

WESTERN AUSTRALIAN  
**GOVERNMENT GAZETTE.**

(PUBLISHED BY AUTHORITY.)

FRIDAY, MAY 7, 1841.

[NUMBER 252]

*Colonial Secretary's Office, Perth,  
April 28, 1841.*

**H**IS Excellency the Governor has been pleased to direct the publication of the following letters received from the Government at Madras; and His Excellency regrets that the tenor of them appears entirely to preclude the hopes which were entertained of obtaining a supply of labor from India.

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

*Octacumund, August 4, 1840.*

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter of the 14th May last, and in reply to transmit for the information of his Excellency the Governor of Western Australia, the accompanying copy of a communication from the Secretary to the Government of India, together with a transcript of Act No. XIV of 1839, therein referred to, from which it will be seen that Government is precluded from aiding in the emigration of Natives of this Presidency to Western Australia under contract to labor as artificers and menial servants.

I have the honor to be,

Sir,

Your most obedient servant,

**RICHARD CLIEL,**

*Secretary to Government.*

To **PETER BROWN, Esq.,**  
Colonial Secretary,  
Western Australia.

*Fort William, July 8, 1840.*

SIR,—I am directed to acknowledge the receipt of your letter dated the 24th ult., and enclosure from the Colonial Secretary in Western Australia, soliciting the aid of the Madras Authorities in measures for procuring Natives of that Presidency to emigrate to Western Australia, under contract to labour as artificers and menial servants.

With reference to this application, and to the advantage to the Public Charities at the Madras Presidency of availing themselves of the relief that would be afforded by allowing the demand for labour in Western Australia to be supplied by persons willing to accept the proffered service, your letter states that the Right Honorable the Governor in Council, would see with satisfaction a relaxation of the orders of the Government of India dated the 19th Dec. 1838, and his Lordship in Council desires to be informed whether those orders are to be considered as applying to East Indians as well as to Natives.

In reply to these questions, I am directed by the Right Honorable the Governor-General of India in Council to inform you, that the orders quoted referred to regulations that were rescinded by Act 14, 1839, and, that the Government of India is not at liberty to authorize any relaxation of the

prohibition contained in that law against contracting with, for labor to be performed in any British or Foreign Colony, or aiding or abetting Natives of India (not seamen or menial servants) in emigrating from the Territories of the East India Company to such Colony for the purpose of being employed as laborers.

The Governor in Council will remark that there is no check on the emigrant himself, but only on persons contracting with him or aiding him. Persons assisting Natives in emigrating as labourers are punishable though no contract can be proved. This would apply to the Captain of any vessel taking Natives on board to emigrate.

**G. A. BUSHBY,**  
*Secretary to the  
Government of India.*

To **H. CHAMIER, Esq.,** Chief  
Secretary to the Government  
of Fort St. George.

**ACT REFERRED TO.**

**ACT NO. 14 OF 1839.**

*Passed by the Honorable the President of  
the Council of India in Council on the  
27th May, 1839.*

1. It is hereby enacted, that Acts No. 32 of 1837, and No. 5 of 1837, be repealed on the 1st day of July next.

2. And it is hereby enacted, that on and after the 1st day of July next, every person who shall make with any Native of India any contract for labor to be performed in any British or Foreign Colony without the Territory of the East India Company, or who shall knowingly abet or aid any Native of India in emigrating from the said Territories for the purpose of being employed as a labourer, shall be liable, on conviction before any Magistrate or Justice of the Peace, to a fine not exceeding two hundred Rupees for every native so contracted with, aided or abetted, and in default of payment of such fine shall be liable to be imprisoned for a term not exceeding three months.

3. Provided always, that nothing in this Act shall be taken to apply to any Native seaman, who shall of his own free will contract to navigate any vessel, or who shall embark on board such vessel in pursuance of such contract, or to any person who shall contract to serve as a menial servant only, or who shall embark as such menial servant.

*Colonial Secretary's Office, Perth,  
April 28, 1841.*

**KING GEORGE'S SOUND OVER-  
LAND MAIL.**

**S**INCE the publication of the notice in the Gazette of the 16th inst., in regard to the Conveyance of Mails, it has been arranged that the King George's Sound Mail shall leave Perth on the 1st, and Guildford on the 2nd of every month;

and the Post Master at Albany is to have three clear days allowed him to make up the return Mails.

*By His Excellency's command  
PETER BROWN.*

*Council Chamber, Perth,  
May 1, 1841.*

**T**HE Legislative Council having met pursuant to adjournment, His Excellency the Governor read the following address.

**W. COWAN,**  
Clerk of the Council.

*Gentlemen of the Legislative Council,—*

I take this earliest opportunity, at the commencement of a new sessions, to lay before you a statement of the proceedings of government, and of the leading occurrences during the past year, whereby you may be enabled to form a judgment of the condition of the colony at the present time, and of the expectations which may reasonably be indulged in as respects the future.

