

WESTERN AUSTRALIAN
GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY.)

FRIDAY, JUNE 28, 1844.

[NUMBER 411]

WESTERN AUSTRALIA.

ANNO SEPTIMO,
VICTORIÆ REGINÆ.

By His Excellency JOHN HUTT, Esq.,
Governor and Commander-in-Chief in
and over the Territory of Western Aus-
tralia, and its Dependencies, and Vice-
Admiral of the same, with the advice
and consent of the Legislative Council
thereof.

No. XIV.

An Act to regulate the temporary occupa-
tion of Crown Lands in the Colony of
Western Australia.

Whereas it is expedient to regulate the
temporary occupation of Crown Lands in
this Colony, and to prevent encroachment,
intrusion, and trespass thereon—Be it there-
fore enacted by His Excellency the Go-
vernor of Western Australia and its Depen-
dencies, by and with the advice and consent
of the Legislative Council thereof, that
from and after the passing of this Act any
person who shall be in the habit of depas-
turing his or her horses, cattle, sheep, or
any other description of live stock upon
any unalienated Crown Lands in this Co-
lony on which shall be found knowingly
occupying the same either by residing or
by erecting any tent, hut or building thereon
or by clearing, enclosing, or cultivating any
part thereof, or by cutting, sawing, or split-
ting timber thereon, or by depasturing cattle
or other animals thereon, without having
first obtained a licence for such purpose in
conformity with the Government Regula-
tions in such case made and provided, and
from time to time issued, shall on conviction
thereof forfeit and pay the following penalties
—that is to say, for the first offence any
sum not exceeding ten pounds, at the dis-
cretion of the Justice or Justices before
whom the complaint shall be heard; for the
second offence any sum not exceeding
twenty pounds; and for the third and any
subsequent offence any sum not exceeding
fifty pounds—Provided always that no con-
viction shall be had for depasturing live
stock on Crown Lands as above, in any case
where the Justice or Justices, before whom
a complaint shall be preferred shall be satis-
fied that sufficient time had not elapsed for
enabling the party complained of to procure
a licence in manner pointed out, after the
pasturage or his own runs may have been
destroyed by fire.

II. Provided always and be it enacted
that any act or acts of such use or occupa-
tion as aforesaid whether continuous or
repeated at intervals, by the same person,
previous to the date of a first information
under this act against such person shall be
deemed to be but one offence; and that it
shall be lawful for any Justice or Justices
convicting under this Act to allow the
person convicted any reasonable time not
exceeding fourteen days for the purpose of
removing any live stock or other his or her
removable property, from off the scene of
trespass; and that no information shall
lie for any use or occupation had or re-
tained in conformity with such allowance.

III. And be it enacted, that if any per-
son shall forge, counterfeit, or alter, or shall
utter or make use of, knowing the same to
be forged, counterfeit, or altered, any
lease, licence, or other document purporting
to be an authority from the Government of
Western Australia to use or occupy any
Crown Lands within the same, with the
intent to evade any of the provision of this
Act, such person shall be guilty of a mis-
demeanour and being convicted thereof

shall be liable to be transported for any term
not exceeding seven years or to be imprison-
ed for any term not exceeding three years,
at the discretion of the court.

IV. And be it enacted that on the hear-
ing of any information for any offence
against this Act it shall be incumbent on
the party accused to produce satisfactory
proof to the setting Justice or Justices that
he or she is duly licenced pursuant to this
Act.

V. And be it enacted, that no proceed-
ing had or conviction obtained under this
Act, shall be held to determine the title to
any lands or tenements.

VI. And be it enacted that all infor-
mations and proceedings in respect of
offences against this Act shall be commenced
within three calendar months next after the
offences thereby respectively charged shall
have been committed.

VII. And be it enacted that all infor-
mations and proceedings in respect of of-
fences against this Act shall be heard and
determined in a summary way by or before
any one or more Justice or Justices of the
Peace according to the provision of an Act
of Council passed in the seventh year of the
Reign of Her present Majesty intituled
“an Act to regulate summary proceedings
before Justices of the Peace, and that all
fines, forfeitures and penalties recovered
under this Act shall be paid over to the
Colonial Treasurer to be applied to the in-
troduction of laborers, mechanics, and
artizans, into the said Colony according to
such arrangements as the Governor with
the advice and consent of the Legislative
Council shall from time to time appoint.

VIII. And be it enacted that if any
person shall think himself or herself ag-
grieved by any judgment or conviction
under this Act such person may appeal
therefrom to the next General Sessions of
the Peace.

IX. And be it enacted that this Act
shall remain in force for the term of two
years from the date hereof.

X. And be it enacted, that this Act
may be amended or repealed by any Act
to be passed during this present Session.

“JOHN HUTT,”
GOVERNOR.

Passed the Council, }
May 30, 1844. }

EDWARD C. SOUPER,
Clerk of the Council.

