



GOVERNMENT GAZETTE.

[PUBLISHED BY AUTHORITY.]

TUESDAY, FEBRUARY 6, 1849.

[N^o 170.]

PROCLAMATION

By His Excellency CHARLES FITZGERALD, Esquire, Commander in the Royal Navy, Governor and Commander-in-Chief in and over the Territory of Western Australia and its Dependencies, and Vice-Admiral of the same.

WHEREAS by an Act of the Local Legislature passed in the 10th year of the reign of her Majesty Queen Victoria, No. 19, constituting and appointing a Central Board of Works, the Governor is empowered to establish, by proclamation, all tolls, rates, dues, or charges, which may thereafter be made payable at or by means of the use of any lines or modes of communication within any part of the said colony; and whereas the Board of Works have recommended that the following revised scale of charges and tolls shall be made payable at the Causeway across the Flats from and after the seventeenth day of February next;—Now, therefore, I, the Governor, by virtue and in exercise of the authority given to me by the said recited Act, do hereby establish the following tolls and charges, and do order that the same shall and may be demanded and paid at and for the use of the said Causeway, upon and after the date above given, viz. :—

For every horse, ass, or mule	3
For every head of neat cattle	3
For every score of sheep	3
Unweaned stock following their mothers.....	exempt
For every gig, chaise, cart, dray, or other vehicle drawn by one horse, ass, or mule, or by one pair of oxen.....	6
For every additional horse, ass, or mule, or pair of oxen	6

Except, nevertheless, His Excellency the Governor and his Private Secretary, the Protectors of Natives and Guardian of Government Juvenile Immigrants when on duty, all Her Majesty's Officers and Soldiers, being in proper staff or regimental or military uniform dress or undress, (but not when passing in any private or hired vehicle), and all recruits marching by route, and all carriages and horses belonging to Her Majesty and employed in her service, under the provisions of the Mutiny Act, when conveying persons or baggage, or returning therefrom; all persons in the employ of the Survey Department, including their horses and carts, when actually on duty; the police and mail-carriers, when on duty; and all persons actually going to or returning from any place of worship on Sunday, and their horses and vehicles, who are respectively to be exempted from any charge or toll whatsoever.

An additional charge of one-half the above scale to be made between the hours of nine P.M.

and five A.M. from the 1st day of October to the 31st day of March, and seven P.M. and six A.M. from the 1st day of April to the 30th day of September.

Given under my hand and Seal, at Perth, this 19th day of January, 1849.

CHARLES FITZGERALD,

Governor, &c.

By His Excellency's command,

R. H. BLAND,

Acting Colonial Secretary.

GOD SAVE THE QUEEN!!

Colonial Secretary's Office, Perth,
January 31, 1849.

HIS Excellency the Governor has been pleased to direct the publication of a list of Officers who have been appointed at Fremantle to carry out the provisions of an Act of Council intitled "An Act to provide for the Improvement of Towns in the Colony of Western Australia."

Chairman and Treasurer—D. Scott, Esq.

Committee—Messrs. Bateman, Pearce, Davis, Yelverton, and J. Thomas.

Valuators—Messrs. S. Moore and A. Curtis.

By His Excellency's command,

R. H. BLAND,

Acting Colonial Secretary.

Revenue Office, February 3, 1849.

REPORT OF LICENSES ISSUED.

Publicans' Spirit Licenses for Current Year.

James Dolbear.....	Perth
D. Ronayne.....	"
J. G. Carr.....	"
H. L. Cole.....	"
A. Curtis.....	Fremantle
O. Lodge.....	"
P. Marmion.....	"
John Thomas.....	"
George Wood.....	"
A. Cornish.....	Murray
W. E. Oakley.....	Pinjarrah
J. Jones.....	Guildford
A. Steel.....	"
James Sinclair.....	Toodyay
James Woodward.....	Northam
J. Caporn.....	Point Walter

Licenses to sell not less than one Gallon.

F. Croft.....	Perth
L. Samson.....	"
W. & R. Habgood.....	"
James Stokes.....	"
T. & H. Carter.....	York.

Sandalwood and Timber Licenses.