I have been prevented from bringing forward, at an earlier period, this exposition of our affairs, from having been obliged to wait the arrival of several important documents from the out-posts.

I have the satisfaction of informing you that the revenue has more than realised the amount calculated upon in framing the estimates last year. I then reckoned upon 8,000*l*. The sum received by the Collector of Revenue between the 1st of April, 1840, and the 31st March, 1841, amounts to 9,650*l*. 8*s*. 2*d*.

A considerable portion of this sum is the produce of the land sales, and belongs therefore to the fund set apart for the introduction of labor. The want of servants is felt as a serious grievance by every class of colonists, whether in the management of farms and the charge of stock in the country, or as householders and artisans in the towns. The attention and endeavors of the government have been earnestly directed to apply a remedy to the evil. The exertions in consequence which are making in England have arrived at that point, that I believe even whilst I am speaking a vessel is fitting out from Liverpool to convey laborers to this country, and further arrangements have been entered into, which I expect will procure us a still larger supply before the lapse of another twelvemonth. A systematic emigration will thus be regularly commenced in favor of Western Australia. Whilst upon this subject, I wish shortly to notice a practice which is stated to prevail among the other settlements of Australia, of seducing away each others laborers. I do sincerely trust that such a proceeding will, under no circumstances, meet with encouragement from any one in this colony. It is in every way most mischievous in its tendency; unjust as respects our neighbors, whom we rob of property which has been obtained by them at a great expense; and

injurious to our own interests—for we shall not have a shadow of justice in our own complaints, if ever the arts which we may have used towards others shall be turned against ourselves.

From the liberal addition which was made in the parliamentary grant for the year just concluded, I had looked forward to the assistance of three additional surveyors, and confidently expected to have been able to announce a great improvement in the state of the surveys. My anxiety has been particularly exerted in viewing this subject by the conviction, that considerable difficulties and much future litigation, are likely to arise, unless steps are soon taken to fix the boundaries of lands already assigned, more especially in cases where, from the death or departure from the country of the original proprietors, and the sale or breaking up of the old grants, the interests involved in the land have become complicated, and call for an early settlement of this important question. Some progress has been made, though small compared with the work to be performed, in surveying and establishing boundaries, both of town and country lands, in different parts of the colony; and in order to give full effect and permanency to the surveys in the course of their proceedings, a bill is under the consideration of the government, and will be brought out before you at an early period, declaring the mode in which durable land marks are to be erected at the corners of each grant, and making the wilful defacing or destruction of them penal.

The advance which is observable within the short space of the last two years in the commerce and internal resources of the colony, will be most gratifyingly shown by a comparative statement of the returns, under three separate heads, for the years 1838 and 1840. In 1838, 12,892 tons of shipping entered the harbors of Western Australia; in 1840, these had swelled to upwards of 30,000 tons. In 1838, the exportations of wool amounted to 25,800lbs.; in 1840, 50,000lbs. weight, or nearly double that quantity shipped and sent to England. In 1838, there were 21,939 head of stock of all kinds in the colony; in 1840, they had increased to 40,000. And I have the inexpressible satisfaction to complete these evidences of the colony's well-doing—the successful reward of continued assiduity and enterprise—by observing that, whilst you have grown in wealth, and the population has received some, though no very large addition to its numbers, crime has diminished. The criminal record book shows a list of fewer offences in 1840 than it did in 1838.

The prosperity of a community, and the happiness of individuals, are promoted by the most direct and rapid communications being kept up between the different parts of a country. The two means at the disposal of the government by which this may be attained are, the formation of roads, and the exact and safe regulation of the Post-office, including the conveyance of the mails. Roads are now projected, or are in the course of formation, by the General Road Trust, and others have been, or are about to be, marked by order of the government; by which distant places will be brought nearer to each other, public and private intercourse rendered more certain, and the internal trade of the country greatly benefitted. As respects the Post, there are three districts only deficient in post-offices, and to which the

letters are not transmitted on regular stated days; and to these I anticipate the extension of this benefit in the course of the present year. I must at the same time add, that the advantages which will thus be conferred upon the colonists are purchased at a heavy cost, but I look with confidence to the concurrence of the Council in the sentiments which I have here expressed, and in the measures which have been adopted on this account by the Executive government.

