



WESTERN AUSTRALIAN  
**GOVERNMENT GAZETTE.**  
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*Colonial Secretary's Office, Perth,  
March 2, 1838.*

**H**IS Excellency the Governor has directed the following Memorandum of the Heads of two Bills which are shortly to be submitted to the Legislative Council, to be published for general information:—

Whereas, it is expedient that a general system of management should be established for the making and maintenance of Roads and other Internal Communications in this Settlement, and it is expedient that the practice of the Mother Country in this branch of internal economy, under the various improvements effected by recent Acts of Parliament, should be as closely adhered to as the circumstances of the Colony may permit;—It is therefore proposed, that the general management, control, superintendence and charge of Roads, and of all affairs relating to their formation, extension, alteration, improvement or repairs, be vested in certain Trustees,—that is to say, all Justices of the Peace, and Proprietors of Land in Fee-simple to the extent of — acres, who are, by this Act, to be appointed Trustees for the purposes aforesaid, and such other purposes as may be united in this Act.

2.—Affirmation of Property and Qualification to be made by Trustees before entering on office.

3.—Right of Property in all lines of Communication not within any Township to be vested, pending the duration of this Act, in general body of Trustees; and also the Amount of all Subscriptions for Road purposes, and of all Tolls and Leases, or Compositions for Tolls and Leases, and of Loans to be raised on credit of such Property, and of all Assessments leviable by order of such Trustees, or otherwise.

4.—Trustees are to hold four General Meetings

within the year, and Special Meetings on the requisition of three or more Members of their body, after due notice.

5.—The Appointment of the following Officers by Ballot to take place annually at the General Meeting on the first Monday in January, viz. :—

Chairman,  
Directors of Districts, | being Trustees.  
Treasurer.  
Clerk.  
Surveyor or Surveyors.

6.—Directors of Districts, seven days previous to each General Meeting, to deliver to Chairman Reports on the state of Roads, Bridges, and Ferries in their respective Districts. Also Quarterly Accounts of Expenditure and Warrants given by them on the Treasury under authority of General Meeting. Also an Account of the Works required to be executed in the several Districts, with distinct Plans, Specifications and Estimates drawn by the proper Surveyor. Also an Account of the Funds which may be expected to be realized within the Districts from Tolls, Leases, Compositions, Subscriptions for Local or general Purposes, Loans on credit of Local or general Road Income or Property, Assessments upon the Inhabitants, or Sums expected to be appropriated from the General Colonial Revenue, pursuant to any concession made or promised by the Government.

7.—Correct Abstracts of all such Reports, Accounts and Estimates, are to be laid before each General Meeting by the Chairman. Immediately after these have been duly read and considered, and in whole or part approved of by the Meeting, general Estimates of the probable Ways and Means for the ensuing Quarter are to be drawn up, together with Statements of the Works, whether general or local, which the Meeting, or its Majority,

may think fit to undertake, with due regard to the amount of Funds available, and to such just, wise and equitable appropriation of those Funds as the general interests of the Settlement and the wants of each particular District may be deemed to require.

8.—The Chairman is to preserve order, and take the sense of the Meetings, and to superintend and be responsible for the proper regulation of Business before the Meetings, and to regulate the proceedings of the Clerk in the care, custody, and preparation of Papers and Accounts.

9.—A regular Journal of Proceedings is to be kept, and the Proceedings at each Meeting are to be read over and confirmed previous to its dissolution; and this Journal, together with all Original Documents presented to the General Meetings, are to be preserved by the Clerk,—the Public being entitled to obtain, on application, access thereto, on any reasonable ground: and Copies thereof, upon proper compensation for his time and trouble.

10.—Funds available for Road Purposes will accrue from the following sources:—

- The Amount of Tolls and Leases and Compositions.
- ..... Of voluntary Subscriptions for Local or general Objects.
- ..... Of Loans raised on credit of Tolls, Leases, or other Property.
- ..... Of Assessments leviable upon the Inhabitants.
- ..... Of any Sums conceded, or engaged to be conceded, by Government for Local or general Purposes connected with Roads.

