



**PORT PHILLIP  
GOVERNMENT GAZETTE.**

Published by Authority.

WEDNESDAY, AUGUST 27, 1845.

Chief Protector's Office,  
Melbourne, 23rd August, 1845.  
**DIALECTS OF THE ABORIGINAL NATIVES OF EMU CREEK AND SOUTH GLENELG.**

THE Government are desirous to obtain the services of a person competent to interpret in a Court of Justice, the dialect of the Aboriginal Natives of Emu Creek.

Application to be made to this office.  
G. A. ROBINSON,  
Chief Protector Aborigines.

**Ten Shillings Reward.**

THE Mail Bag containing the letters and newspapers for distribution along the road between Melbourne and Ballan, having been lost by the mail-man during the night of Friday the 18th July, between the Saltwater Punt and Mr. Solomon's station, within about a mile of the latter place; any person finding the said Mail Bag and delivering it unopened to the Postmaster at Melbourne shall receive the above reward.

By order of His Honor the Superintendent,  
S. J. USSHER,  
Acting Postmaster.

Post-office, Melbourne, }  
7th August, 1845. }

**Transfer of Licenses.**

NOTICE is hereby given, that a Court of Petty Sessions will be holden at the Police Office, Melbourne, on Tuesday, the 2nd day of September next, for the purpose of hearing and determining upon applications for the Transfer of Publicans' Licenses for the Town of Melbourne and County of Bourke, in the District of Port Phillip, in accordance with the 27th section of the Act of Council 2nd Victoria, No. 18.—1838.

W. R. BELCHER,  
Clerk Petty Sessions.

In the Supreme Court of New South Wales for the District of Port Phillip. } N. 81.  
Between LOTON HOLLAND, plaintiff,  
AND  
GEORGE ARDEN and THOMAS STRODE, defendants.

IN pursuance of an order of this Honorable Court to me directed, bearing date the nineteenth day of August, in the year of our Lord, One thousand eight hundred and forty-five—I hereby give you notice, that you George Arden, one of the above named defendants, are required to appear in said Court, on Thursday, the twenty-eighth day of August, in the year of our Lord one thousand eight hundred and forty-five, on answer the said action of the above named plaintiff against you the said George Arden and the above named Thomas Strode, being an Action on Covenant. Dated at Melbourne in the district of Port Phillip aforesaid, the nineteenth day of August, in the year of our Lord, one thousand eight hundred and forty-five.

A. MACKENSIE,  
Deputy Sheriff for the district of Port Phillip, in the Colony of New South Wales.

To Mr. George Arden, one of the above named defendants.

IMPOUNDED at Bulleen, Upper Yarra, on the 22nd instant  
One strawberry bull, illegible brand off rump  
One red steer A off neck  
One strawberry cow, broken horn, U near rib, IB off rib and thigh  
One white steer, brown head and legs, I near side  
One red heifer calf, no perceptible brand  
One red and white yearling steer, S off rump  
One mouse colour yearling steer, no perceptible brand.

If not claimed on or before the 17th September, they will be sold at the Pound, agreeably to the Act.

JOHN JAMES,  
Poundkeeper.

26th August, 1845.  
4s. 3d.]

Colonial Secretary's Office,  
Sydney, 12th August, 1845.

#### TORRES' STRAITS.

**H**IS Excellency the Governor has been pleased to direct the publication of the following amended Sailing Directions, for the passage through Endeavour Strait, prepared by Lieutenant C. B. Yule, R. N., Commanding H. M. S. *Bramble*.

It is intended that the present shall be substituted for the temporary Sailing Directions for the same passage, published in the *Government Gazette*, of the 30th May last, which were prepared before Lieutenant Yule's Survey was in a complete state.

His Excellency further directs it to be notified, that a Chart of this passage on a much larger scale than that already published by the Government has been lithographed, and will in like manner be substituted for the Sketch referred to in the Notice of the 30th May last.