The act passed during the last sessions “to promote the building of churches and chapels, and to contribute toward the maintenance of ministers of religion in Western Australia,” appears to be working well. Churches and chapels are rising in the different located districts, and through the kindness of our friends, and the applications which have been made to those most competent to aid us in England, there will, I hope, be little or no delay in supplying the places of worship with zealous, active, and pious ministers. Some difference of opinion in one particular place, has occurred, respecting the application of the provisions of the act, owing to the government feeling how necessary it was for them to exercise particular care and circumspection in the first resolutions they might come to, as these would form a precedent for all similar future proceedings. A reference has, however, been made to her Majesty's government; the reply which may be received will enable us to proceed with more confidence and satisfaction hereafter.

The commencement has been made of a colonial hospital, the advantages of which, when the arrangements are completed, will be felt in the better management of the funds, and in greater attention being bestowed upon the patients, than was practicable, so long as these were scattered in different lodgings through the town, instead of being brought together, as they now are, into one place.

In the economical appropriation of the vote which was come to last year by the Council for the establishment of schools, it has been considered most advisable to divide the sum applicable to this purpose among those which, from the number of the inhabitants, might be considered the principal stations of the colony, offering to each of them a small fixed sum for the rent of a house or room wherein to accommodate the master or mistress and scholars, throwing the onus of reward to the teachers upon the parents, whose children would be benefitted by their instructions—on the principle that every one values more highly what they may have paid for than what is bestowed upon them gratuitously. It is required that the masters and mistresses who officiate in these schools shall be approved by the government. In Perth, Fremantle, Guildford, and Albany, only have schools in this manner been established; elsewhere, the small number of scholars, together with the want of a master, has prevented the acceptance of the government offer. The influence of these schools on the general population may not be very effective, but their existence has this important consequence—that it keeps the Legislative mind full of the duty incumbent upon it, to assist in providing that means of instruction for the people which, even from this small beginning, may gradually spread itself through the country.

But the most striking event which has lately occurred in this colony is, without doubt, the establishment of the new settle-

ment at Australind, on the Leschenault Estuary. It is calculated to be of lasting and important benefit to us, by the introduction of a fresh and large supply of capital, labor, and enterprise; by bringing Western Australia forward in an imposing and attractive light before the public, and by making known its resources among influential parties in England.

The year was on the point of closing without one single act of violence being recorded against the aborigines, when the murder of a thriving and respectable settler, a husband and the father of a young family, was reported to have been committed by them at the Vasse. The principal murderer was shot in attempting to escape from those who were in pursuit of him, and another, who is declared to have been an accomplice on this unhappy occasion, is in custody, awaiting his trial.

With this one exception, the conduct of the natives has been, on the whole, quiet and peaceable—a state of things which I attribute to the judicious system adopted toward these people by the Protectors, to the activity of the police force under the superintendence of the gentleman now at their head, and to the vigilance of the resident Magistrates in the different districts.

I must here also take the opportunity of acknowledging the assistance I have received in attempting to improve the condition of these people from the Wesleyan minister, and the whole body of Wesleyans resident in Perth and its vicinity. Through their instrumentality, almost entirely I may say, a school has been set on foot, where about 25 native boys and girls are receiving instruction, and have made considerable progress in the first rudiments of useful knowledge. To this school the government contribute a moiety of the average expenditure. When not at school, the children are dispersed as servants among the settlers in the town, acquiring such a practical acquaintance with our manners and customs as may one day fit them to take their places as useful members of civilised society, able to earn their own bread by their own honest industry.

Such, gentlemen, is the statement which I have to lay before you, and I may congratulate you upon it. It shows, to my mind most clearly, that the colony is advancing in one undeviating career of activity, prosperity, and improvement.

*Colonial Secretary's Office, Perth,  
April 14, 1840.*

HIS Excellency the Governor has been pleased to direct the following Sailing Directions for the South-West Coasts of Australia, which have been furnished by the Honorable J. S. ROE, Surveyor-General, to be published for general information.

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

## SAILING DIRECTIONS FOR THE SOUTH-WEST COASTS OF AUSTRALIA.

BY J. S. ROE, SURVEYOR-GENERAL.

[CONTINUED]

VASSE AND WONNERUP INLETS.—  
*Vasse Inlet*, on the S.E. side of Geographe Bay, has its shallow bar entrance in lat. 33

deg. 35½ min. S., at the distance of 7 leagues S. 31 deg. W. (*true*) from Point Casuarina, and ¾ of a mile S.W. from the somewhat deeper entrance to *Wonnerup Inlet*—both are, however, adapted for boats only, and have not their channels always in the same place. The coast hereabouts is low, sandy, and woody, the hills of the interior rising to the height of 6 or 800 feet 6 leagues to the eastward. There is good anchorage off it during the summer months, in 3 fathoms, within ¾ of a mile of the shore, the depth gradually increasing to 6 fathoms at 2½ miles off. A white cask has been erected on a pole near the beach, about 3½ miles S. 66 deg. W. (*true*) from the entrance of the Inlet, to distinguish the landing place used by the colonists who are established on the Vasse River, and near *Wonnerup*; at both which places abundance of fresh supplies may always be obtained on a gun being fired to announce a vessel's arrival. Half a mile to the north of this *cask beacon*, is a narrow strip of weeds, on which the depth is only 9 feet, with 3 fathoms close to its north side, and 2½ fathoms between it and another weedy bank, which extends from the shore. Wood and water may be obtained here, but the best place for taking in both is 6 or 7 miles westward of the beacon.