1848, Dec. 4.—J. Daniels, 2 men, 1 month, (Sandalwood)

King George's Sound

Dec. 5.—S. Cook, 2 men, 3 months, (Timber), ditto.

Dog Licenses.

J. G. Austin, 1 (sheep) dog

Thomas Abcoote, 1 (male) ditto

H. C. SUTHERLAND, Collector of Revenue.

Colonial Secretary's Office, Perth,
January 30, 1849.

HIS Excellency the Governor has directed it to be notified, for general information,

that the Right Rev. the Lord Bishop of Adelaide has appointed the Rev. John Ramsden Wollaston, M. A., Colonial Chaplain at Albany, Archdeacon of that portion of the Diocese of Adelaide contained within the limits of the colony of Western Australia.

By His Excellency's command,
R. H. BLAND,

Acting Colonial Secretary.

*Colonial Secretary's Office, Perth,
January 30, 1849.*

HIS Excellency the Governor is pleased to direct the publication of the following Annual Reports of the Protectors of Natives for the Districts of Perth and York, for the year 1848.

By His Excellency's command,
R. H. BLAND,

Acting Colonial Secretary.

Perth, January 5, 1849.

SIR,—As Protector of Aborigines, I have the honour to submit, for the information of His Excellency the Governor, my Report for the year 1848. In the South-west districts, comprising the Murray, Leschenault, Vasse, and Augusta, the aggressive acts of the native population have been confined, during the above period, to cattle-spearing—acts which, however reprehensible, may in most cases be accounted for by the custom of the settlers in allowing their cattle to wander unherded for months over districts located only by tribes of roving aborigines. In the present dearth of labour and the depressed state of the farming interests, such a custom may in some degree be unavoidable; but it is still very reprehensible, by placing an almost irresistible temptation daily before the eyes of the hungry savage. At this time but one warrant remains unexecuted in the above districts.

At the Vasse, in April last some excitement prevailed among the natives in consequence of an aggravated assault committed by a settler of the name of Guerrier on the person of an aboriginal woman. It appears that Guerrier confined the woman for three days to the post of his verandah, proposing thereby to induce her husband to bring in a stray cow. The unfortunate woman died almost immediately after her release; a severe attack of influenza under which she was labouring being doubtless aggravated by her illegal detention, and the fact of her being near the time of her accouchement. I immediately instituted a strict investigation of the case, and committed Guerrier for trial at the July sessions on a charge of manslaughter. This bill being ignored, a new bill for an aggravated assault was subsequently found, and the defendant pleading guilty, was fined £5, and severely reprimanded. The Court, in pronouncing so lenient a sentence, considered the high character of the prisoner, and the total absence of malicious intent. The Court suggested that the fine be appropriated for the benefit of the relations of the deceased.

I regret to state that the tranquillity of the Swan district has of late been disturbed not only by the petty thefts of provisions from the houses of the settlers, but also from the spearing of native herdsmen, either from motives of revenge or in pursuance of some superstitious native observances.

It is but right for me to observe, that in more than one of these thefts, the act is scarcely matter of surprise, having been committed in cottages very imperfectly secured and left for many hours of the day wholly unprotected; while to the more serious aggressions above mentioned I trust that an effectual check will be afforded, not merely by prompt and severe punishment of the offenders, but by the recent determination of the Government to take cognizance of all aggravated cases of assault committed even by bush natives *inter se*. The recent apprehension of the most notorious of these delinquents will, I hope, permit that district to relapse into its usual tranquillity. While reporting the state of crime in my *own* district, I am reluctantly compelled to advert to one novel and most serious feature in the general calendar of native offenders—viz., the comparative increase of acts of assault with intent to commit rape by natives on the persons of European females principally of tender age. Offences of this description merit the most severe punishment, more particularly when we consider that many of the labouring classes are compelled to employ their children in occupations necessitating their absence for hours from home in the solitude of the bush.