Complete sets of the Charts, &c., relating to Torres Straits, which have been published by the Government, may be obtained from the Port Master, Sydney, and the Harbour Master, Melbourne, at a charge of five shillings per set, each set including the following:

- 1.—A Chart of the passage from Raine's Island to Cape York, with corresponding Sailing Directions.
- 2.—A Chart of the passage through Endeavour Strait, with corresponding Sailing Directions.
- 3.—A lithographed sketch of the Beacon on Raine's Island.

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

#### SAILING DIRECTIONS FOR ENDEAVOUR STRAIT.

**V**ESSELS coming from the southward and eastward, drawing above fifteen feet water, should, after having passed the Brothers and Albany Isles, keep a good look out for a rock situated nearly midway between Cape York and Mount Adolphus; this rock is laid down in the Admiralty Chart by Captain King, it has since been examined by an Officer of H. M. S. *Fly*, who found only four fathoms on it, which being reduced to the low water level would be barely three fathoms; there is deep water round it. From this rock the S. W. extremity of the table of Mount Adolphus bears N. 53 E.  $4\frac{1}{2}$  miles, Cape York S. 67 W. 4 miles, rock a. N. 52 W. 6 and Albany Rock which has a conspicuous white summit, S. 42 E.  $3\frac{1}{4}$  miles. Having passed this shoal, a direct course to the westward may be shaped, passing about one mile northward of York Island; from this position, the course will be W.  $\frac{1}{2}$  S.  $10\frac{1}{2}$  miles, (always allowing for tide) which will lead to abreast of the Western Passage into Endeavour Strait; it may be entered by two others between the Possession Isles, which are both perfectly safe, but as the former is twice as broad as either of the others, with deeper water and less tide, I consider it the best of the three. When abreast of this opening steer S. W.  $\frac{1}{2}$  W., or nearly midway between Entrance Island, which is high and rocky, and the two westernmost of the Possession Isles, which are close together and thickly covered with wood. Having passed through this opening, continue the same course S. S. W.  $\frac{1}{2}$  W., until Burn Islet, which is small but high and rugged, bears S. 42 E.  $3\frac{1}{2}$  miles, and the two woody islets are in one, bearing N. 35 E.; the next course will be W.  $\frac{1}{2}$  S. 15 miles, or, as the Wallis Isles will now be visible from the mast-head, steer such a course as will lead to miles to the northward of the northern or Red Wallis Island; when it bears south, distant two miles, the given course (W.  $\frac{1}{2}$  S.) is still to be con-

tinued nine miles, or until Booby Island, which may be seen from the mast-head, bear N. 5° E. Care must be taken not to keep to the southward of the course, (W.  $\frac{1}{2}$  S.) as a very narrow sand bank extends from Red Wallis Island west six miles, having only two fathoms on its western extremity. The passage here is the narrowest part, and is two miles broad, the least depth being sufficient for the largest ships with the exception of a small sandy knoll, on which I got three fathoms. A vessel having proceeded so far west as to bring Booby Island to bear N. 5° E. I consider she will then have passed through the strait, and may shape a course northward and westward according to her destination. That portion of the strait between the Possession Group and Wallis' Islands, is quite clear of shoal water, having an uniform depth of seven fathoms and upwards, the nature of the bottom being generally coral sand.

The spring tides between the Possession Isles sometimes run five knots per hour; the ebb N. N. E. five hours; and the flood seven hours S. S. W.; the range is nine feet six inches. At the Wallis Islands I found the tides too irregular to enable me to give any definite information with regard to the time of high and low water, or at what time the set of the tide east or west changes. The range is seven feet and the greatest velocity is two knots per hour. The ebb runs east and the flood west.

I generally found that the direction of the tides in all parts of the strait accorded with the trend of the channels.

\* All the bearings and courses are Magnetic, and the soundings are reduced to the lowest spring tide levels.

Colonial Secretary's Office,  
Sydney, 15th August, 1845.

#### LEGISLATIVE COUNCIL.

**T**HE Governor directs it to be notified, for general information that a Writ has been returned to His Excellency certifying the return of

THOMAS ELDER BOYD, Esquire,  
to serve as a member of the Legislative Council, for the Electoral District of Port Phillip, in the room of Adolphus William Young, Esquire, resigned, and during the remainder of the term of the continuance of the present Council.

