

GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY.)

FRIDAY, NOVEMBER 11, 1847.

[NUMBER 109

*Colonial Secretary's Office, Perth,
November 4, 1847.*

Tenders in triplicate will be received at this Office on Tuesday, the 23rd instant, for supplying Forage to the Police Horses at York and Toodyay.

For further particulars application to be made to the Protector of Natives, York.

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

*Colonial Secretary's Office, Perth,
November 11, 1847.*

Weekly Report of Sandal Wood Licenses issued.

Oct. 29.—T. & H. Carter, 3 men, 3 months York.

Nov. 1.—J. S. Davis, 2 men, ditto

Oct. 24.—J. W. Hardey, ditto

Oct. 29.—R. G. Meares & Sons, do. do.

Nov. 9.—J. & D. Jones, ditto, ditto

*To Depasture Stock—
R. G. Meares, 12,000 acres, Avon
James Payne, 6,000 acres, Wellington
G. M. Whitfield, 4,000 acres, Avon
By His Excellency's command,
G. F. MOORE,
Colonial Secretary.*

*Colonial Secretary's Office, Perth,
November 3, 1847.*

Ins ructions have been given to the Collector of Revenue to issue Depasturing Licenses applied for by the following persons, upon payment of the Licence fee, and in future all licenses which have been assented to, will be notified in the Gazette, and if not taken out and the money paid within a period of 14 days from the date thereof, they will be considered forfeited, and the land open to any other applicants.

Oct. 5.—G. Hancock, 4,000 acres
15.—J. Yorke, 12,000 acres
" —W. Padbury, 4,000 acres
" —Messrs. Carter, 12,000 acres
*By His Excellency's command,
G. F. MOORE,
Colonial Secretary.*

*Colonial Secretary's Office, Perth,
October 28, 1847.*

Tenders in triplicate will be received at this Office until Tuesday, the 16th proximo, for a supply of from 20 to 30 cords of firewood, for the use of Her Majesty's Quol, at Fremantle.

The firewood to be delivered in Cliff-street, above high water mark.

Further particulars may be known on applying to the Resident Magistrate, Fremantle.

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

*Colonial Secretary's Office, Perth,
October 28, 1847.*

Depasturing Licenses.

The following applications have been received:—

Oct. 19.—J. Taylor, 1038 acres, Avon adjoining the lands of Messrs. W. Milligan, R. Draper, F. C. Irwin & W. H. Mackie, C. Heale, S. Parker, E. B. Gacey, and J. F. Smith.

Oct. 27.—W. L. Brockman, 12,000 acres, Swan district, adjoining the lands of Messrs. Brockman and R. Edwards.

Oct. 27.—Peter Brennan, 640 acres, Wellington district, adjoining the lands of Messrs. F. Ommannoy, J. K. Child, & Sir J. Stirling.

Oct. 27.—S. Parker, 4,000 acres, Avon, (now under license to J. W. Hardey) adjoining the lands of Messrs. Gregory and S. Parker.

* Particulars of boundaries have been forwarded to the respective Government Residents.

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

*Colonial Secretary's Office, Perth,
October 29, 1847.*

Tenders will be received at this Office up to 12 o'clock on Tuesday, the 16th of November, for the erection of the Shell of a School House, 40 feet by 20, on the site to be pointed out, and according to the specification and form of tender to be exhibited by the Superintendent of Public Works.

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

Proclamation.

By His Excellency, FREDERICK CHIDLEY IRWIN, ESQUIRE, Knight Companion of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief of the Territory of Western Australia and its Dependencies, and Vice Admiral of the same,

In pursuance of the authority in me vested, by a certain act of the Imperial Parliament of Great Britain and Ireland, and passed in the fifth and sixth years of Her Majesty's reign, intituled "an act for regulating the sale of waste lands belonging to the Crown in the Australian colonies," I do hereby notify and proclaim, that the following portions of land in the District of Murray, will be offered for sale by Public Auction, by the Collector of Revenue at Perth, on Wednesday, the 8th day of December, 1847, at the upset price affixed thereto, on the terms and conditions set forth in certain regulations, dated the 14th June, 1843.

Lot 1.—Murray Location, No. 22, comprising 320 acres more or less, extending 40 chains South, and 80 chains West from SE corner of Murray Location No. 10.

