

WESTERN AUSTRALIAN GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY.)

FRIDAY, JUNE 16, 1843.

[NUMBER 359]

*Colonial Secretary's Office, Perth,
June 7, 1843.*

Notice is hereby given that the Collector of Revenue will offer for sale by public auction, at the Public Offices, Perth, on Wednesday, the 5th day of July next, at One o'clock, the undermentioned town allotment, subject to the existing regulations—

Guildford allotment No. 5.

Further particulars may be obtained on application to the Hon. the Surveyor-General, and Collector of Revenue.

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

*Colonial Secretary's Office, Perth,
June 9, 1843.*

His Excellency the Governor has directed it to be notified, that through inadvertency an assignment of 426 acres of land in the name of G. E. Cameron was included in a list of resumed lands published in the Government Gazette of Friday last, the period for the performance of the location duties not having expired.

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

*Colonial Secretary's Office, Perth,
May 19, 1843.*

The Collector of Revenue will offer for sale by public auction, at the public offices, Perth, on Wednesday, the 21st day of June next, at 1 o'clock, the undermentioned town allotment, subject to the existing regulations—

Perth building lot Q No. 9.

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

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

*Colonial Secretary's Office, Perth,
June 14, 1843.*

His Excellency the Governor directs it to be notified, that the resumption of the undermentioned allotments has been cancelled, evidence of the performance of the requisite location duties having been produced—

Fremantle lot	91
“	92
“	115
“	116
“	313

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

*Colonial Secretary's Office, Perth,
June 15, 1843.*

His Excellency the Governor has been pleased to direct the following letter, received from C. Symmons, Esq., Protector of Natives, to be published for general information.

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

Perth, June 11, 1843.

SIR,—In pursuance of directions received from His Excellency the Governor, I proceeded on the 7th instant to Fremantle, for the purpose of enquiring into the circumstances connected with the death of an aboriginal male pupil at the native school in that town, which occurred on the 29th of May last.

The following are the particulars I elicited from Mrs. Robinson, the matron of the establishment, in the presence of the Government Resident of Fremantle:—

The deceased child (Millet), aged about six years, was an invalid on his first admittance to the school, nearly two years

since; and, although affected with no decided illness, had continued more or less ailing up to the time of his death.

It having been reported that the deceased's death had probably been accelerated by exposure to wet, and insufficiency of clothing, I questioned Mrs. Robinson very closely on these points. She stated that, however the other pupils might have been inconvenienced during the late stormy weather, by the roof of their sleeping apartment not being water tight, and by the scantiness of their night clothing, yet she believed little or nothing of that could have been experienced by the child in question, inasmuch as he was invariably placed in a dry and warm corner of the room, and took especial care of his own bodily comfort by appropriating to himself, on extra cold nights, the covering of the other children. Save on one occasion (nearly a twelve-month since), the boy was never so ill as to require the attendance of the Medical gentleman at Fremantle: he was actively engaged in birdsnesting on the 28th, was taken ill on the morning of the 29th, and in the evening was a corpse.

After the above statement of Mrs. Robinson, on whom the sole management of the children devolved, I am of opinion that the said native boy Millet's death cannot fairly be attributed to the causes above alluded to; and I am the more decided in this opinion from the fact, that, while all possible care was taken of the little invalid, the whole of the other pupils, who confessedly were exposed to occasional damp and cold (not being previously invalids), have been, and still are, in the enjoyment of most excellent health.

I am, however, free to confess, that the roof of the building at present occupied by the native children needs immediate and substantial repair.

I have the honor to be,

Sir,

Your very obedient servant,
CHARLES SYMMONS,
Protector of Natives.

The Honorable the }
Colonial Secretary. }

*Colonial Secretary's Office, Perth,
June 15, 1843.*

His Excellency the Governor has been pleased to direct that the general objects of the following Bills, now under consideration of the Legislative Council, be published for general information.

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

No. 1.—*A bill to impose certain duties on imported spirituous liquors, and on wine and tobacco.*

It being expedient to increase the amount of duties payable on imported spirituous liquors, and to repeal certain Acts which are now in force relating to this subject, in order that their several provisions may be embodied in one Act, it is proposed to repeal 5th Wm. IV No. 2, 2d Vict. No. 2, and 4th & 5th Vict. No. 1, and to enact, that from and after the passing of this Act, the following duties shall be imposed, viz.:

- 1st. On British spirits, 6s. a gallon.
- 2nd. On foreign spirits from the United Kingdom, or any of the British Colonies, 8s. a gallon.
- 3rd. On foreign spirits from a foreign place, 10s. a gallon.
- 4th. On all wines, 15 per cent.
- 5th. On tobacco, 100 per cent.

No. 2.—*A bill for rendering a release as effectual for the conveyance of free-*

hold estates as a lease and release by the same parties.

It being expedient to lessen the expense of conveying freehold estates, it is proposed, that a release shall be effectual although no lease for a year shall be executed, and that the recital or mention of a lease for a year, in a release executed before the passing of this Act, shall be evidence of the execution of such lease for a year—provided that no pending proceedings shall be prejudiced.

