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OF

WESTERN AUSTRALIA.

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[1846.

Colonial Secretary's Office, Perth
October 8, 1846.

His Excellency is pleased to direct it to be published for general information that he has provisionally appointed the Honourable the Advocate General, G.F. Moore, Esquire, to act Officially as Colonial Secretary, as he has for some time past kindly discharged the duties of that Office at His Excellency's request, on account of the severe indisposition of Mr. Brown.

By His Excellency's command,

G.F. MOORE.

Colonial Secretary's Office, Perth,
October 7, 1846.

His Excellency the Governor is pleased to direct it to be notified for general information, that the Filly described hereunder will be put up to sale by public Auction, by the Collector of Revenue at Perth, on Wednesday the 28th instant, at one o'clock.

A light bay filly, rising 3 years, with a small white star in the forehead.

The above joined the herd of Mr. D. Jones, Helena Farm, in May, 1845, and notice of the same was given in the Inquirer newspaper of 18th June and 2nd July following. - No claimant has appeared.

By His Excellency's command,

(Signed for) PETER BROWN,

Colonial Secretary,

G.F. MOORE.

PROCLAMATION.

By His Excellency ANDREW CLARKE, Esquire, K.H. Governor and Commander-in-Chief in and over 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 portion of land in the District of Perthshire, will be offered for sale by Public Auction, by the Collector of Revenue, at Perth, on Wednesday the 28th day of this present month, at the upset price affixed thereto, on the terms and conditions set forth in certain land regulations dated the 14th June, 1843.

Perth Suburban Lots, No. 19 and No. 21, containing about 4 acres each, and situate on Lake Sutherland.

Upset price, £3:10s. per acre.

Given under my Hand and Seal, this first day of October, 1846.

ANDREW CLARKE,

Governor and Commander-in-Chief.

GOD SAVE THE QUEEN!!!

By His Excellency's command,

(Signed for) PETER BROUN,

Colonial Secretary.

G.F. MOORE.

Colonial Secretary's Office, Perth,
October 9, 1846.

His Excellency the Governor, is pleased to direct the publication for general information, of the following Despatch, which has been received from the Right Hon. the Secretary of State for the Colonies.

By His Excellency's command,

G.F. MOORE,

Acting Colonial Secretary.

No. 7.

Downing Street, Jan. 15, 1846.

Sir,- I have had under my consideration your predecessor's despatch, No. 59, of the 20th August last, enclosing a Memorial addressed to Lord Stanley, by the Legislative Council of Western Australia, who, in order that they may be enabled to undertake various public works and improvements in the colony, pray that Her Majesty's government will sanction in advance out of the Imperial Treasury of the sum of Ten Thousand Pounds, at a certain amount of interest and on certain conditions as to security and the mode of repayment.

I regret to inform you in reply that the principles on which the government have on all occasions been guided in the consideration of similar petitions from other colonies, are such as to preclude me from recommending this application to the Lords Commissioners of the Treasury.

At the same time I would express to you my hope that the vent which now appears likely to be formed for exports from the colony, may eventually lead to such improvement in its finances as may afford the means of accomplishing the objects sought by the memorialists.

I have the honour to be, Sir,
Your most obedient servant,

(Signed)

W.E. GLADSTONE.

Governor Clarke, &c., &c.

Colonial Secretary's Office, Perth,
October 21, 1846.

His Excellency the Governor has been pleased to direct the publication of a General Order which has been issued by the Hon. the Commandant, giving publicity to, and putting into operation in this colony, the Mutiny Act for the current year, in conformity with the 32nd section of the said Act.

By His Excellency's command,

G.F. MOORE,

Acting Colonial Secretary.

HEAD QUARTERS.

Perth, Western Australia,
October 7, 1846.

General Order.

The Act of Parliament for punishing Mutiny and Desertion, passed the 2nd day of April, in the current year, having been received at this station - Notice is hereby given that, by virtue of the 32nd clause in the said Act, it is and will continue in force in this colony from the date of this promulgation inclusive until the 1st day of February 1849, or until the receipt and promulgation in general orders of the Mutiny Act for the ensuing year.

(Signed)

F.C. IRWIN,

Major and Commandant.

Colonial Secretary's Office, Perth,
October 14, 1846.

His Excellency the Governor, has been pleased to direct the publication of the following despatch from the Right Hon. the Secretary of State for the Colonies, for general information.

By His Excellency's command,

G.F. MOORE,

Acting Colonial Secretary.

No. 5.

Downing Street, Jan. 14, 1846.

Sir, - Having caused an extract of so much of Governor Hutt's

dispatch of the 28th of March last, No. 11, as related to the admission of Western Australian Timber into her Majesty's dockyards in this country, to be forwarded for the consideration of the Lords Commissioners of the Admiralty, their Lordships have apprised me that a contract has been entered into for the supply of four hundred loads of Blue Gum timber from the colony, to be delivered at Chatham Dockyard, subject to the approval of the authorities there.

Their Lordships have further stated that this delivery has not yet taken place, and therefore, that they deem it expedient to await the result of the above mentioned contract, before taking any measures for a further supply of such timber.

I have the honour to be, Sir,
Your most obedient servant,

(Signed)

W.E. GLADSTONE.

Governor Clarke, &c., &c.

Colonial Secretary's Office,
October 13, 1846.

His Excellency, the Governor, has been pleased to direct the publication of the following extract from the Secretary of State's despatch No. 12, of the 14th February, 1846, lately received, in reply to Governor Hutt's despatch No. 38, of 15th August, 1845, enclosing a series of resolutions passed by a majority of the Legislative Council in the Session of 1845, on the subject of the system under which the sales of Land are conducted in this colony.

"I referred this despatch now under consideration, together with its enclosures, to the Colonial Land and Emigration Commissioners, and I fully concur with the Land and Emigration Board that the system of Land sales must remain untouched."

