

# WESTERN AUSTRALIAN GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY.)

FRIDAY, JUNE 30, 1843.

[NUMBER 361

*Colonial Secretary's Office, Perth,  
June 20, 1843.*

Tenders in triplicate will be received at this office on Tuesday, the 4th of July next, for supplying, for the use of the prisoners in Fremantle Jail, the following articles—

- (12) twelve pair trousers
- (6) six jackets
- (1) one dozen shirts.

For particulars application to be made to the Resident Magistrate of Fremantle, to whom samples of the articles must be shown.

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

*Colonial Secretary's Office, Perth,  
June 14, 1843.*

## LAND REGULATIONS.

The Act of Parliament 6 Victoria, chap. 36, for regulating the Sale of Waste Land in the Australian Colonies, having rendered some alterations necessary in the mode of disposing of crown lands in this colony, His Excellency the Governor, with the advice of the Executive Council, is pleased to declare that, from and after the publication of this notice, the following regulations shall be established in the place of those hitherto in force relative to the sale of land:—

1. That once at least in each of the four usual quarters of the year there will be held a public sale by auction; that sales will, however, be held oftener if there is a demand for land; and that all sales, except as hereinafter mentioned, must be by auction.

2. That lands will be brought forward for sale in three different classes—

- 1st. Town Lots.
- 2nd. Suburban Lots.
- 3rd. Country Lots.

The town lots will comprise all lands within the limit of any township, and will differ in no respect from what have hitherto been called town allotments.

The suburban lots will comprise all lands situated within five (5) miles of a town. But under the provisions of the Act, it will be competent for the Governor to exclude any lands from the class of suburban lots, if he shall consider that they will not derive any increased value from their vicinity to a town.

The country lots will comprise all other lands.

3. That the intention of holding sales of land will be notified by proclamation. The exact number of lots to be sold, and the situation and extent of each, will be specified as well as the intended day of sale.

4. That such proclamations shall be issued not more than three months, nor less than one month, prior than the day of sale.

5. That the Government, on the reports of the Surveyor-General, will arrange the time and manner of bringing forward lands for sale, as well as determine the size of the sections in which they are to be sold,—subject however to the restrictions imposed by the Act, which are: first, that no lands shall ever be put up at less than (20s.) twenty shillings the acre, and secondly, that, of country lots brought forward for the first time, not more than one-tenth shall be put up at a higher price than twenty shillings the acre.

6. That persons desirous of obtaining lands already surveyed by Government, are to make their application in the annexed form A; or, if a private survey of the land applied for is required, the application will then be made according to the regulation B in the schedule.

7. That although the Government reserves to itself the right of bringing lands forward for sale whether in the country or in towns, in allotments of such size and extent as may appear best suited to the public demand, the following rules will be departed from as little as possible.—

1st. Country lands will be put up to sale in sections of from 160 to 640 acres at the minimum price of (20s.) twenty shillings the acre. Six hundred and forty acres being the largest quantity which can be sold by auction in one lot under the act.

2nd. Lands in particular situations, which will be designated as "special country lots" will be put up to auction in sections of from 20 to 160 acres each, at such minimum price as may seem advisable to the Government, and which price will be notified previous to the day of sale.

3rd. The allotments in each town will be sold by auction at such prices as may be fixed for them from time to time by the Government.

4th. Suburban lots will be laid out and sold by auction in sizes varying from 10 to 50 acres, the prices of which will be previously notified.

8. That a deposit of 10 per cent will be required on the fall of the hammer, and the remainder within one calendar month, or the land purchased and the deposit will be forfeited.

9. That country lots, including such as are designated "special country lots," which may have been exposed to public sale subsequent to the date of this notice but not sold, or upon which the deposit shall have been forfeited, may at any time be purchased at their upset price by the first person who may apply and pay for them.

10. That the preceding rule is not however to extend to town or suburban allotments, nor to any land that may at the time be held under license from the crown, until the expiration of such license.

11. That no application on the part of any individual to purchase lands which have been exposed to sale and not sold, or which may have reverted to the crown after sale, will be recognised unless the full price of such lands shall be paid at the time of application.

12. That every such selection without competition, must be made in writing in the annexed form (C), and delivered personally at the office of the Colonial Secretary, or of the Resident Magistrate of the District in which the land may be situated, by the party himself, or his duly authorized agent.

13. That persons purposing to invest money in land will be allowed to deposit the same with the Government, for which receipts will be given, and which will be available in the purchase of land from the crown, but no money so deposited will under any circumstances ever be returned.

14. That certificates in the form prescribed by the act, from Her Majesty's land and Emigration Commissioners in London, of the payment of any sums for the purchase of crown lands in this colony, will also be received as equivalent to the amount of money for which the same may be respectively given, in the purchase of lands under these regulations.

