

WESTERN AUSTRALIAN GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY.)

FRIDAY, SEPTEMBER 3, 1847.

[NUMBER 100]

*Colonial Secretary's Office, Perth,
September 1, 1847.*

His Excellency the Governor directs it to be notified for the information of all whom it may concern, that the following Tenders have been accepted:—

C. King—two doors and frames and two window sashes and frames, glazed.

H. Burges—for supplying sawn timber.

*By His Excellency's command,
G. F. MOORE.*

Colonial Secretary.

*Colonial Secretary's Office, Perth,
August 19, 1847.*

Depasturing Licenses.

His Excellency the Governor directs it to be notified for the information and guidance of parties desirous of applying for depasturing Licenses, that it is highly desirable that all such applications if made by letter should, in every case where it is practicable, be sent through the Resident Magistrate of the District, in order that he may notify whether he is acquainted with any local objection to the issuing of the License, or that a certificate may be obtained from that officer that he knows of no such objection.

*By His Excellency's command,
G. F. MOORE.*

Colonial Secretary.

*Colonial Secretary's Office, Perth,
August 19, 1847.*

Depasturing License.

His Excellency the Governor, pursuant to the notice dated the 12th instant, directs it to be notified for the information of all whom it may concern, that Charles R. Hinds, Esq. has applied for a License to depasture upon 8,000 acres of land, Avon district, contiguous to Location No. 16, granted in Fee Simple to T. R. C. Walters, Esq.

*By His Excellency's command,
G. F. MOORE.*

Colonial Secretary,

*Colonial Secretary's Office, Perth,
August 24, 1847.*

His Excellency the Governor directs it to be notified for general information, that the undermentioned Licenses to depasture Lands and cut Timber have been issued—

Depasturing Licenses.

E. Coulin—12,000 acres, Avon July 27.
P. Lockyer—12,000. ditto, ditto, Aug. 18.

Timber Licenses.—One Month.

T. Ellis	C. Hinds
J. Dempster	G. Lyons
J. Hancock	J. Sinclair
G. Haddrill	J. Herbert
J. Harris	P. Ambrose
Ditto	

N.B.—Licenses prepared for J. Logue, sen. and Messrs. Burges, remain unissued waiting for payment of License Fee.

*By His Excellency's command,
G. F. MOORE.*

Colonial Secretary.

*Colonial Secretary's Office, Perth,
August 20, 1847.*

Depasturing License.

Notice is hereby given for the information of all whom it may concern, that the following applications for Depasturing Licenses have been received:—

Avon District.

J. T. Cook—4,000 acres, adjoining the lands held in Fee Simple by C. Pratt, J. T. Cook, Morgan, Mews, W. Heal, J. Lloyd, and Grellett.

L. Lukin—6,000 acres, including Town site of Toodyay, adjoining the lands

held in Fee Simple by G. Leake, J. Drummond, and A. & T. Anderson.

*By His Excellency's command,
G. F. MOORE,*

Colonial Secretary.

WESTERN AUSTRALIA.
ANNO DECIMO,
VICTORIÆ REGINÆ.

*By His Excellency Lieutenant Colonel
FREDERICK CHIDLEY IRWIN, Knight
Companion of the Royal Hanoverian
Guelphic Order, Governor and Com-
mander-in-Chief of the Territory of
Western Australia, and Vice-Admiral
of the same; with the advice and con-
sent of the Legislative Council thereof.*

NO. IX.

An Ordinance to authorise the Sale of Wines in smaller quantities than those hitherto appointed by Law.

Whereas it is expedient to promote and encourage the production of Wines in this colony by reducing the minimum quantity of Wine which is at present authorised to be sold by persons not having a Retail License: and whereas the said minimum quantity of Wine is at present fixed by law to be Fifteen Gallons—Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies by and with the advice and consent of the Legislative Council thereof, that from and after the passing of this Ordinance it shall be lawful for any person to sell or otherwise dispose of any quantity not less than Five Gallons of Wine, the produce of land of which he is the owner or lawful tenant, without such License as aforesaid. Provided that nothing herein contained shall authorise the consumption of such wine on the premises of the vendor, not being a Licensed Publican.

