



# WESTERN AUSTRALIAN GOVERNMENT GAZETTE.

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*Council Office Perth,  
May 4, 1840.*

The Legislative Council having met, pursuant to summons, His Excellency, the Governor took the chair.

Edward Pomeroy Barret Lennard, Esq., was sworn and took his seat, as a Member of the Council, in the room of W. L. Brockman, Esq., resigned.

**WALKENSHAW COWAN,**  
Clerk of Council.

His Excellency then read the following address:—

*Gentlemen of the Legislative Council:*

I am happy in meeting you, at the beginning of another Session, for the despatch of business, to be able to announce that, the progress of our affairs, in the course of the last twelve months, has been, on the whole, highly satisfactory.

The total receipts of the Revenue, for the finance year just concluded, amount to £9,336 9s. 0d., showing an increase over the Revenue of the preceding year of £5,424 2s. 11d. Items of expenditure, which, even with the prospect of new and considerably increased duties, I almost hesitated to place on the estimates laid before the Council at the first sessions of last year, have been provided for, and there remains a balance, in the public favor, in the Treasurer's hands, of £3,912 6s. 1d. I shall not enter into further details on this point at present, because a better opportunity for so doing will present itself, when the estimates are brought forward, as they shortly will be, for discussion.

With increased resources, we shall more confidently pursue our task of endeavoring to supply the demands of the public service. In this, as in all newly settled countries, the great want that is felt, is that of labor. Hitherto the Colonists have had the means of employing and paying, without being able to procure a supply of laborers. The voyage to the Colony, from England, is a long and expensive one. Laborers could be found willing to come, but they required to be assisted hither. We have now the money in our hands to render them that assistance, and thus to command their services. For of the amount I have named, as remaining in the treasury, to the public credit, the sum of £1,497 14s. 7d., or nearly £1,500, has been derived from the land sales of fines, and is

therefore, at liberty to be devoted to the supply of labor.

The next subject, most closely connected with the public interests, is the progress of the surveys. The attention of the Surveyor-General has been directed, first and principally, to fixing the boundaries of such lands as have already been assigned to settlers. In the prosecution of which work one of the Assistant Surveyors has nearly completed the duty of marking off the lands assigned in the Vasse district, besides affecting an extensive survey; connecting the Vasse and Leschenault countries, both by a line along the sea coast, and by a more inland road. This will greatly facilitate future operations; and, immediately after the ensuing winter, the Assistant Surveyor will be directed to settle, in the same manner, the boundaries of the lands granted in the Leschenault district; whereby fresh lands will be more ready accessible to claimants, for selection in that quarter. The other Assistant Surveyor was employed in the early part of the year, in the district of Plantaganet, fixing the limits of the assigned lands, at or in the vicinity of Albany, and on the Kalgan river. Latterly, he has been engaged in a survey of the Kojenup country, having received instructions to measure off along the high road, leading from Kojenup town site to Morilup, the central station on the Kalgan river, blocks of land consisting of two square miles each, for selection and purchase. By this means, another link will be established in the communication between Perth and King George's Sound, and one of the finest districts in the Colony, both as regards soil and climate, whether for pastoral or agricultural pursuits, will be opened to the public.

In the tour which I lately made through the Province, when I passed over about 800 miles of country, and visited, with few exceptions, every spot where a settler was located, it was most encouraging to find that, my earnest enquiries all led to the same conclusions: I heard, as regarded the private circumstances of individuals, no complaints. Every one appeared thriving and prosperous, and I satisfied myself that there is, even in the comparatively narrow range here specified, a sufficiency of occupied and unoccupied land, of a nature amply to reward the sober and industrious toils of a large population, both capitalists and laborers.

Notwithstanding that the general deficiency of labor presses most particularly and discouragingly, on persons engaged in farm work, a greater number of acres has, during the past year, been brought under cultivation. We have been blessed by Providence with an abundant harvest, and this not in any particular part of the Colony, but in the districts bordering on or in the neighborhood of the sea-coast, equally with those in the interior. The increase also in the quantity of farm stock, has been fully sufficient to satisfy all reasonable expectations; and, I am given to understand, that the flocks of sheep particularly, were never in a more healthy condition than at the present moment.

I have every reason to believe that a great advance has taken place in the amount of our exports and imports, but for this I have no sufficient official documentary evidence. The additional sum received on account of duties is one test, which applies, however, solely to wines, spirits, and tobacco. So far as the quantity of shipping which has entered our harbors during the last twelvemonth, affords any criterion, it is a favorable one. This amounted, as nearly as can be calculated from the statements before me, in the year 1838, '39, to 12,892 tons, and in the years 1839, '40, to 21,712 tons, showing an increase of 8,820 tons.