15. That should the number of acres purchased be less than the sum deposited, the difference or balance will remain with the Government as a credit for the purchase of land in favor of the holder of the receipt,

and in such case the receipt will be returned to the holder with an endorsement specifying the extent to which it has been used.

16. That certificates granted by the Colonial Secretary in pursuance of the Regulations of the 1st August, 1838, to retired officers of the Army and Navy, and of the East India Company's Service, of the amount of remission to which they are entitled in the purchase of crown lands, will be received in payment for any purchase under these regulations,—but such certificates will in no case be transferable, and the title deeds of the lands purchased in whole or in part by means of the same, will be made out in the name of the officer in whose favor the certificate is granted; and such title deeds will not be deliverable until the expiration of two years from the date of purchase.

17. That should two or more parties holding deposit receipts, land orders, or remission orders, claim the same lot of land on the same day, under the 9th and 10th regulations, and the priority of their respective claims not admit of settlement in any other way, such priority will be determined by the priority in the date of document under which they respectively claim, whether it be a deposit receipt, a land order, or a remission order; but, as already stated, no claim will be admitted unless the payment shall be completed.

18. That a Deed of Grant from the Crown will be issued to the purchasers of crown lands, conveying to them all that is above, and all that is beneath the surface, with the following exception only:—in country lands, or in suburban allotments, the right will be reserved of opening roads through the lands, or of making canals, bridges, railroads, towing-paths, or other works of public utility; the right also of taking clay, sand, stone, gravel, and indigenous timber for the construction or keeping in repair, under lawful authority, of roads, bridges, canals, railroads, towing-paths, and other works of public convenience.

19. That on the sea coast, and on every navigable river, harbor, or inlet of the sea, Government will cause lots to be measured only to within one hundred feet of high water mark whenever it may be considered necessary to reserve the sea or river frontage.

20. That a quit rent of a peppercorn on each grant will be the only rent reserved, payable if demanded. No conditions respecting the nature of the buildings to be erected, or improvements to be made, will be inserted in the deeds, except in particular cases where such may be rendered necessary by peculiar circumstances, and where such conditions may have been notified at the time of sale.

21. That as long as any of the remission tickets which have been issued for lands surrendered continue in circulation, they will be received in payment only for country lands, and the quantity of such land applied for must in no instance be less than the number of acres each respective ticket represents.

22. That persons desirous to purchase from the Government by private contract any block of unsurveyed land comprising 20,000 acres or more, may do so by making special application. All such lands must, however, be measured, as nearly as the natural features of the country will admit, in the form of a parallelogram, of which no one side shall be more than twice the length of any other, and the price shall not be less than (20s.) twenty shillings the acre, nor will the purchaser be entitled to

any survey of the land, except so far as may be necessary to ascertain the external boundaries of the same.

23. That a fee amounting to forty-five shillings sterling is payable on Deeds of Grant from the Crown; and no Deed will be delivered until this fee is paid.

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

**FORMS REFERRED TO.**

(A)

Names of Applicant and place of residence in full length.	No. of acres.	County or District.	Reference on maps in Survey Office.	Description of land, whether surveyed, unsurveyed, forfeited for non-payment, or offered for sale and not sold.	Remarks.

To the Honorable the Colonial Secretary.  
 Approved,  
 \_\_\_\_\_, Governor.  
 I certify that this land is open for selection,  
 \_\_\_\_\_, Surveyor General.  
 Applicant's signature.  
 Date.

Application to Purchase Crown Lands in Western Australia.

(B)

**Regulations for Private Surveys of Land.**

Applications to purchase land from the Crown in districts and situations not yet surveyed, must be addressed by letter to the Colonial Secretary, and contain full particulars as to the quantity and limits required; the district in which the land is situated; its relative position, as far as it can be ascertained from the nearest appropriated land; and the name of the party by whom an actual chain survey of the required land is to be made. Should the proposed arrangement prove unobjectionable, the parties will be referred to the Surveyor-General, who will point out the manner in which the survey should be proceeded with, and to whom a map of the survey, the several details on which it is grounded, and a satisfactory account of the expense incurred, are to be given in. On approval of the survey, application for purchasing the required land must be made in form (A) annexed, and the purchaser (if not the person who originally incurred the expense of survey) will be required to pay such amount of expense as may be approved by the Government, in addition to the price at which the land may then be sold at public auction.

No abatement of purchase-money can be made on account of any surveys thus performed; nor will any deficiency in quantity be made good, if subsequently discovered.

Land thus applied for must be selected in one block, in shape as nearly square as

possible, or in length not exceeding three squares, with the boundaries lying in the same direction as those of other lands granted by the Crown in the same district. Not more than one-fourth of the external boundaries of any selection can be allowed on any river or open water.