I now turn with pleasure to detail the various attempts which have been made during the past year to develop the capabilities, and thereby increase the utility, of the aboriginal population. In May last, an intelligent native was

appointed mounted assistant to the chief constable of Police in the South-west District, who reports most favourably of his good conduct and efficiency; I however beg to call His Excellency's attention to the fact that this efficiency can necessarily be at best but of a very limited nature, inasmuch as this man can never venture to act safely as an aide-de-camp, except under the immediate supervision and guidance of his white superior. Aware of the urgent necessity for economy, but also that the Resident Magistrate and the settlers of the Vasse are unanimous in urging the necessity of an increase to the police force, I submit (I confess with some regret) to His Excellency the expediency of cancelling the above appointment, and nominating in lieu an European constable especially for the Vasse district. Were the services of a soldier procurable for this post, no extra expense would be incurred, while the efficiency of the individual and the advantage to the police service would be increased tenfold. Even were this impracticable, the small additional expense in the shape of salary to a civilian would be amply repaid by the benefit certain to accrue. I have no hesitation in pressing this, and all other matters connected with the greater efficiency of the police, most strongly on the attention of His Excellency and the Local Government; firmly believing, from the experience of the last nine years, that the Protectors are most effectually advancing the best interests of their sable clients, by identifying themselves equally with those of the settlers, by protecting them from the aggressions of the aborigines, and thereby not only promoting a mutual reciprocity of good feeling, but obviating the necessity of retaliative measures on the part of the natives—measures which, if once commenced, it would be extremely difficult to check, and which in other colonies have engendered acts of the most brutalizing and sanguinary description.

Another interesting experiment has also, within the last four months, been in course of trial—viz., the selection of four natives as letter-carriers between Fremantle and Bunbury—a distance of 100 miles. These men have hitherto executed their trust with regularity and faithfulness, and may thus possibly become the originators of a cheap and more frequent postal communication throughout the colony.

During the past season, a native has been regularly engaged as one of the bay-whaling crew at Fremantle. Two of the Rottneest prisoners have been placed in the pilot-boat, two in that of the Harbour Master at Fremantle, and five shipped on board of the colonial schooner *Champion*, where their capabilities for the duties of a seaman's life are to be duly tested.

The Rev. G. King, minister at Fremantle, has volunteered the maintenance, education, and furthering in after-life, of an intelligent native lad, long a pupil in our Government school, and who, delighted with the proposal, will embark shortly for New Zealand with his adopted father. In the present dearth of labour, the services of the aboriginal population continue to be much appreciated. In the vicinity of Perth and the more densely populated districts, the aborigines earn an easy and ample subsistence, in return for small services conferred on the white inhabitants, and, independently of their most valuable assistance as herdsmen in all parts of the colony, I have good reason for asserting that many an acre of grain would be lost to the farmer but for the coöperation of our sable reapers. It is computed that above 500 natives have been this year casually or regularly in the employ of the colonists—a fact which, considering their desultory habits and innate distaste for systematic labour, is alike confirmatory of their kind and equitable treatment by the settlers, and of their steady advancing progress in civilization.

It remains for me to notice another experiment which has now been more than a twelvemonth in operation—viz., the removal of the majority of the native convicts from Rottneest, for the purpose of rendering their labour more productive by their employment on the roads in and about the town of Perth. By this arrangement, which is literally a drawing off of the surplus labour of Rottneest, much work has been effected, and many permanent improvements effected. The rations allowed are on the same liberal scale as those of the European prisoners, and the general appearance of the men betokens robust health and cheerfulness. In fact, the removal from the isolation of Rottneest to the bustle and excitement of the town of Perth, and the consequent opportunities of beholding and exchanging occasional intercourse with their friends, are deemed no trifling boons in the estimation of these men.

It would have been unreasonable to suppose that the comparative liberty enjoyed by this native gang, while at work, would not be liable to abuse, and accordingly out of the 42 prisoners who during the last twelvemonth have been engaged in road-labour, 13 have at various periods absconded, 8 of whom have been subsequently recaptured.

I beg earnestly to suggest the necessity of adopting for the future most stringent precautionary measures effectually to check a practice so detrimental to our system of convict management, and so subversive of our moral and physical influence over the aborigines generally.

In our native schools, both at Fremantle and Wonucroo,

little worthy of record has occurred during the past year; but if no very striking improvement is perceptible at either establishment, yet we have to congratulate ourselves on the much less frequent absconding of the lads into the bush, and apparently the gradual subsiding of the restless habits and inclinations of savage life into something more approximating to the quiet and subdued decorum of a civilised community.