**GEOGRAPHIC BAY.**—Although *Geographic Bay* is open to the northward and N.W., vessels have frequently rode out strong N.W. gales while at anchor off the Vasse, in 3½ and 3 fathoms, the sea appearing to lose its force amongst the weedy beds before it reaches the shipping in the usual anchorage. The whole Bay is also effectually protected by the promontory of Cape Naturalist from the long ocean swell from the S.W., which is at all times experienced outside. There are no regular times of high water in the Bay, and the rise and fall of the *Tide* does not generally exceed 2 feet. *Variation* 5 deg. W.

**FLINDER'S BAY.**—*Flinder's Bay*, round the east side of Cape Leeuwin, affords good winter anchorage off the small town of Augusta, which is situate at the mouth of Hardy's Inlet, in the N.W. corner of the Bay; shipping being protected from all

northerly and westerly winds by the main land, and by a chain of rocky islands and reefs which extend 4 or 5 miles S.S.E. from the land of the Cape. The islands are called *St. Albans*. The southernmost dry rocks are two which lie close together, and present a bluff face to the S.W., and slope to a point in the opposite direction. A *sunken ledge* extends a short distance from their S.E. side, and another a mile to the W.S.W., from which, in the direction of Capes Leeuwin and Hamelin to the N.W., the ground is foul and rocky. There are no *visible* dangers beyond a quarter of a mile from the east side of the islands, and the *best anchorage*, recommended by the master of H.M.S. *Sulphur*, is in 7 fathoms, stiff brown clay, with the Barracks or flagstaff bearing W. ¾ N., extreme point to the S.W. (Point Mathew) S.W. ½ S., and centre of the principal island S. ½ E. Since that period, however, Captain John Colé, of an American whaler, has reported the existence of a *narrow rocky ledge* "bearing S.E. by E. ½ E. from the Barracks, and N.E. from the S.W. extremity of the land,—steep and pointed,—not above 3 yards over, but of some extent,—with 22 feet water on the shoalest part, 7 fathoms close on the east side, and 6 fathoms on the west side of it." This should prevent a ship of heavy draft of water proceeding northward of the Barracks, until Point Mathew bears to the southward of S.W., or until this danger is better known. From Barrack Point to the entrance of the Inlet, a long mile to the north, the shore is fronted by reefs, nearly a-wash, between which are boat channels to the sandy beach on the main. Good water is to be had from a running stream on north side of the flagstaff; fresh provision may generally be procured from the few remaining inhabitants—and firewood is abundant within the Inlet—but the bar at its mouth is very shallow, having seldom more than 2 or 3 feet water on it except in winter, when the freshets from the river deepen it to six feet, independent of a rise of 3 feet more occasionally caused by N.W. gales. There appear to be no regular *Tides* in the Bay, and their usual rise and fall not to exceed 2 or 3 feet. *Variation* 5 deg. West.

During the summer months, land and sea breezes prevail, interrupted occasionally by smart gales from the S.E., blowing directly into the Bay, and distressing vessels not well found in ground tackle.

(*To be continued.*)

Colonial Secretary's Office, Perth,  
April 28, 1841.

#### SURRENDER OF LAND.

THE undermentioned application for the Surrender of Land, having been received in conformity with the public notice issued on the 29th of September, 1837, His Excellency the Governor has been pleased to direct the same to be notified for the information of parties who may be in any way interested:

William Tanner—1,107½ acres of land from part of a location on Swan River, formerly assigned in occupancy to Mr. George Williams.

By His Excellency's command,  
PETER BROWN.

Colonial Secretary's Office, Perth,  
April 28, 1841.

#### SALE OF LAND.

THE Collector of Colonial Revenue will offer for sale by public auction, at the Public Offices, Perth, on Wednesday, the 1st of June next, at one o'clock,—

Kojonup location No. 2, comprising twelve hundred and eighty acres, in form of a double square, adjoining the S.E. side of the reserve of Balgarup town-site, and extending due NE from Balgarup River, with a width of 80 chains.

This land has been in the occupation of Mr. J. L. Symers, by whom several improvements have been effected, comprising buildings, stock-yard, well, and cultivation.

For further particulars reference to be made to the Surveyor-General, and Collector of Revenue.

By His Excellency's command,  
PETER BROWN.

Printed by CHARLES MACFAULL,  
Government Printer.