No. 3.—*A bill to make further provision for the regulating of public houses.*

It being expedient to make further provision to restrict the sale of liquors under certain circumstances in licensed public houses,

It is proposed, that no licensed publican shall supply any distilled or fermented liquors to any aboriginal native, under a penalty; and that no liquors are to be furnished to soldiers after roll-call, nor any soldier harboured after roll-call, under a penalty; and that any person purchasing any distilled or fermented liquor from an unlicensed person shall be subject to a penalty unless they inform against such unlicensed person.

No. 4.—*A bill to appoint certain places for the landing of goods within the limits of town-sites.*

It appearing to be conducive to greater safety and regularity in the delivery of goods carried in boats, and likely to operate as a further check against smuggling, if all goods were landed at certain places, and not elsewhere,

It is proposed to empower the Governor to appoint and establish from time to time by proclamation certain places where all goods must be landed within the limits of town-sites.

No. 5.—*A bill for the regulation of boatmen, and for the licensing of boats.*

It being expedient to make further provision for the better regulation of boats and boatmen carrying goods for hire, or landing the same, or conveying articles of merchandise,

It is proposed that all persons plying with a boat for hire must obtain a license in the manner directed by the Act upon payment of a certain amount, which license is to be in force from the date thereof till the first of the ensuing January; and that any two or more Justices may grant licenses for a broken period of the year on payment of a proportionate sum.

That the name and place of abode of the person so licensed, and the number of the boat, shall be painted in a prescribed manner on the boat, under a certain penalty, and that any unlicensed person using a boat with a name and number so painted shall be subject to a penalty.

That the licenses may be transferred on payment of a certain fee, and shall be subject to be forfeited for dishonest or improper conduct.

That any person employed under the Collector of Customs may board a boat, and demand an inspection of the license and boat-note, and ascertain the correspondence of the cargo with the contents of the boat-note.

That sums received for licenses and fines shall be handed over to the Chairman of the Town Trust.

That the Act is not to prevent ships' boats from landing cargo without obtaining a license.

No. 6.—*A bill for the quieting of titles to lands by declaring valid certain instruments executed in this colony.*

Whereas in the second year of the reign

Fourth, an Act was passed intituled "An Act to facilitate and simplify the transfer of real property," in which certain simple and concise forms were given as guides to persons desirous of transferring by way of sale, or mortgaging any real property in this colony; and whereas, either through ignorance or inadvertence, in the absence of professional aid, many instruments intended to serve as instruments of sale and transfer, or to operate by way of mortgage, have been framed not in accordance with the wording of those forms, and in some instances these forms have been used in cases where they were not strictly applicable; and whereas doubts have been suggested as to the validity of such instruments, and it being expedient for the quieting of titles to remove such doubts—

It is proposed that any instrument executed on or before a certain day by any party for the purpose of transferring any estate or interest of such party shall be valid to pass such estate as if such instrument had been couched in the words of the form of transfer by way of sale given in the aforesaid Act.

That any mortgage executed on or before a certain day shall be deemed to be valid, whether accompanied by a deposit of title deeds or not, but that no second or subsequent mortgagee shall have power to sell unless with the consent of all prior incum-

are first paid off and satisfied.

That in all cases where the principal and interest are paid off on or before a certain day, and a verified certificate of such payment is delivered into the Registry, the mortgage shall be null and void, and the estate of the mortgagor shall be the same as if no such mortgage had been executed.

That any instrument executed by a married woman on or before a certain day for the purpose of releasing her title to dower in presence of the Commissioner of the Civil Court or any Justice of the Colony, with a certificate as required by the 2nd Wm. IV No. 7, shall be deemed to be valid to release her title to dower as if it had been a deed jointly executed by her with her husband as required by the said Act.

COMMISSARIAT NOTICE.

*Commissariat Office, Perth,
June 12, 1843.*

Sealed tenders in triplicate will be received at this Office on Tuesday, the 27th instant, at 12 o'clock, from such parties as may be willing to supply fresh meat (mutton or beef) in such quantities as may be required for the use of Her Majesty's Troops stationed at York from 1st July, 1843, to 31st March, 1844.

Payment for these supplies will be made quarterly in cash or by Bills drawn, at thirty days sight, on the Right Honorable the Lords Commissioners of Her Majesty's Treasury.

W. H. DRAKE,
Dep.-Asst.-Com.-General.

QUARTER SESSIONS.

Notice is hereby given, that the next General Quarter Sessions of the Peace of our Lady the Queen for the Colony of Western Australia, will be holden in the Court-house at Perth, in the said Colony, on Monday, the third day of July next ensuing, at the hour of nine in the forenoon of the same day.—Dated at Perth this 12th day of June, in the year of our Lord one thousand eight hundred and forty-three.

A. H. STONE,
Clerk of the Peace.

GENERAL ROAD TRUST.

THE Quarterly Meeting of the Trustees of the General Road Trust will be held at the Court-house at Perth on Wednesday, the 5th July.

J. W. HARDEY,
Chairman.

Perth, June 15, 1843.

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