I have touched very briefly, gentlemen, on these interesting topics, still I have said enough to show that the cares of those, who have watched over and labored for the Colony, since its first establishment, are beginning to produce abundant fruits of success, and that Western Australia is steadily advancing towards that prosperity, to which its resources and its situation entitle it. This desirable end, however, is only rising into view. There is still a long road, a wide field for exertion, before us. You have driven your flocks over the richest pastures, and sought out the most fertile lands for tillage, but the real capabilities of the country have yet to be developed. With the acquisition of labor, many wants would be supplied, steamers might then be found on your coasts, and in your estuaries and harbors. The lines of communication through the country, would be so established, that the traveller might pass from one station to another, with little delay, and without guide or compass; and the towns and the country would share in the reciprocal advantage of a

ready exchange and internal commerce; the farmer would pursue his avocations, gaining from experiment and experience, a knowledge of the different soils, and the crops best suited to each of them; and the landlord, instead of trusting to the casual fall of rain to irrigate his fields, would have it in his power to form tanks or reservoirs of water, against the heats of summer, or the misfortunes of a dry season.

One subject remains, which I have not yet mentioned, and which forms, necessarily, a chief anxiety of Government: I refer to the conduct and treatment of the Aborigines. The power of Government, in superintending and controlling them, has been materially strengthened, since the Council last met, by the partial foundation of a police force, and the appointment, from England, of two Protectors of Aborigines. I have perfect confidence that both these institutions, which are yet in their infancy, as they gain strength and maturity, will prove most admirable preventions to Aboriginal aggression and outrage. In still further explanation, however, of the measures adopted for restraining, and, in some degree, reforming these people, I am enabled to state, from having recently visited the Island, that the arrangement entered into about eighteen months ago, for converting the Island of Rottnest into a place of confinement for Native offenders, appears to be working extremely well. The directions issued to the Superintendent of the establishment for his guidance, pointed out that his charge was one of discipline and education, rather than severe punishment. The loss of their wild freedom, and being subjected to regular labor, by which they may be coerced into acquiring some of the elements of civilised life, may be considered to carry with them to Aborigines of this country, quite sufficient terrors, without any additional pains and penalties. This object has been steadily kept in view by the Superintendent, on whose skill and management too great praise can hardly be bestowed. The prisoners are taught to till the ground and cultivate gardens. Many of the necessary buildings have already been constructed by them, and the rest are in the course of progress. They will be gradually introduced into the practice of other arts, and we may confidently indulge the expectation that some good must eventually arise from the training to which very many of them will be thus submitted.

With reference to the financial operations for the past, as well as for the present, and the following year, which will be taken into consideration on some early future day, I have directed to be prepared and laid on the table, for your information and guidance, the following papers:

1. *A comparative statement of the Revenue for the years ending March 31, 1839, and March 31, 1840.*
2. *A comparative statement of the expenditure during the same period.*
3. *A summary of the Colonial receipts and expenditure for the finance year ending March 31, 1840.*
4. *Estimate of proposed expenditure for the finance year '41, '42, for which an ordinance must be passed.*
5. *A detailed explanation of the sum entered, in the two comparative statements, under the head of miscellaneous.*

I have only further to observe, gentlemen, that three Bills will be brought under your notice, which will be read, a first time, to-day. The necessity which exists for these three Bills, will be taken into consideration at the second reading of them. They are:

- A bill to constitute the Island of Rottnest a Public Prison.*  
*A bill to extend the jurisdiction of Magis-*

*trates in cases of complaint between Masters and Servants.*

*A bill to provide more suitable and summary remedies for the redress of complaints made against seamen, or others, in the merchant service, in the Colony.*

*Colonial Secretary's Office, Perth,*  
*May 6, 1840.*

**H**IS Excellency the Governor has been pleased to direct the following Communication which has been received from Mr. Clark, to be published for general information. Mr. Hillman, who has since arrived at Perth, confirms generally Mr. Clark's statement, and will afford, on application at the Survey Office, any further information that may be desired.