(C)

**Selection of Land under Regulations of 14th June, 1843.**

Place.  
Date.

SIR,—I have the honor herewith to tender to you the sum of (here state the amount in words at length and in figures) as the price of lot \_\_\_\_\_ of country lands put up to auction at the sale of crown lands held at (here state the place of sale) on the (here state day, month, and year of sale), now remaining unsold and open to selection under the Regulations of the 14th June, 1843, and of which the following is the description (here insert the description published in the Government Gazette before the sale).

Subjoined are the requisite particulars of the names and residence of the party in whose favor it is desired the deed of grant may be made out, viz:—

Surname.  
Christian name, in full length.  
Residence.  
I am,  
Sir,  
Your obedient servant,

To the Honorable the }  
Colonial Secretary. }

Colonial Secretary's Office, Perth,  
June 22, 1843.

His Excellency the Governor is pleased to direct the publication of the following notice, issued by the Resident Magistrate of Fremantle, respecting the sale of a town allotment.

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

Resident's Office, Fremantle,  
June 16, 1843.

The Sub-Collector of Revenue will put up for sale by public auction, at the Public Offices, Fremantle, on Monday, the 17th day of July next, at one o'clock, the under-mentioned allotment, subject to the existing regulations—

Fremantle town allotment No. 144.

For further particulars application to be made to the Hon. the Surveyor-General, Perth.

**R. McB. BROWN,**  
Resident.

Colonial Secretary's Office, Perth,  
June 23, 1843.

His Excellency the Governor is pleased to direct the following notice, issued by the Resident Magistrate of Bunbury relative to the sale of allotments, to be published for general information.

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

Bunbury, June 11, 1843.

The Sub-Collector of Revenue will put up for sale by public auction, at the Public Offices, Bunbury, on Monday, the 10th day of July next, at 12 o'clock, the under-mentioned town allotments, subject to the existing regulations—

Bunbury town lot No. 197  
Do. No. 209

For further particulars application to be made to the Sub-Collector, or Assistant-Surveyor.

**GEORGE ELIOT,**  
Resident.

Colonial Secretary's Office, Perth,  
June 7, 1843.

Notice is hereby given that the Collector of Revenue will offer for sale by public auction, at the Public Offices, Perth, on Wednesday, the 5th day of July next, at

One o'clock, the undermentioned town allotment, subject to the existing regulations—

Guildford allotment No. 5.

Further particulars may be obtained on application to the Hon. the Surveyor-General, and Collector of Revenue.

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

General Post Office, Perth,  
June 28, 1843.

**LIST OF UNCLAIMED LETTERS.**

- Agett, Richard
- Brown, Dennis
- Brown, William
- Buttrey, William
- Barney, Edward
- Brown, W. H.
- 2 Baker, Mr.
- Butterworth, John
- Barron, Edward
- Bagley, Thomas
- Cole, Daniel
- Durlacher, A.
- Foster, William
- Gee, William
- Harrenden, Fanny
- Hannan, Miss
- Hennell, C.
- Harwood, J.
- James, Mr.
- Johnson, Thomas
- Kelly, Timothy
- Knight, James
- McKenna, J.
- Liversidge, William
- Landor, Augustus
- Mayo, Richard
- Millar, J.
- Milligan, V.
- Minard, Mr.
- Moore, R.
- Maxworthy, G.
- Orr, A. J.
- Parsons, John
- Parsons, Thomas
- 2 Pengilly, J. R.
- Quinn, M.
- Skippon, William
- Smith, John
- Sinclair, James
- 2 Seabrooke, John
- Sheridan, John
- Stewart, James
- Turner, William
- Taylor, John
- Thicket, John
- Waldan, James
- Webber, Samuel
- Wood, Mr. junr.
- Wood, William
- Westwoode, James Henry
- Westover, W.

**H. CAMFIELD,**  
Postmaster-General.

**GENERAL ROAD TRUST.**

THE Quarterly Meeting of the Trustees of the General Road Trust will be held at the Court-house at Perth on Wednesday, the 5th July.

**J. W. HARDEY,**  
Chairman.

Perth, June 15, 1843.

**QUARTER SESSIONS.**

Notice is hereby given, that the next General Quarter Sessions of the Peace of our Lady the Queen for the Colony of Western Australia, will be holden in the Court-house at Perth, in the said Colony, on Monday, the third day of July next ensuing, at the hour of nine in the forenoon of the same day.—Dated at Perth this 12th day of June, in the year of our Lord one thousand eight hundred and forty-three.

**A. H. STONE,**  
Clerk of the Peace.

Printed by **CHARLES MACFAULL,**  
Government Printer.