Colonial Secretary's Office, Perth,
June 13, 1844.

His Excellency the Governor directs it
to be notified, that the Court in York for
the recovery of Small Debts (under the
provisions of the Act of Council 6th Wm.
4th No. 2) will sit on the first Saturday in
every month in the Court-house there.

By His Excellency's command,
PETER BROWN.

Colonial Secretary's Office, Perth,
June 13, 1844.

His Excellency the Governor has been
pleased to direct the publication of a Cir-
cular from the Right Honorable the Secre-
tary of State for the Colonies, transmitting
an order made by Her Majesty in Council
exempting from duty specimens illustrative
of Natural History on their importation
into Her Majesty's Colonial possessions.

By His Excellency's command,
PETER BROWN.

[CIRCULAR.]

Downing-street, Sept. 1, 1843.

SIR,—I have the honor to transmit to
you herewith an Order made by Her Ma-

jesty in Council on the 23rd ultimo, ex-
empting from duty specimens illustrative of
Natural History on their importation into
Her Majesty's Colonial possessions.

I have to desire that you will give pub-
licity to this order in the Colony under
your Government, and will take the neces-
sary steps to ensure its being carried into
effect.

I have the honor to be,
Sir,

Your most ob'd't humble serv't,
(Signed) STANLEY.
Gov. HUTT, &c., &c., &c.

At the Court at Buckingham Palace,
the 23rd day of August, 1843.

Present—The Queen's Most Excellent
Majesty in Council.

Whereas by an Act passed in the Session
of Parliament held in the fifth and sixth
years of the reign of Her present Majesty
intituled “An Act to amend the laws for
the regulation of the Trade of the British
Possessions abroad,” it was enacted that
there should be raised, levied, collected and
paid to Her Majesty, the several Duties of
Customs as the same are respectively set
forth in figures in the table of duties there-
inafter contained, upon goods, wares, and
merchandise, not being the growth, produc-
tion or manufacture of the United King-
dom, or of any of the British Possessions
in America, or of the Mauritius, or of any
of the British Possessions within the limits
of the East India Company's charter, or
the produce of any of the British Fisheries,
imported or brought into any of the British
Possessions in America, or the Mauritius, by
sea or inland carriage, or navigation; and
whereas divers articles are enumerated in
the said table of duties, and certain duties
therein mentioned are made payable upon
such articles respectively, and the duty of
4 per centum ad valorem is made payable
on articles not enumerated, except such as
are comprised or referred to in the table of
exemptions subjoined to the said table of
duties; and whereas it is also enacted by
the said Act now in recital, that it shall
and may be lawful for Her Majesty, by
and with the advice of Her Privy Council,
by any Order or Orders in Council to be
issued from time to time, to direct that any
article described in such order, being no
article chargeable under this act as an enu-
merated article with a duty of 4 per centum
ad valorem, shall be added to the list of
exemptions thereinbefore set forth, and
shall be free from such duty, and from and
after the time mentioned in such orders for
the commencement of such exemptions, not
being less than six months from the date
thereof, such exemptions shall take effect,
and such article shall thenceforth, while
such order shall continue in force, be free
from such duty accordingly; and any such
order may at any time be suspended or re-
voked by Her Majesty, with the advice of
Her Privy Council, by any other Order
in Council.

And whereas specimens illustrative of
Natural History are not enumerated in the
said table of duties, neither are they com-
prised or referred to in the said table of
exemptions, and whereas Her Majesty,
with the advice of Her Privy Council, hath
thought fit, for the encouragement of the
study of Natural History, that specimens
illustrative of Natural History should be
exempted from the duties imposed by the
said recited Act.

Now, therefore, under and by virtue of
the said Act of Parliament, and in exercise
of the powers thereby in Her Majesty in
Council in that behalf vested, Her Majesty,

by and with the advice of Her Privy Council, doth order, and it is hereby ordered accordingly, that specimens illustrative of Natural History, being articles chargeable under the said Act with a duty of 4 per centum ad valorem, shall be, and the same are hereby added to the list of exemptions in the said recited Act set forth; and that, from and after the 1st day of February, 1844, the said articles shall be free from such duty as fully and effectually as if such articles had been inserted and enumerated in the said table at the time of passing the said Act.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, and the Right Honorable Lord Stanley, one of Her Majesty's principal Secretaries of State, are to give the necessary directions herein accordingly.

(Signed) C. GREVILLE.

Colonial Secretary's Office, Perth,
June 25, 1844.

His Excellency the Governor directs the following list of unclaimed letters lying at the General Post Office Adelaide, to be published for general information.

By His Excellency's command,
PETER BROWN.

General Post Office, Adelaide,
April 4, 1844.

Quarterly List of Unclaimed Letters.