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

*Albany, King George's Sound,*  
*March 15, 1840.*

SIR,—I beg leave respectfully to report to you, for the information of His Excellency the Governor, that a party, composed of Captain Symers, Messrs. Belches, Gilbert, Townsend, A. Trimmer, and myself, with three natives, started from Albany on an expedition to the district of Kojenup. The country between this and the Gordon River (a distance of 66 miles) is so well known, as to require no observation from me. The Gordon River, at this time, is in pools, and it surprised the party to find one pool as salt as brine, while another within fifty yards of it was composed of good fresh water. On leaving the Sound, we were told that no fresh water was to be obtained between the Gordon River and Kojenup—a distance of thirty-five miles; and we accordingly filled two fifteen gallon breakers or casks at the Gordon River with water, in order to refresh the horses on the road. We had travelled about twelve miles on the way, when our natives shouted and pointed to a strange native, who was perched on a high tree on the road-side. We enticed the man down, and gave him some biscuit. He was very much frightened at first, but seeing that no harm was intended, he soon resumed his composure. Our natives then inquired, in their language, whereabouts water was, and he pointed to the right side of the road. We accordingly struck off into the bush under his direction, and at the distance of a mile and a half, on descending a gentle slope, we arrived on the banks of a river, in the bed of which there was a fine pool of excellent water. We were so pleased with the discovery, that we halted all night on the bank of the river. Shortly after our arrival, we were joined by a large party of natives—men, women, and children. These people expressed great astonishment, and evidently had never seen Europeans before. The river was explored to the eastward and westward, and some good land, though not to a great extent, was discovered. Cockatoos and pigeons abounded, and it is really no exaggeration in me to state, that in one pool towards the evening, a flock of pigeons literally darkened the air. The native name for this place is *Kim-un-yup*. One of the natives, a fine intelligent lad, volunteered to accompany us to Kojenup. We started on the following morning, and at the distance of seven miles, diverging to the left of the road, we struck on the same river, under the directions of this native. The country here was of a beautiful description, and abounded in fine sheep-pasture. The native name is *Yar-e-nup*. The river existed in pools, and the land all around was a light red loam. From this place we proceeded to Kojenup, and pitched our tent near the only spring of

water in the town-site. The grass on the town-site has been burnt by native fires, so that we saw it at a most unfavorable season. Next morning, Captain Symers and Mr. Belches, accompanied by Mr. Hillman, the Assistant Surveyor, visited the country to the north east of Kojenup, and arrived at some pools within six miles of the station called Joseph's Wells—a branch of the Beaufort River, or probably that River itself. The land around was of an inferior description, and the party returned rather disappointed. On the same morning, another party of us, accompanied by the *Kim-un-yup* native, started in a south-west by west direction from Kojenup, and after passing over about two or three miles of a rugged ironstone country, all at once entered on a district, of great extent, abounding in grass of a rich description, with a fine pool of water in the middle of the valley forming the bed of a river. The hills were of moderate elevation, and clothed with rich grass to their summits. The valleys were composed of the same grass and rich red loam, sprinkled over with wattles, with a large tree here and there. The scenery was park-like. The native name of this part of the district is *Man-da-lup*. In the course of two or three miles, the party discovered some pools of fresh water. The course of the river was towards the west. At one place near a pool of water, about fifty acres of land fit for the plough was found out, without a tree to check its progress; the land being a rich loam, with a wattle-bush interspersed here and there. The native told us there was a fine grass and water to the southward and eastward, called *Bel-garrup*, far away, as he termed it. The party then returned to Kojenup, and on the following morning we all started for *Bel-garrup*. After passing, for eight miles, over a great deal of excellent land and good feed, we touched on the same river, having the native name above mentioned. The breadth of the river, now in pools, was about thirty yards from bank to bank. The soil was excellent, and the grass in great abundance. Some of the party immediately followed the course of the river towards the west, and reached *Man-da-lup*. The distance was about 12 miles, and the same character of country prevailed. They were compelled, reluctantly, to leave the place and return to the tent, but expressed themselves highly gratified, as, when they turned back, the same waving grass extended in all directions as far as the eye could reach; at any rate, pasturage was discovered (circumscribed as our operations were) sufficient, apparently, to feed the whole of the sheep now in the Colony, were all the flocks driven to that part of this fine district, only which we saw. We remained a day at *Bel-garrup*, and then, taking leave of Mr. Hillman, returned homeward. Instead of taking the marked road which leads to Kojenup in one direction, and to Albany in another, a native conducted us from *Bel-garrup* to our old station, *Yar-e-nup*, distant 8 miles, through a very fine country, over which the horses and cart travelled with the greatest ease. We marked the track in several places by cutting on the trees. From *Yar-e-nup* we proceeded, by a new path, to *Kim-un-yup*, crossing the Albany road, and arrived in the settlement twelve days after our departure.

The report of our journey into the interior occasioned much joy. In fact, the new district is the York of Albany, and of much more extent.

King George's Sound seems to be on the rise as a sea-port. Whilst I am writing this letter, I observe nine ships from my window at anchor in Princess Royal Harbour. Several ships have arrived from Sydney and Ad-

vide with importations of sheep, cattle, and horses, and more are expected. The following is a list of the importations of live stock within the last two months:—

	Cattle.	Horses.	Sheep.
<i>Diana</i> , barque, from Sydney .....	2	400	
<i>Minerva</i> , schooner..	2	600	
<i>Cleveland</i> , barque ..	90	3	900
<i>China</i> , a ship of 600 tons .....	12	10	800
	102	17	2,700

I enclose a sketch of the road between Albany and the newly discovered country, showing where water is to be procured at every stage. The road is very good in some places, and I am sure that 30% or 40% judiciously expended would make it almost as good as the one from Perth to York.

