



WESTERN AUSTRALIAN  
**GOVERNMENT GAZETTE.**  
PUBLISHED BY AUTHORITY.

SATURDAY, MARCH 30, 1839. [NUMBER 144.]

*Colonial Secretary's Office, Perth,  
March 30, 1839.*

**I**T appearing to His Excellency the Governor to be highly expedient to have, if possible, a Market established in Perth, His Excellency is desirous of ascertaining how far the inhabitants may be favorable to such a proposal, and whether it would meet with the necessary support if attempted to be carried into effect. With this view, His Excellency has directed it to be notified, that a Paper will lie for signature at the Bank of Western Australia from and after Monday next, to which such persons as are favorable to the measure are requested to attach their names.

The site of the Market will be the plot of ground immediately between the Government Domain and the Public Offices, extending from St. George's Terrace to Perth Water; one end to be appropriated to the sale of meat, fish, fowls, vegetables, &c., and the other to the sale of live stock.

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

*Colonial Secretary's Office, Perth,  
February 21, 1839.*

**W**HEREAS it is the intention of the Local Government to propose to the Legislative Council at the ensuing Session a Bill to enable the Holders of Allotments in Townships to assess themselves for the general improvement of the Streets, &c.; and whereas by an Act of Council passed on the 15th June, 1838, in the 2nd year of the Reign of Queen Victoria, intituled "An Act to provide for the Management of Roads, Streets, and other Internal Communicationr," it is enacted, that the Holders *only* of Allotments in Fee Simple shall have a voice in affairs relating thereto; and whereas it is the desire of His Excellency the Governor that as many Proprietors of Town Allotments as possible should have the power of voting and deciding on questions in which they are so great

ly interested:—He therefore directs it to be notified, for the information of all parties concerned, that the Location Duties on Town Allotments, required by the Regulations, will be dispensed with in favor of such Holders as may be willing to pay into the hands of the Collector of Revenue, between this date and the termination of the present year, the sum of Ten Pounds, either in one payment, or by instalments; upon which an unconditional Title in their favor will be granted to them;—the sum above mentioned being inclusive of the regulated Fee payable on the execution of the Deed of Grant.

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

*Colonial Secretary's Office, Perth,  
March 28, 1839.*

**I**T being of very great importance to ascertain the existence of Coal in this Colony, His Excellency the Governor proposes to offer a grant of land of 2,560 acres as an inducement to persons who may be disposed to search for this valuable material.

Such grant will be given in fee-simple to such person as may discover and point out the site of any considerable bed of Coal in any part of the Territory included between the parallel of the most northern part of Shark's Bay and the meridian of Mount Barren.

The successful party will be allowed to select his land in any located district in the vicinity of the mine, but not so as to interfere in any way with the working of it.

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

*Colonial Secretary's Office, Perth,  
March 28, 1839.*

**T**ENDERS, in Triplicate only, will be received at this Office on Wednesday, the 10th of April next, from such person or

persons as may be willing to construct three Boxes for the use of the Office of the Registrar Clerk of the Civil Court, and will be opened by the Colonial Secretary at one o'clock, in the presence of the Governor and the said Registrar.

For further particulars, reference to be made to the Registrar Clerk, at his Office.

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

*Colonial Secretary's Office, Perth,*  
March 28, 1839.

**H**IS Excellency the Governor has been pleased to appoint George Leake, of Perth, Esquire, to be a Magistrate of the Territory.

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

*Colonial Secretary's Office, Perth,*  
March 28, 1839.

**H**IS Excellency the Governor directs it to be notified, that Easter Monday will be kept as a Holiday at the Public Offices:

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

*Colonial Secretary's Office, Perth,*  
March 28, 1839.

**T**ENDERS will be received at this Office on Wednesday next for the removal from the outside of the Burial Ground of certain fallen trees to the Public Offices, Perth.

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

*Colonial Secretary's Office, Perth,*  
March 22, 1839.

#### SURRENDER OF LAND.

**T**HE undermentioned Applications for the surrender of Land having been received in conformity with the Public Notice issued from this Office on the 29th September, 1837. His Excellency has been pleased to direct the publication of the same, with a view of affording interested Parties an opportunity of stating their objections to such Surrenders being made, viz. :—

*Mary Ann Kenton, widow of James Kenton.* Location 7, Murray River, assigned to James Kenton as 1,100 acres.

*Samuel Cox.* Location 43, Canning River, assigned to applicant as 200 acres.

*William Tanner.* Location m, situate to the south-westward of the York Reserve, and containing an area of 7,680 acres.

*Daniel Scott.* 3,400 acres of Location GI, situate on the right bank of the Swan River, comprising 4,000 acres.

*Spencer and Arthur Trimmer.* 12,500 acres from the back part of Location ei, situate on the left bank of the Avon River, containing 18,500 acres, being the lower half of a location assigned to Thompson and Trimmer.

*H. M. Ommanney.* Location 39, in the district of Plantagenet, containing 2,560 acres.

*George Hancock, for John, George, and James*

*Hancock.* Location r, Avon District, situate to the south-westward of the Rev. J. B. Wittenoom's land, and containing 640 acres.

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

*Colonial Secretary's Office, Perth,*  
March 22, 1839.

**H**IS Excellency the Governor is pleased to direct that the 65th Section of the last Mutiny Act be published in this Colony for general information.

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

7 GUL. 4, CAP. 7.

*An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.*—[April 21, 1837.]

Sec. 65.—Penalty on purchasing Soldier's necessaries, Stores, &c.