In July last, I attended the marriages of two couples, inmates of our Wonneroo institution, and on the 27th of this last month the Lord Bishop of the Diocese united 4 other couples at the church at Fremantle, who are still to remain under the control and supervision, and be maintained at the expense, of the Government and the Wesleyan Society.

I need at present but hint at certain arrangements being in contemplation with reference to the management of our native schools, which, if carried out, will tend greatly to increase their utility, and strengthen their means of advancing the civilization of the rising aboriginal population. There are at present 13 males and 12 females, also eight females, at the Fremantle school.

The convict establishment on the island of Rottnest has undergone some changes during the past year. While the repeated drafts of most of the young able-bodied men, and such as bore the best character, to the mainland, have sensibly weakened the strength of the establishment, the abolition of the office of the white overseer of the working gang has tended materially to render less effective the labour of the remaining prisoners.

The occasional absence of the Superintendent from the gang when engaged in the field-work, is unavoidable, and during such periods the men trifle away their time—on some occasions have absconded, and in one instance were discovered in the act of making spears. Since the recent formation of a pilot station on the island, the characters of the convicts have manifestly undergone a great change for the worse. The fact of boats being now (for the first time since the formation of the establishment) permanently attached to the station, and the consequent hope of escape which it has engendered in the minds of the convicts, appear to have rendered them restless, moody, and intractable. About 2 months since a large bundle of spears was discovered hidden in the bush, evidently manufactured for some clandestine purpose, and on the night of the 8th December a party of eight men, having worked their way through the solid foundation of their cell, seized the whaleboat and effected their escape to the mainland. Two of these have since been recaptured. There are at present 21 prisoners on the island. The result of the late harvest has been more favourable than was anticipated. The Superintendent expects to realise 250 bushels of wheat and 350 of barley. The vineyard has been unavoidably much neglected, owing to the time of the Superintendent being so wholly devoted to the actual supervision of the prisoners while at work.

Having however made the present state of the Rottnest establishment the subject of a separate report to His Excellency, I shall not here enter into any further details—but have the honour to subscribe myself,

Sir, your very obedient servant,

CHARLES SYMONS, *Protector of Natives.*

To the Hon. the Colonial Secretary.

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York, January 24, 1849.

SIR,—During the short period which has elapsed since I received the appointment of Protector for this District, I am happy to state that with one exception, no charge of a serious nature has been brought against the natives. The offence alluded to was that of a daring robbery committed by Bowalwert, one of the prisoners who had escaped from Fremantle, who entered the hut of Mr. Viveash, broke open a box, and, after abstracting various articles, threw a spear at a Chinese servant. Bowalwert was, however, luckily arrested on the same day and recommitted to prison. Some of the articles found upon him, with the description given by the Chinese, have since fully established his identity with the robbery. I regret to say that complaints have been made by natives against the settlers for gross misuse, contrary not only to the general good feeling which has so long been manifested, but I believe to the usual good treatment of the parties themselves. The penalty which has been inflicted will, I trust, prevent a recurrence of such conduct, and serve at the same time to confirm the natives in the confidence with which they look to the law for protection.

Although no efforts have hitherto been made by the Home or Local Government, or Missionary Societies of the mother country, for the conversion and civilisation of the aborigines on this side the Darling Range, I conceive that very many considerable advances have gradually and silently been making towards this desirable object from their continued intercourse with the settlers, as many of them have remained for several, some as long as five and seven, years on the farms. Almost all the young men in the settled districts speak the English language with more or less fluency, and, with the occupations of rural industry, are becoming familiar with the idea of a Supreme Being. I am strongly of opinion that from the preparatory training

they have undergone, the young generation are ripe for a change, and that the time has come when the labours of missionary teachers might be expected to be accompanied with success.

The charms, however, of a life of unrestrained freedom, in this fine climate, where the very pursuit itself of food is a source of the highest enjoyment; the pleasure of living together in public; of associating for the purposes of hunting as of hostile invasion of other tribes; and of meeting at their fires in the evening to recount the occurrences of the day; must ever operate powerfully against the adoption of the laborious habits and comparative solitariness of civilised life.