A
Appleton, Henry Ayling, Wm.
Anderson, James, 2 Alzeu, S.
Alston, George

B
Bell, Mr
Bolding, Henry
Breeze, R S
Brook, John
Bevor, J R
Bathe, Wm
Bankhead, Mr
Bradshaw, Wm
Brooks, Joseph
Baker, George
Best, Anthony
Black, James

C
Cammins, George
Coon, Thomas
Cossons, James
Carewickham, James
Cross, James
Carswell, John
Critchell, James
Cate, Eli

D
Dowling, David
Davie, Andrew
Davey, Edward
Dalton, John
Dingle, John

E
Eldridge, Messrs
Emery, John
Essex, Mr

F
Fenn, Charles
Fielder, A
Fidge, John
Penn, Charles
Fenden, Francis

G
Gazard, Wm
Grant, Alexander
Goodrich, Wm
Gould, Joseph
Guy, John
Gillett, James
Giles, C
Green, Charles H
Gibbons, Frederick
Greig, Alexander

H
Haynes, J
Hill, John
Hamilton, John
Hooper, Henry
Hosier, Mr
Higgins, Robert
Hayter, John
Hall, William Smith
Hallpike, F
Humphrey, James
Hemsley, W
Heddich, Charles
Harvey, David

I & J
Jackman, Michael
Jones, George

K
Kelly, R S
Kempson, H
Kennecighan, Edw
Knight, W

L
Lockyer, G H
Loman, Henry
Lambert, Mr
Lithgow, Miss Helen
Lewis, John

M
Malin, J G
Mullar, Thomas
Mills, Samuel
Mundy, Ann
Malpas, John
M'Rae, T
Mills, George
Mackenzie, H P
Mercer, James
Myers, Mrs

N
Newman, T W
Newman, Thomas

O
O'Connor, Dennis
Ockenden, Mr

P
Pretzjohn, N
Pollett, Samuel
Parkinson, Thomas
Piesse, F
Pritchard, Edward
Pearse, James
Pearse, John
Plyer, John

R
Rose, James
Reynolds, Thomas
Robson, Robert M
Robertson, Charles
Richardson, Mr
Raglass, Mr

S
Stewart, C W
Shillabeer, S R
Simons, Joseph
Sladden, Isaac
Schwonberg, I
Selanders, Thomas
Scown, J T
Spicer, Edward
Shepherd, Mr
Simms, Thomas
Stradwick, John

T
Tonkin, Enoch
Tohill, Charles
Toole, Catherine
Thompson, John
Tyzaack, Wm

U
Umberson, Mr

V
Verco, James
Viant, John

W
Welling, David
Wishart, Alexander
Wasly, Henry
Whistle, Mrs
Ward, Henry
Whaley, Wm
Williams, Weyrich
Weaver, Alfred
Wallis, Wm
Weston, Henry

W
Wright, Mrs
Wevil, John
Whistler, Thomas
Walton, Fred
Watson, Mr
Wood, Joseph
Wells, G
Weiman, Widow D
Wincey, Mr
Watts, Joseph

Y
Yeoman, R G

JOHN WATTS,
Postmaster-General.

COMMISSARIAT NOTICES.

Commissariat Office, Perth,
June 24, 1844.

TENDERS in triplicate will be received at this Office on Wednesday, the 17th July, at 12 o'clock, from such person or persons as may be willing to contract for the carriage of such Goods as may be required for the use of Her Majesty's Troops, from Perth to Pinjarrah.

The contracts for the above may be performed either by land or water transport.

For further particulars apply at this Office.

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

Commissariat Office, Perth,
June 5, 1844.

Sealed tenders in triplicate will be received at this office on Tuesday, 2nd July, at 12 o'clock, from such parties as may be desirous of obtaining Bills of Exchange on the Right Honorable the Lords Commissioners of Her Majesty's Treasury payable in London at thirty days' sight.

The Bills will not be drawn, or Tenders accepted, for any sum less than (100) one hundred pounds.

The Tenders must state in figures and words at length the rate of Exchange offered in Specie for the Bills, and also the description of Coin.

For further particulars application to be made to this office.

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

GENERAL ROAD TRUST.

THE Quarterly Meeting of the Trustees for the General Road Trust will be held at the Court-house, Perth, on Wednesday, the 3rd July next, at 12 o'clock, precisely.

By order of the Chairman,
EDWARD PICKING,
Clerk to the Trustees.
Perth, June 17, 1844.

QUARTER SESSIONS.

NOTICE is hereby given that the next General Quarter Sessions of the Peace of our Sovereign Lady the Queen for the Colony of Western Australia, will be holden at the Court-house at Perth, on Wednesday, the third day of July next, at the hour of nine in the forenoon of the same day.—Dated the seventeenth day of June, one thousand eight hundred and forty-four.

A. H. STONE,
Clerk of the Peace.

Printed by CHARLES MACFAULL,
Government Printer.