Lot 2.—Murray Location, No 21, comprising 160 acres more or less, in form of a square, extending 40 chains East and 40 chains South from NE corner of Murray Location No. 10.

Lot 3.—Murray Location No. 20, comprising 320 acres more or less, extending 80 chains East, and 40 chains South from SE corner of Murray Location No. 10.

Lot 4.—Murray Location No. 19, comprising 160 acres more or less, in form of a square, lying 40 chains North and 40 chains East from the NW corner of Murray Location No 10.

Lot 1.—Murray Location No 23, comprising 640 acres more or less, extending 126 chains 10 links due East, and 50 chains 75 links due North from SE corner of Location No 20.

Lot 2.—Murray Location No. 24, comprising 640 acres more or less, extending 126 chains 10 links due East, and 50 chains 75 links due North from NW corner of Location, No, 23, described above.

Lot 3.—Murray Location No 25, comprising 640 acres more or less, extending 133 chains 90 links due East, and 47 chains 77 links due South, from NE corner of Location, No. 24, described above.

Lot 4.—Murray Location, No 26, comprising 500 acres more or less, extending 53 chains 73 links due North, and 93 chains 6 links due East from SE corner of location No 23 described above

Lot 5.—Murray Location, No 27, comprising 219 acres more or less extending 53 chains 73 links due North, and 40 chains 84 links due East from SE corner of location No 26 described above.

Lot 6.—Murray Location No 28, comprising 640 acres more or less, extending 49 chains 23 links due South and 130 chains due East from SW corner of Location 23 described above.

Lot 7.—Murray Location No 29, comprising 640 acres more or less, extending

49 chains 23 links due North and 130 chains due East from SE corner of Location, No. 23, described above.

Upset price £1 per acre.

Given under my hand and seal at Perth this 11th day of November, 1847.

*F. C. IRWIN,
GOVERNOR, &C.*

*By His Excellency's command,
G. F. MOORE,
Colonial Secretary.
GOD SAVE THE QUEEN !!*

Proclamation.

By His Excellency Lieutenant Colonel FREDERICK CHIDLEY IRWIN, Knight Companion of the Royal Hanoverian Guelphic Order, Governor and Commander in Chief of the Territory of Western Australia, and Vice Admiral of the same.

Whereas by an Act of Council passed in the sixth year of the Reign of Her Majesty entitled "An Act to establish and regulate Courts of Requests," it is enacted that the Court of Civil Jurisdiction called the Court of Requests shall be holden at Perth at such times as the said Governor shall appoint by Proclamation, Now, I the Governor, in pursuance of the power and authority in me vested by the said Act, do hereby direct and appoint that the Court of Civil Jurisdiction called the Court of Requests shall be holden at the Town of Perth on the Saturday of every week, instead of Friday as heretofore, of which all persons concerned are required to take notice.

Given under my hand and seal at Perth, this 11th day of November, 1847.

*F. C. IRWIN,
Governor and Commander in Chief.*

*By His Excellency's command,
G. F. MOORE,
Colonial Secretary.
GOD SAVE THE QUEEN !!*

Proclamation.

By His Excellency Lieutenant Colonel FREDERICK CHIDLEY IRWIN, Knight Companion of the Royal Hanoverian Guelphic Order, Governor and Commander in Chief of the Territory of Western Australia, and Vice Admiral of the same.

Whereas by the second section of an Ordinance passed on the fourth day of November, 1847, it is enacted that a Board shall be constituted to be called "The Central Board of Works," and to have the management of all matters connected with the construction and repair of Roads, Canals, Bridges, and other public lines of communication, and also of all such other Public Works of what nature soever as may be committed to the charge of the said Board from time to time by His Excellency the Governor, or by any Local Ordinance; and that the said Board shall consist of Eight Members, to be from time to time appointed or removed by His Excellency the Governor with the advice of the Executive Council, by Proclamation in the Government Gazette, and that four of such Members shall be persons not holding any office of emolument under the Local Government, Now, therefore, I the Governor, in pursuance and exercise of the said power vested in me, do hereby constitute and appoint the following members of the said Board:—

Official.
William Knight, Esq., *Chairman*
G. F. Stone, Esq.
Charles Symmons, Esq.
F. D. Wittenoom, Esq. *Secretary*
Non-Official.
George Leake, Esq.
Thomas Helms, Esq.
Robert Habgood, Esq.