11.—No Loans are to be raised, nor any Assessments levied, nor Tolls imposed, except such as may have received the previous sanction of the Governor in Council.

12.—Annual Reports and Statements to be laid before the Governor in Council; Applications to Government for opening new lines of Communication, with reference to the right reserved by the Crown to do so, and as to Materials; and for altering, widening, or shutting up old Roads.

13.—All and every the Trusts, Powers, Authorities and Privileges conceded and granted by this Act to the Trustees, to cease and be of no effect from and after passing of any future Legislative Enactment to that effect, and the Public Property in Roads, Bridges, Ferries, Tolls, &c., to revert to the Crown for Public Purposes.

14.—Trustees to sue and be sued in the name of Clerk, or other Public Officer.

15.—Trustees, &c., not personally responsible for Contracts made or Acts done by virtue of their office.

The general management, control, superintendence and charge of all Streets and lines of Communication, and also of Quays, Jetties, Bridges, and Ferries, &c., and of all matters relating to the formation, extension, alteration, improvements or

repairs of Streets and Communications in each Township declared open for occupation, to be vested in Trustees herein named,—that is to say, all Justices of the Peace having their fixed residence in such Township, and all Proprietors of Allotments in Fee-simple, or their proper Representatives.

Affirmation of Qualification and Property to be made before entering on Duties of Office.

Right of Property to be vested in Trustees in all Streets or Thoroughfares, and all Soil, Trees, Timber, or other Materials, within the limits of such Streets specified in the Maps of the Survey Department as being within any Township.

Trustees to hold Quarterly Meetings.

Appointment of Officers.

Duties of Officers.

Management of Business.

Funds available pointed out.

No Loans or Assessments to be raised, nor Tolls levied, without sanction of Governor in Council.

Regulations as to matters in detail (see Road System.)

Powers of Trustees, &c., in regard to Fences.

Conservation of Pathways.

Lines of Erection of Houses on Allotments.

Encroachments on Public Lands within Township.

Windmills, Wells, Springs, and general supply of Water, loose Horses, Dogs, Nuisances, &c.

Provision for Burial Grounds, Bathing Places, or any other Places for Comfort, Convenience or Recreation of Inhabitants which the Trustees may think fit to establish under sanction of the Governor in Council, formally applied for and obtained.

Unoccupied Allotments may be assessed to proportion of Subscriptions or Assessments, with sanction of Governor in Council, on application of Trustees in general meeting.

Trustees may sue and be sued in the name of Clerk, or other Officer appointed.

Trustees, &c., not personally liable for Acts, &c., in virtue of Office.

Powers of Trustees, &c., to cease on the passage of any Legislative Enactment to such effect, and right of Property to revert to Crown.

*By His Excellency's command,*

PETER BROWN,

*Colonial Secretary.*

*Colonial Secretary's Office, Perth,  
March 2, 1838.*

**T**HE Lands advertised in the *Gazette* by Notice, dated February 8th, were Sold by Public Auction, on the day appointed, to W. S. Rogers, at the minimum price of Five Shillings per Acre.

*By His Excellency's command,*

PETER BROWN,

*Colonial Secretary.*

*Colonial Secretary's Office, Perth,*  
*March 2, 1838.*  
**ERRATA IN THE GAZETTE OF LAST  
 WEEK.**

In the Notice dated 17th February, 1838, enumerating certain Applications for full Titles of Grants of Land, Thomas Hester, 400 acres, "Plantar," should be Plantagenet.

In the Notice dated the 21st of February, 1838, promulgating Copy of a Reply which had been transmitted to a Settler's Application, in which he claimed an unconditional Title to his Land upon the ground of his having invested Capital upon certain Articles enumerated in the

3d Clause of the Circular Notice dated Downing-street, 3d February, 1829, first line of second column, "3d February, 1828," should be 3d February, 1829; twenty-seventh line of second column, "implification" should be implication; twenty-eighth line of third column, "consideration" should be construction.

*By His Excellency's command,*  
**PETER BROWN,**  
*Colonial Secretary.*

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