And be it enacted, that any person who shall unlawfully have in his or her possession or keeping, or who shall knowingly buy, exchange, or receive from any soldier or deserter, or any other person, on any pretence whatever, or shall solicit or entice any soldier, knowing him to be such, to sell any arms, ammunition, clothes or military furniture, or any provisions, or any sheets or other articles used in barrack, provided under barrack regulations,—or regimental necessaries, or any article of forage provided for any horses belonging to His Majesty's service,—or shall change colour of any clothes as aforesaid,—shall forfeit for every such offence any sum not exceeding twenty pounds, nor less than five pounds, together with treble value of all or any of the several articles of which such offender shall so become possessed: and if any creditable person shall prove on oath before a Justice of the Peace a reasonable cause to suspect that any person has in his or her possession, or on his or her premises, any property of the description herein-before described on or with respect to which any such offence shall have been committed, the Justice may grant a warrant to search for such property, as in the case of stolen goods; provided always, that it shall be lawful for the Legislature of each or any of His Majesty's Colonies, on the recommendation of the officer administering the government of any such Colony, but not otherwise, to make provisions by law for reducing such pecuniary penalty, if not exceeding twenty pounds nor less than five pounds, to such amount as may to any such Legislature appear to be better adapted to the ability and pecuniary means of His Majesty's subjects and others inhabiting the same, which reduced penalty shall be sued for and recovered in such and the same manner as the full penalty herein imposed: provided always, that it shall be competent to His Majesty, or to the person administering the government of any such Colony on His Majesty's behalf, to exercise, in respect of the laws so to be passed as aforesaid, all such powers and authorities as are by law vested in His Majesty, or in any such officer as aforesaid. in respect of any other law made or enacted by any such Colonial Legislature.

*Colonial Secretary's Office, Perth,  
March 22, 1839.*

**N**OTICE is hereby given, that, on the 22d day of May next, at Twelve o'Clock noon, the Collector of Revenue will offer for sale by Public Auction, in front of the Public Offices, Perth, the undermentioned portions of Land, subject to the existing Regulations, viz. :—

640 acres, section 20, Wellington.

640 ditto, ditto 21, Ditto.

643 ditto, ditto 22, Ditto.

*By His Excellency's command,*

PETER BROWN, Colonial Secretary.

*Colonial Secretary's Office, Perth,  
March 21, 1839.*

**H**IS Excellency the Governor is pleased to direct it to be notified for general information, that the several Bills enumerated in the *Government Gazette* of 9th March, 1839, were read a second time, pursuant to notice, on Monday last, the 18th instant, and will be read a third time on Monday week, the 1st of April.

*By His Excellency's command,*

PETER BROWN, Colonial Secretary

*Colonial Secretary's Office, Perth,  
March 13, 1839.*

**N**OTICE is hereby given, that, on the 13th day of May next, at 12 o'Clock Noon, the Collector of Revenue will offer for sale by Public Auction, in front of the Government Offices, Perth, the undermentioned portions of Crown Land, subject to the existing Regulations, viz. :—

640 acres of Land, described as No. 17, near Leschenault Inlet, in the district of Wellington.

300 acres of Land, described as No. 20, in the same district.

*By His Excellency's command,*

PETER BROWN, Colonial Secretary.

*Colonial Secretary's Office, Perth,  
March 15, 1839.*

**T**ENDERS, in Triplicate only, will be received at this Office until Monday fortnight, the 1st of April next, and opened on the following day at one o'Clock, for the supply of 15 Cords of Fire-Wood, and the repairs of certain Wheelbarrows, which may be seen at the Gaol, Fremantle, where the Fire-Wood is to be delivered.

For further particulars, application to be made to the Resident of Fremantle.

*By His Excellency's command,*

PETER BROWN, Colonial Secretary.

*Colonial Secretary's Office, Perth,  
March 15, 1839.*

**T**ENDERS, in Triplicate only, will be received until Monday fortnight, the 1st of April next, and opened on the following day at one o'Clock, for the execution of the undermentioned works, namely :—

To plaster the Water-side Front of the main Building of Government-House above the Verandah ; likewise the Western End and Wing.

For further particulars, application to be made to the Superintendent of Public Works.

*By His Excellency's command,*

PETER BROWN, Colonial Secretary.

*Colonial Secretary's Office, Perth,  
March 27, 1839.*

**N**OTICE is hereby given, that, on the 27th day of June next, at 12 o'clock noon, the Sub-Collector of Revenue will offer for sale, on the existing Regulations, by Public Auction, at Albany, the undermentioned Allotment, formerly assigned to Mr. Alexander Cheyne, unless in the meanwhile the conditions in regard to improvement have been effected :—

Allotment, Albany, S 21.

For further particulars, application to be made to the Surveyor-General, or Government Resident, Albany.

*By His Excellency's command,*

PETER BROWN, Colonial Secretary.

#### QUARTER SESSIONS.

**N**OTICE is hereby given, that the next General Quarter Sessions of the Peace for the Colony of Western Australia will be holden at the Court-House, at Perth, on Wednesday, the third day of April next, at the hour of nine in the forenoon of the same day.—Dated the 22d day of March, in the year of our Lord 1839.

A. H. STONE,

Clerk of the Peace.

**A** QUARTERLY General Meeting of the Trustees of the General Road Trust will be held at the Court-House, Perth, at 2 o'clock on Monday, the 8th day of April.

W. L. BROCKMAN,

Chairman.