N 17.18	2 bids. Brandy,	Mathew Gibson.
June 21	Ditto,	Ditto,	Ditto	W H 7	1 quarter cask Brandy.	
July 6	Lillias,	Hobart Town,	W. M. Harper,	S M D	1 punchoon B. P. Rum,	
July 9	Alicia,	London,	Samuel M'Donnell,	W E 26	4 cases Geneva,	
July 13	Christina,	Sydney,	W. Easey,	H G A 1-23	1 keg Tobacco,	
July 13	Ditto,	Ditto,	H. G. Ashhurst & Co.,	J C	23 ditto ditto	
September 8	Reward,	London,	John Casey,	B & B 7	1 case Geneva,	David Young.
September 11	Ditto,	Ditto,	Bells & Buchanan,	K B 7	1 tierce Tobacco,	
September 19	Glenroy,	Liverpool,	Kilburn Brothers,	T O & Co.	1 keg Tobacco,	F. Champion.
September 27	Candina,	Leith,	Turnbull & Co.,	B	2 cases But. Whiskey,	
October 16	James,	London,	Ditto,	B 5.8.10	2 half cases Geneva,	
October 23	Scout,	Launceston,	Barnes & Co.,	B 13.19.23	3 kegs Tobacco,	John M'Donnell.
October 23	Ditto,	Ditto,	Ditto	E 11.13.24.15.	3 ditto ditto	
December 14	Gleatannet,	Liverpool,	Ditto		4 ditto ditto	

JAMES H. CASSELL,
Acting Collector.

Colonial Secretary's Office,
Sydney, 16th December, 1846.

PUBLIC THOROUGHFARES:

It having been represented to the Government, that fences have been erected in several places across the usual line of road, by persons holding Depasturing Licenses in the District beyond the boundaries of location; whereby great public inconvenience has been sustained, his Excellency the Governor deems it necessary to point out that a License to depasture gives no right to the party holding it to place obstructions upon Crown Land which has hitherto been used as a customary public thoroughfare, or is necessary as a way to more distant stations; and his Excellency, therefore, calls upon all persons who have caused such obstructions to remove the same without delay.

By his Excellency's command,
E. DEAS THOMSON.

Colonial Secretary's Office,
Sydney, 30th December, 1846.

HIS Excellency the Governor directs the appointment to be notified of

Mr. ROBERT CADDEN,
as Clerk of Petty Sessions, for the County of Bourke, in the District of Port Phillip.
By His Excellency's Command.

E. DEAS THOMSON.

KALKALLO POUND.

NOTICE is hereby given that at a Court of Special Petty Sessions, holden at Melbourne, for the County of Bourke, on Saturday, the second day of January, instant,

MR. WILLIAM THANE,
was appointed Poundkeeper, at the above pound, in room of Mr. Thomas Johnston, dismissed.

W. R. BELCHER,
Clerk Petty Sessions.
Melbourne, Police Office,
6th January, 1847.

IMPOUNDED at Morang, River
Plenty, 4th January, 1847—

A brown bullock, cock horns, Hys near rump

A yellow sided cow, cock horns, star on forehead, white on back, belly, tail, and hind legs, H rump, HM thigh near side, BB ribs, 4 shoulder milking

side, bull calf with her
A brindle cow, cock horns, F within ICC circle near rump, 4 shoulder, MM

rump milking side
A brown cow, little white on back and belly, DQ near ribs

A brown yearling steer, no brand
A dark grey colt, unbroken, long mane and tail, H sideways off shoulder

If not claimed and released on or before the 23rd of January, they will be sold at the Pound Yard, according to Act of Council.

J. DUNBAR,
Poundkeeper.

ss.

IMPOUNDED at Pentridge, 6th January, 1847—

A bay horse, white legs and face, short switch tail, G off neck, R (reversed italic) near shoulder

A flea-bitten grey horse, short switch tail, K off thigh

A dark brown or black horse, J near ribs, supposed I H near shoulder

G V
If not released, they will be sold 1st February, at noon, in accordance with Act of Council.

G. P. ANDERSON,
ss. 3d. Poundkeeper.

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