FREDERICK CHIDLEY IRWIN,
Governor and Commander-in-Chief.

*Passed the Council, }
5th August, 1847. }*

WALKINSHAW COWAN,
Clerk of the Councils.

NO. X.

An Ordinance to amend an Act entitled "An Act to provide for the Improvement of Towns in the Colony of Western Australia."

WHEREAS an Act was passed in the Fourth and Fifth years of the Reign of Her present Majesty entitled "An Act to provide for the Improvement of Towns in the Colony of Western Australia"; and whereas it is expedient to amend the said Act in certain respects—Be it therefore enacted by His Excellency the Governor of Western Australia, by and with the consent of the Legislative Council thereof, that the Collector shall not hereafter be appointed by a General Meeting of the respective Trust but by the Chairman and Committee thereof and that the present or any future Collector may be by them at any time suspended or removed from his office on proof to the satisfaction of such Chairman and Committee that he has not duly and diligently discharged the duties of his office as such Collector as aforesaid.

II. And be it enacted, that the Seventeenth Clause of the said Act so far as the same extends to allow a second period of Fourteen days for payment of assessments after the expiration of the notice of fourteen days given in the first instance shall be and the same is hereby repealed, and that all proceedings shall and may be taken forthwith to recover such assessments according to the provisions of the said Act if the same be not paid within the first period of Fourteen days allowed by such notice as aforesaid.

III. And be it enacted, that all the

powers and duties appointed by the said Seventeenth Clause to be exercised and performed by the Collector may by the written authority or warrant of the Chairman be exercised and performed by any Constable of the colony, and that if no sufficient distress can be found on the premises then it shall be lawful for the Chairman to order any such Constable to serve personally upon the owner, or in case of his absence from the colony, upon his Agent the notice therein mentioned, and if payment be not made within fourteen days from such service, then to issue his warrant of distress to any Constable.

IV. And be it enacted, that all such assessments shall be recoverable at the discretion of the Chairman and Committee as "so much monies due and owing to the respective Trustees by virtue of the said Act" in any Court of Requests or Magistrate's District Court, or, if the party owing the same, be not resident within the jurisdiction of any such Court, then in the Civil Court of the Colony, and that it shall be lawful for the Chairman to issue a written authority under his hand to any fitting person in his discretion to commence and prosecute a suit in the name of such Chairman, or other Public Officer according to the said Act for recovery of such assessment in any such Court of Requests or Magistrate's Court not being within the District of such Chairman, who shall not be required to appear personally in the prosecution of such suit.

V. And be it enacted, that every such Public Officer shall be and is hereby empowered to enter up satisfaction of judgment when satisfied in any suit by or against Trustees under the said Act or this Ordinance, and shall be and is hereby exempted from personal liability for any Costs awarded against any such Trustees in any such suit, unless the Court awarding such Costs shall certify that the same were caused by the unlawful, vexatious, or negligent conduct of such Officer, but otherwise in default of such certificate, all such Costs shall be forthwith paid out of any Trust monies then in the hands of such Trustees, or, in default of such monies shall be forthwith raised and paid by means of a loan or assessment, which such Trustees are hereby empowered to effect or levy for that purpose in like manner as by the fourteenth and sixteenth sections of the said Act monies may be raised or levied for certain other purposes.

VI. And be it enacted, that nothing contained in any existing Ordinance relative to Auctioneers and Auction Duties shall be held to apply to sales under any such Warrant of Distress as aforesaid.

FREDERICK CHIDLEY IRWIN,
Governor and Commander-in-Chief.

*Passed the Council, }
29th July, 1847. }*

WALKINSHAW COWAN,
Clerk of the Councils.