His Excellency further directs to be published the following extract from the Report of the Colonial Land and Emigration Commissioners enclosed in the Secretary of State's despatch:-

"So lately as the 27th of May last, we had the honor to submit a favourable report on a Law passed by the Legislative Council for regulating the occupation of Crown Lands, and the reasons which had weighed against a previous proposal to include in such a law, an absolute right of pre-emption in favor of squatters, will be found alluded to in our annual report of 1843, and a despatch from Lord Stanley in which the decision of her Majesty's government was embodied, is printed with that document. Subsequently to that time important discussions have arisen in New South Wales on a similar question, and it is very probable that when terminated they will throw much light on the best mode of dealing with the subject in the neighbouring colonies. But in the meanwhile, considering how recently a law on the subject has been adopted in Western Australia, and adverting to the objections to such an unqualified right of pre-emption as is contemplated in the present Resolution, we do not think that there are sufficient grounds at the present moment to revise the existing Regulations."

By His Excellency's command,

G.F. MOORE,

Acting Colonial Secretary.

Colonial Secretary's Office,
October 15, 1846.

His Excellency the Governor is pleased to direct it to be notified for general information, that he has granted an extension for a further period of three months of leave of absence to Mr. Brun, on account of the protracted indisposition of that gentleman, and that he has appointed Mr. Moore as Acting Colonial Secretary, until further notice.

By His Excellency's command,

G. F. MOORE,

Acting Colonial Secretary.

P R O C L A M A T I O N.

By His Excellency ANDREW CLARKE, Esq., K.H. Governor and Commander-in-Chief of the Territory of Western Australia, and Vice Admiral of the same.

WHEREAS the under mentioned Ordinance, enacted by the Governor of Western Australia with the advice and consent of the Legislative Council thereof, was passed in the ninth year of Her Majesty's reign:-

9 Vict. No. 3. An Ordinance to authorise the Governor of Western Australia to raise the sum of £2000 on loan for the erection of a Gaol, or for other public services of this colony.

NOW, therefore, I, the Governor, do hereby proclaim and make known to all whom it may concern, that her Majesty has been pleased to disallow the same.

Given under my hand and seal at Perth, this ninth day of October, one thousand eight hundred and forty-six.

A. CLARKE,

Governor, &c.

GOD SAVE THE QUEEN!!!

By His Excellency's command,

G. F. MOORE,

Acting Colonial Secretary.

With reference to the above mentioned Act, His Excellency has directed the following extract from the Secretary of State's despatch, dated 14th March, 1846, to be published:-

"The anticipation of the Local Revenue, as proposed by this loan, is a course of proceeding to which I am strongly opposed, more especially in the case of a colony like Western Australia where the local revenues are not only very limited in amount but are moreover at present barely sufficient to meet the current pecuniary emergencies of the local government, and where the prospect of an early increase is so very uncertain."

"Adverting however to the serious detriment which must result from the present position of the Gaol, as well as the insufficiency of the room for any classification of the prisoners, I should have been prepared to submit this Ordinance for Her Majesty's confirmation, if the application of the money raised had been restricted to the construction of the new Gaol at Perth, but on referring to the provisions of the 2nd clause of the Ordinance, I find that other appropriations are there authorised of the money that may be raised under it, if not amounting to the sum of Two thousand pounds."

"For these reasons I have felt compelled to advise the Queen to disallow this Act."

Colonial Secretary's Office, Perth,
October 15, 1846.

His Excellency the Governor has been pleased to appoint W.L. Brockman, Esq., to be Resident Magistrate of the Swan River District.

By His Excellency's command,

G.F. MOORE,

Acting Colonial Secretary.

PROCLAMATION.

By His Excellency, ANDREW CLARKE, Esq. K.H. Governor and Commander-in-Chief of the Territory of Western Australia and its Dependencies, and Vice Admiral of the same.

WHEREAS, the under mentioned Ordinances were enacted by the Governor of Western Australia with the advice and consent of the Legislative Council thereof:-

- 6 Vict. No. 7. An Act to explain and amend certain Acts now in force relating to the Building of Churches and Minister's Dwellings.
- 8 Vict. No. 12. An Ordinance to remove doubts as to the power of Justices of the Peace of the Colony of Western Australia to inflict penalties under certain Acts of Parliament.
- 8 Vict. No. 11. An Ordinance for avoiding unnecessary repetitions in the Ordinances of the Governor and Legislative Council of Western Australia.
- 9 Vict. No. 1. An Ordinance for applying certain sums arising from the revenue receivable in the Colony of Western Australia to the service thereof for the financial year commencing 1st April, 1846.
- 9 Vict. No. 2. An Ordinance to provide for the maintenance and relief of deserted wives and children and other destitute persons, and to make the property of husbands and near relatives to whose assistance they have a natural claim, in certain circumstances available for their support.
- 9 Vict. No. 4. An Ordinance to make provision for the trial of criminal offences at Albany and other remote districts in the colony of Western Australia.
- 9 Vict. No. 5. An Ordinance to regulate the constitution of Juries for the trial of criminal offences at Albany and other remote districts of the colony of Western Australia, and to limit the right of challenge to some extent in certain cases.
- 9 Vict. No. 6. An Ordinance to provide for the conveyance and postage of letters.

NOW therefore, I, the Governor do hereby proclaim and make known to all whom it may concern, that Her Majesty has been graciously pleased to confirm and allow the before mentioned Ordinances.

Given under my hand and seal at Perth, this fifteenth day of October, one thousand eight hundred and forty-six.

A. CLARKE,

Governor &c.

GOD SAVE THE QUEEN!!!

By His Excellency's command,

G.F. MOORE.

Acting Colonial Secretary.