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

Colonial Secretary's Office,  
Sydney, 15th August, 1845.

#### LEGISLATIVE COUNCIL.

**T**HE Governor directs it to be notified, for general information, that a Writ has been returned to His Excellency, certifying the return of

MAURICE CHARLES O'CONNELL, Esquire,  
to serve as a Member of the Legislative Council for the Electoral District of Port Phillip, in the room of Thomas Walker, Esquire, resigned, and during the remainder of the term of the continuance of the present Council.

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

Colonial Secretary's Office,  
Sydney, 7th August, 1845.

**H**IS Excellency the Governor has been pleased to appoint the undermentioned gentleman to be a Magistrate of the town of Melbourne, viz.:—JAMES SMITH, Esquire, of the Merri Creek.

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

Colonial Secretary's Office,  
Sydney, 11th August, 1845.

**APPEALS TO THE QUEEN IN COUNCIL.**

**W**ITH reference to the Notice in the *Government Gazette*, of the 24th January last, in which was published so much of the Act of the Imperial Parliament, 7th and 8th Victoria, c. 69, as relates to the admission of appeals to Her Majesty in Council, from the judgment of any Court of Justice in any British Colony or Possession, His Excellency the Governor has been pleased to direct the publication for general information of the following Order made by the Judicial Committee of Her Majesty's Privy Council in pursuance of the provisions of the said Act.

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

**AT THE COUNCIL CHAMBER, WHITE-HALL, 12TH FEBRUARY, 1845.**

By the Judicial Committee of the Privy Council.

**W**HEREAS by an Act passed in the eighth year of her Majesty's reign, intituled "An Act for amending an Act passed in the fourth year of the reign of his late Majesty, intituled an Act for the better administration of Justice in his Majesty's Privy Council, and to extend its jurisdiction and powers," it was enacted "that it should be lawful for the Judicial Committee of the Privy Council, to make any general rule or regulations to be binding upon all Courts in the colonies and other Foreign Settlements of the Crown requiring the Judges' notes of the evidence taken before such Court on any cause appealed, and of the reasons given by the Judges of such Court, or by any of them, for or against the judgment pronounced by such Court, which notes of evidence and reasons should by such Court be transmitted to the Clerk of the Privy Council within one calendar month next after the leave given by such Court to prosecute any appeal to her Majesty in Council, and such order of the said Committee should be binding upon all Judges of such Courts in the colonies or Foreign Settlements of the Crown:" Now, therefore, the Lords of the said Judicial Committee of the Privy Council are pleased to order, as it is hereby ordered, that when any appeal shall be prosecuted from any judgment of any Court in the colonies or Foreign Settlements of the Crown, the reasons given by the Judges of such Court, or by any of such Judges, for or against such judgment, shall be by the Judge or Judges of such Court communicated in writing to the Registrar of such Court, or other officer whose duty it is to prepare and certify the transcript record of the proceedings in the cause, and that the same be by him transmitted in the original to the Clerk of her Majesty's Privy Council at the same time when the documents and proceedings proper to be laid before her Majesty in Council upon the hearing of the appeal are transmitted.

Whereof the Judges of all such Courts in the colonies, or Foreign Settlements of the Crown, are to take notice and govern themselves accordingly.

(Signed) C. C. GREVILLE.

**I**T is ordered that a Criminal Session and General Gaol Delivery of the Supreme Court for the district of Port Phillip, be holden at the Court-house, Latrobe-street, in the town of Melbourne, on Monday, the fifteenth day of September next, at which all parties concerned are requested to give their attendance.

Dated the twenty-fifth day of August, A.D. one thousand eight hundred and forty-five.

R. TERRY,  
Resident Judge.

**M**ONTHLY list of persons who have taken out Licenses to Depasture Stock, to Strip Bark, and to Cut Timber on Crown Lands in the district of Port Phillip, from the 1st to the 31st July, 1845, inclusively.