I have the honor to be, Sir,  
Your obedient, humble Servant,  
W. N. CLARK.

The Hon. P. Brown, Esq.,  
Colonial Secretary.

Council Office, Perth,  
May 4, 1840.

**EDWARD POMEROY BARRETT**  
LENNARD, Esquire, was sworn as a Member of the Legislative Council, in room of William L. Brockman, Esquire, resigned, and took his seat accordingly.

WALKENSHAW COWAN,  
Clerk of Council.

Colonial Secretary's Office, Perth,  
May 5, 1840.  
COUNCIL.

**T**HE Legislative Council will meet, for the despatch of public business, at 10 o'clock, on Monday, the 18th inst, and Tuesday, the 2d of June (the first being a holiday).

By His Excellency's command,  
PETER BROWN.

Colonial Secretary's Office, Perth,  
April 29, 1840.

**T**ENDERS in Triplicate will be received at this Office until Tuesday week, the 12th Proximo, for painting the Court House, Perth.

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

By His Excellency's command,  
PETER BROWN.

Colonial Secretary's Office, Perth,  
May 7, 1840.

**T**O be sold by Public Auction, by the Government Auctioneer, at the Commissariat Office, on Wednesday, the 13th inst.,

The following Instruments and Stores belonging to the Australian Expedition:

INSTRUMENTS.

One Mountain Barometer, in leather case.  
One ditto, in long box.  
One ditto, damaged.  
One Artificial horizon, in square box.  
One Sextant, in leather case.

STORES.

1 pair nets, damaged.  
5 bayonets and scabbards.  
5 swords and scabbards.  
3 rockets, damaged.  
1 tarpaulin.  
Sundry straps, bags, &c., a small quantity of shot, two empty casks, and three cases.

By His Excellency's command,  
PETER BROWN.

Colonial Secretary's Office, Perth,  
April 27, 1840.

**T**HE period allowed by the original land regulations for the performance of location duties on the undermentioned lands, hitherto held in occupancy, by persons absent from the Colony, having expired, notice is hereby given, of their resumption:—

6,000 acres, Avon,	J. Butler.
4,500 do., Leshenault,	John Bamber.
103,000 do., do,	Col. Latour.
4,500 do., do.,	W. Sams.

But, as the alienation of lands is recognized by Government, these lands will not be open to purchasers until after the expiration of three months from the date hereof, in order to afford parties, who may have an interest in any of them, an opportunity to come forward and prove their claims at this office.

By His Excellency's command,  
PETER BROWN.

Colonial Secretary's Office, Perth,  
April 2, 1840.

SALE OF CROWN LANDS.

**N**OTICE is hereby given, that, on Wednesday, the 3d day of June, at 12 o'clock, the Collector of Revenue will offer for sale, by Public Auction, the undermentioned portion of Crown Land, subject to the existing regulations, viz.:

800 acres, No. 19, Avon district.

By His Excellency's command,  
P. BROWN, Colonial Secretary.

Colonial Secretary's Office, Perth,  
April 22, 1840.

SALE OF CROWN LANDS.

**N**OTICE is hereby given, that, on Wednesday, the 17th day of June next, at Twelve o'clock, the Collector of Revenue will offer for sale by Public Auction, the undermentioned portions of Land, subject to the existing Regulations:—

1,000 Acres, No. 20, Avon.  
208 Acres, Y 27, Avon.

For further particulars, application to be made to the Surveyor General and Collector of Revenue.

By His Excellency's command,  
P. BROWN, Colonial Secretary.

Colonial Secretary's Office, Perth,  
March 17, 1840.

SALE OF CROWN LAND.

**N**OTICE is hereby given, that, on Wednesday, the 20th day of May next, at Twelve o'clock, the Collector of Revenue will offer for Sale by Public Auction the undermentioned portions of Land, subject to the existing Regulations:—

151 Acres, Y 28, Yorkshire.  
166 Acres, Y 29, Ditto.

For further particulars, application to be made to the Surveyor-General, and Collector of Revenue.

By His Excellency's command,  
P. BROWN, Colonial Secretary.

Colonial Secretary's Office, Perth,  
April 16, 1840.

SALE OF CROWN LANDS.

**N**OTICE is hereby given, that, on Wednesday, the 17th day of June, next, at 12 o'clock, the Collector of Revenue will offer for sale, by public auction the undermentioned portions of Land, subject to the existing regulations:

205 Acres, Y 23, Yorkshire.  
205 do., Y 24, do.  
205 do., Y 25, do.  
205 do., Y 26, do.

For further particulars, application to be made to the Surveyor General and Collector of Revenue.

By His Excellency's command,  
P. BROWN, Colonial Secretary.

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