All communications are to be addressed to the Secretary of the Board.

Given under my hand and seal, at Perth, this 11th day of November, 1847.

F. C. IRWIN,
GOVERNOR, &c.

By His Excellency's command,
G. F. MOORE,
Colonial Secretary.

GOD SAVE THE QUEEN!!

Colonial Secretary's Office, Perth,
November 10, 1847.

His Excellency the Governor has been pleased to appoint William Dodd to be Constable for the Toodyay District.

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 Commander-in-Chief of the Territory of Western Australia, and Vice-Admiral of the same; with the advice and consent of the Legislative Council thereof

NO. XIX.

An Ordinance to repeal the existing Laws respecting the Construction and Management of Roads, and to establish a Central Board of Works.

Whereas the system of management of the internal communications of the colony by means of the "General Road Trust" has been proved to be inefficient and unsuited to the existing circumstances of this colony, and it has been deemed expedient to abolish the said system, and to establish a Central Board to perform the duties of the "General Road Trust," and also to superintend the execution and have the charge of such other public works as may from time to time be committed to the management of the said Board—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 the Act passed in the fourth and fifth years of the Reign of her present Majesty entitled "An Act to provide for the construction and management of Roads and other internal communications in the colony of Western Australia," shall be, and the same is hereby repealed, save as to the levying of tolls thereby imposed and as is hereinafter excepted.

II. And be it enacted, that a Board shall be constituted to be called "The Central Board of Works," and to have the management of all matters connected with the construction and repair of all roads, canals, bridges, and other public lines of communication, and also of all such other public works of what nature soever as may be committed to the charge of the said board from time to time by his Excellency the Governor, or by any local ordinance; and that the said board shall consist of eight members, to be from time to time appointed or removed by his Excellency the Governor, with the advice of the Executive Council, by Proclamation in the Government Gazette—and that four of such members shall be persons not holding any office of emolument under the Local Government—Provided always that the proceedings of the said board shall be subject to such regulations as may be issued from time to time by the Governor with the advice of the Executive Council, in accordance with the provisions of this ordinance, and that the said board shall hold regular meetings at certain periods, and that any five members of the said board shall constitute a quorum thereof for the despatch of the business.

III. Provided always and be it enacted that each non-official member as aforesaid shall previous to his entering upon his duties, and at the first meeting in each successive year at which he shall be present, subscribe a declaration to the following effect, on the minute book of the board, I, (A. B.) am the *bonâ fide* proprietor of one thousand acres of land in fee simple in the colony of Western Australia.

of property in all roads, canals, bridges, towing paths, ferries, and other public lines of communication not laid out by the authority of the Governor as streets in any townsite in the maps and plans of the Surveyor General's department, and in all soil timber, and other materials within such lines of communication, so long as the same shall continue to be used for the purposes of this ordinance, as well as in all funds arising therefrom, or applicable thereto, together with the management, control, and superintendence of the same, shall be vested in the said board.

V. And be it enacted, that it shall be lawful for the said board, by themselves or their agents, at any time to enter upon any lands within the said colony, and to lay out and mark any lines of communication which they may deem advisable—Provided always that one month's notice shall be published in the Government Gazette of their intention to survey such line before they shall proceed to clear and open the same—Provided always that no line of road shall pass through any garden, vineyard, plantation of fruit trees, or cemetery, nor shall injure or damage any dwelling house, church, or other permanently constructed building, nor pass within the distance of sixty-six feet from any inhabited dwelling house without the consent of the owner thereof.

VI. And be it enacted, that whenever and so soon as any line of communication shall have been laid out and marked as aforesaid, notice of such proposed line shall be published in the Government Gazette, and after the expiration of one month from the date of such notice a report containing a description of such line, and signed by the chairman of the board, shall be laid by such chairman before the Governor in Council for approval, and all such lines so approved shall be taken to be public lines of communication within the meaning of this ordinance, and shall be forthwith published as such in three successive Government Gazettes.