**LICENSES TO DEPASTURE STOCK.**

**WESTERN PORT DISTRICT.**

Airey, George S.; Bear and Godfrey; Bacchus, W. H.; Barker, William; Clarke, W. J. T.; Cain, James; Cowper, James; Creswicke, J. and H.; Cotton, Edward; Foley and Cameron; Foley and Cameron; Green, Anne; Hawkins, Samuel; Harrison, John; Horsfall, James; Jardine, Joseph; Lawrence, James Ross; M'Lean, Alexander; Ogilvy, Robert E.; O'Connors and Hayes; Peters, Charles; Shanahan, Martin; Smith, Sylvester; Thear, Joseph.

**COUNTY OF BOURKE.**

Beaver, George; Balfour, David; Beswicke, Charles; Hobbs, Thomas; Kellett, Henry; M'Gregor, Duncan; Ross and Cumming; Rourke and others; Smith, William; Shearer, John; Winder, John; Younger, George.

**PORTLAND BAY DISTRICT.**

Cosgrove, James; Curdie, Daniel; Ewen, Stephen; Graham and Cobham; Kippin, William, jun.; M'Donald and M'Kenzie; Munning, Messrs.; M'Kinnon and Murchie; Nicholson and Higgins; Porter and Fleming; Russell, William; Smylie, Samuel; Tennent and Lyon; Urquhart, George; Whyte, Charles J.

**COUNTY OF GRANT.**

Airey, John; Avention, Thomas; Atkins, John; Cistigan, M. and D.; Cullen and Edols; Dewing, Frederick; Eldridge and others; Groves and others; Kennedy, John; M'Larty, Alexander; M'Conochie, Thomas; Ness, Andrew; Simmons, Thomas; Taylor, Thomas; Walsh, James O'Malley; Wells, William, and others; Warner, Thomas.

**MURRAY DISTRICT.**

Alston, Mary; Curlewis and Campbell; Mackay, George; Mackay, George; Rue, John R. Young, Robert.

**GIPPS LAND DISTRICT.**

Bentley, Godfrey; Hawden, John; M'Lean and Gillis.

**LICENSES TO CUT TIMBER.**

**WESTERN PORT DISTRICT.**

Bourke, Thomas; Bett, Abner.

**COUNTY OF BOURKE.**

Asher, Thomas; Anderson, William; Blackburn, Richard; Barton, George; Brian, John; Brunley, William; Betts, Thomas; Brown, William; Collins, James; Coleman, John; Coleman, John; Cahill, Patrick; Collins, Daniel; Campbell, Donald; Cavanagh, James; Connors, Maurice; Clifford, Robert; Crozier, Thomas; Collins, James; Cox, Thomas; Colvin, James; Cahill, John; Dwyer, Thomas; Dunn, James; Dunn, Michael; Duymon, Thomas; Daly, Daniel; Delany, Denis; Dickinson, John; Daly, John; Farrell, Patrick; Fennell, William; Friday, Thomas; Fox, Daniel; Fahy, Thomas; Finerty, James; Fitzsimmons, Edward; Gilligan, Thomas; Gorman, Patrick; Goold, Stephen; Griffiths, John; Gilloby, John; Gillaspie, James; Harboro, William; Hunt, George; Houlahan, James; Haddock, John; Halliman, Thomas; Henson, John; Houghton, David; Hooton, John; Hill, George; Harbour, William; John, Johnson; Johnson, William; Johnson, Thomas; Kavanagh, William; Kellet, Henry; King, James; Lindsay F.; Loudon, John; Lockey, Francis; Logan, Michael; Longworth, Lawrence; M'Namara, Dennis; Morley, Jes.

sie: Murray, Anthony; Mulgrave, James; M'Grath, John; Managh, James; M'Cawley, Thomas; Mason, John; M'Namara, John; M'Namara, William; M'Intyre, Peter; Malani, John; Malane, Jeremiah; Molloney, Patrick; Murphy, James; North, George; Nelson, John; Newn, Joseph; Orrel, John; Pfen-dergast, William; Purnell, John; Rogerson, Thomas; Robinson, John; Rogerson, Robert; Ryan, Patrick; Ryan, Thomas; Keilly, Brian; Ross, Patrick; Spotswood, John S.; Sullivan, Michael; Shoemac, Amos; Smith, John; Smith, Isaac; Stevenson, William; Saunders, Thomas; Smith, William; Taylor, George; Tomlinson, George; Talbot, Henry; Tyler, Wm.; Vaughan, Thomas; Wall, Samuel; Wallace, John; Walker, Benjamin; Williamson, Edward; Watt, George.