The dogs in their possession are daily becoming more numerous and troublesome; but, besides the losses they occasion in the flocks of the settlers, the facility with which the natives are thus enabled to procure game begins to render them more averse than formerly to assist in the labours of agriculture, and a check is consequently given to the progress of civilisation. The law respecting the destruction of unlicensed dogs is a dead letter on this side the hills; it will be necessary, however, to take steps to enforce it, in order to stop this growing evil. The benefit arising from this would be two-fold—the natives would be induced more readily to seek their support from agricultural pursuits, and the settler would acquire a welcome supply of labour in the present scarcity of that necessary ingredient.

The new regulations which His Excellency has issued for repressing the savagery of the men, and of putting a stop to the effusion of blood in their quarrels among themselves, by the punishment of the offender according to our laws, are beginning to produce a beneficial effect; but it would be desirable that the misconduct of the women, from which many of these outrages proceed, should not be overlooked.

The feed for stock has been destroyed to a great extent this season by bush-fires, which is attributable chiefly to the unusual abundance and luxuriance of the grass, consequent on the protracted rains of last year. The fire was thus spread from farm to farm unchecked. It is to be regretted that the feed, which, under present circumstances, was of such essential consequence to the settlers for the support of their flocks, should have been thus consumed; but however careless the natives may be in the use of fire in their various pursuits, there appears to be no intention to injure the settler.

The disease which has been prevalent among the natives for some years has again broken out with fresh virulence.

In conclusion, I am happy to state that, whilst the natives fully appreciate the protection they receive, they are becoming more accustomed to acknowledge the supremacy of the law; and instances are not rare of their voluntarily coming to vindicate themselves from unmerited charges, or to submit to the punishment which their offences deserve.

I have the honour to be, sir, your obedient servant,

W. COWAN, *Protector of Natives.*

To the Hon. the Colonial Secretary.

*Colonial Secretary's Office, Perth,
January 8, 1849.*

DEPASTURING LICENSES.—The following applications have been received:—

1849, Jan. 5.—George Eliot, 640 acres, more or less, Leschenault district, adjoining the fee-simple lands of Sir James Stirling, J. K. Child, and F. Ormanney.

Jan. 5.—James Payne, 4,000 acres, Leschenault district, adjoining the fee-simple land of William Hutt, Esq.

Jan. 8.—John York, 4,000 acres, Swan, adjoining the fee-simple lands of R. Edwards and G. F. Moore.

By His Excellency's command,

R. H. BLAND,

Acting Colonial Secretary.

Colonial Secretary's Office, Perth, Jan. 17, 1849.

ALBANY MAIL.

TENDERS will be received at this Office up to 12 o'clock on Tuesday, the 20th March next, for conveying a Mail between Bunbury and King George's Sound once a month for 12 months, commencing from 1st April ensuing.

Parties tendering, or an authorised agent, to attend at this Office on the day appointed to open the tenders; and each tender is to bear the signature of two respectable persons who are willing to enter into a bond with the contractor for the safe conveyance of the mail, and the due performance of the contract.

For further particulars application to be made at the Colonial Secretary's Office, Perth, or to the Resident Magistrates, Bunbury and Albany.

By His Excellency's command,

R. H. BLAND,

Acting Colonial Secretary.

Colonial Secretary's Office, Perth, Jan. 31, 1849.

Plastering School Room, Perth.

TENDERS will be received at this Office up to 12 o'clock on Tuesday, the 13th February, for plastering the inside walls of the School Room, Perth.

Application for further particulars to be made to the Superintendent of Public Works.

By His Excellency's command,

R. H. BLAND,

Acting Colonial Secretary.

Colonial Secretary's Office, Perth, Feb. 2, 1849.

Repair of Pilot Boat.

TENDERS will be received at this Office up to 12 o'clock on Tuesday, the 13th instant, for repairing the Fremantle Pilot Boat.

For further particulars application to be made to the Harbour Master, Fremantle.

By His Excellency's command,

R. H. BLAND,

Acting Colonial Secretary.

Printed at the "Inquirer" Office, Perth, for Elizabeth Macfaul, Government Printer.