VII. Provided always and be it enacted, that when any line of road shall be laid out and declared a public line of communication as aforesaid, which shall pass through or over any lands which shall have been, previously to the notice aforesaid of the laying out of such road, *bonâ fide*, improved by clearing, tillage or building, or enclosed by a good and sufficient fence, the owner or occupier of the lands so improved and enclosed shall severally be entitled to such compensation for any actual damage thereby occasioned to the property, other than the loss of the land taken for such road, or to his, her or their estate or interest therein, as a jury may award in an action on the case by such owner or occupier against the chairman for the time being of the said board.

VIII. And be it enacted, that the said board shall have power, subject to the previous approval of the Governor, to appoint from time to time such officers as they may deem fit and expedient for the purposes of this ordinance, and to remove and reappoint the same.

IX. And be it enacted that it shall be lawful for the said board to divide the colony into districts for the purposes of this ordinance, and that there shall be local boards for each district, and that every proprietor of not less than three hundred and twenty acres of land in fee simple in the district shall be a member of such local board. And the said local board may elect from amongst the members thereof a chairman or president and a committee consisting of not more than five. And be it further enacted that the local boards or their committee shall have the more immediate direction and management of all roads and other public works which may be made or constructed in the district, subject nevertheless in all cases to the sanction and control of the central board, and to propose or recommend to the central board such lines of communication or public works or alterations therein as they may deem expedient.

X. And be it enacted, that the funds available for the purposes of this ordinance shall be such as may accrue from any of the following sources, viz:—

1.—Tolls payable at any ferries, not

which the said central board are hereby empowered to let in the manner provided for by the Act 4th William IV. No. 1, intituled "an act to regulate the establishment and management of ferries, and the collection of tolls thereat."

2.—All leases of tolls or compositions to be paid in lieu thereof.

3.—All tolls, dues, or charges, which may hereafter be made payable at or by reason of the use of any lines or modes of communication; which tolls, dues, or charges, the Governor is hereby empowered to establish, rescind, or alter, by proclamation, provided that the amount so established shall not in any case exceed the amount recommended by the central board.

4.—Voluntary subscriptions of money or labor for local or general purposes.

5.—The amount of any sums which may from time to time be conceded by the Governor for special or general purposes under this ordinance.

6.—Loans raised as hereinafter provided on the credit of tolls, leases, or other property connected with the aforesaid lines and modes of communication.

7.—All such funds as may be at any time committed to the board by any local ordinance.

XI. And be it enacted that a statement of the receipts and expenditure of each year shall be presented by the said central board to the Governor and shall be by him laid by him before the Legislative Council as soon as possible after the sitting of the said Council in each year.

XII. And be it enacted, that it shall be lawful for the said central board, by and with the consent of the Governor and Executive Council, to borrow and take up at interest on the credit of the tolls, dues, or charges arising or to arise from any road, bridge, ferry, or other work of the like nature, any such sum of money as they shall think proper from time to time respectively and to assign the tolls on such road, or any part thereof, or on such bridge, ferry, or other work of the like nature as a security to any person or persons who shall advance such sum of money (for such a period of time as may be sufficient) for the repayment of the principal sum borrowed, together with interest at a rate not exceeding ten per centum per annum.

XIII. And be it enacted, that assignments of tolls or charges shall be in the words or to the effect following, viz:—

"By virtue of an ordinance passed in the Tenth year of the reign of Queen Victoria, intituled 'An Ordinance to repeal the existing laws respecting the construction and management of Roads, and to establish a Central Board of Works,' we, the Chairman and Members of the Central Board of Works, in consideration of the sum of _____ advanced and paid to the Treasurer of the said Board, do hereby grant and assign unto A B, his Executors and assigns (here specify the matter assigned), to be held from this _____ day of _____ in the year of our Lord _____, until the said sum of _____, with interest at the rate of _____ per centum per annum shall be paid and discharged."

And copies of such assignment shall be entered by the Clerk in the book of proceedings, and such assignments shall be transferable by indorsation to any other person whatsoever, which indorsation shall be in the words or to the effect following, viz:—

"I, A B, do hereby transfer all my right to the within written assignment of _____ to _____ and his Executors and assigns."

And all persons to whom any such assignment or indorsation shall be made, as aforesaid, shall, in proportion to the sum of money thereby secured, be creditors on the tolls and charges so assigned, in equal degree one with another in respect to payment of the interest on such sum, or in such order or manner, and at such time with respect to payment of the principal sum, as shall be agreed upon and stipulated by the said central board at the time of the advance of their respective sums of money.

To be continued.