MURRAY DISTRICT.

Fitzpatrick, Timothy; Fitzpatrick, Patrick.

COUNTY OF GRANT.

Bennett, Joshua; Ford, John; Jackson, George; M'Kay, James; Underwood, John.

W. LONSDALE,

Sub Treasurer.

Treasury, Melbourne, }  
9th August, 1845. }

Crown Commissioner's office,  
Melbourne, July 29th, 1845.

NOTICE is hereby given, that no renewal of License to Depasture Stock in the County of Bourke for the current year, will be granted to any person who may be in arrear to the Government on account of fines, fees, or assessments (the present assessment from 1st July to 31st December, 1845, inclusive) until all such sums shall have been paid.

FRED. BERK. ST. JOHN,  
Commissioner of Crown Lands for the County of Bourke.

Colonial Secretary's Office,  
Sydney, 25th July, 1845.

VACCINATION.

IT having been reported to the Government that Small Pox was prevailing to a considerable extent at Manila, up to the latest date at which accounts have been received from thence, and that many persons had died of that complaint, His Excellency the Governor has directed the re-publication of the Notice of the 29th July, 1839, with a view of again drawing the attention of parents and guardians to the importance of Vaccination.

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

Colonial Secretary's Office,  
Sydney, 29th July, 1839.

VACCINATION.

IN order to avert the calamities which must necessarily follow if the Small Pox be introduced into the Colony, and to keep up a constant supply of Vaccine Lymph, His Excellency the Governor directs it to be notified, that children will receive Vaccination gratis, if taken to any of the Public Hospitals or Colonial Surgeons throughout the Colony, every Tuesday, at Eleven o'clock in the forenoon. But as the operation itself, without any proof of its having taken effect, would be insufficient security to the public mind, His Excellency has been pleased to direct, that a charge of one shilling shall be deposited for every child vaccinated, which sum shall be returned on the presentation of the child on the next Vaccination day.

His Excellency strongly recommends to parents and guardians to avail themselves, as early as possible, of the means thus afforded to them of taking this necessary and proper precaution, with respect to all children not already vaccinated.

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

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, King-street, on Monday the 1st, and the following days of September, 1845, at the hour of nine o'clock in the forenoon.

Plaints must be delivered at the office of the Registrar, on or before Thursday the 14th day of August, instant.

Defences, or set-off, must be filed on or before Friday, 29th day of August next.

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

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

(By order of the Commissioner,)

S. S. GRIFFIN,

Regist. ar.

Melbourne, Aug. 11th, 1845.

IMPOUNDED, at the South Yarra Pound, on the 21st August, 1845, and if not claimed on or before the 15th September, will be sold at the Pound Yards,

One red sided steer, white back, belly, tail, and grey face, ear marked, supposed F or R near shoulder

One red steer, stub horns, little white on shoulders and rump, A off rump

One blue and white speckled poley bul, no brand visible, about 12 months old

One blue and white speckled heifer calf, no brand visible, about 8 months old

One strawberry colored cow, white face, A 1 near rump, very small brand like m near ribs, illegible brand off rump, J off ribs

One brindle bull, white on rump and belly. no brand visible, about 12 months old

One small red and white bull calf, ditto ditto, about 6 months old

One light strawberry calf, red ears, ditto ditto

One ditto red bull calf, no brand, about 9 months old

One white heifer, red ears, AM off ribs

One red working bullock, WC or WG near rump, illegible brand near ribs and above near the back, dun sighted.

W. M. ATKINSON,

Poundkeeper.

6s.]

IMPOUNDED at Pentridge, 22nd August, 1845, trespass 10s.

A red spotted bull, top off near ear, CM near ribs, illegible brand near rump.

If not released, it will be sold at the Pound Yard at noon, 14th September, in accordance with the Act.

G. P. ANDERSON,

Poundkeeper.

3s. 3d.]