



Government Gazette

OF

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[1846.

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

His Excellency the Governor, has been pleased to direct the publication of the Annual Reports of the Protectors of the Natives for the districts of Perth and York.

By His Excellency's command,
PETER BROUN.

Perth, January 9, 1846.

Sir,-In having the honour of submitting to His Excellency the Governor, my annual Report for 1845, it affords me much pleasure in being able to assure his Excellency of the continuance of those amicable relations which have so long subsisted between the Native and European population.

The aggressions on the property of the settlers which are occasionally committed by the aborigines, may, in most instances, fairly be attributed to the causes to which I have had reason to advert in some of my former reports, viz.-in some cases, to the very inadequate means of securing property-and in others, to the culpable neglect of doing so. Instances have repeatedly been brought to my notice, where stores have been repeatedly left unwatched in buildings detached from the dwelling house, sometimes without the protection of a lock, and thus these precautionary measures, which would be vigilantly enforced in a more civilised country, are wholly neglected in the midst of a roving, lynx-eyed, and ever hungry native population. We daily pray that we may not be led into temptation, why not, in this respect, do unto our ignorant brethren of the bush, as we desire should be done unto ourselves? Afford them at least a reasonable chance of avoiding not only the pains and penalties of Rettnest, but the immediate consequences of the anger of some irritated settler.

I am gratified at finding that a suitable lock-up or place of temporary detention for native offenders, is at length in course of erection in the southern district. It was a point which I have earnestly pressed on the attention of the Government, considering it an object of much greater importance than might at first be supposed. The escape of a native after apprehension, when it arises, as in many

cases, from the inadequate means of detention, tends not only to discourage and damp the energy of the police constable, whose caption is generally made at the cost of much time, trouble, and expense, and at some personal risk, but is productive of more serious evil than in the case of a European.

Our failure is his triumph—our weakness his strength—the relation of his prowess or ingenuity in evading the law, serves as an incentive to future acts of aggression, and thus both our moral and physical influence over the cunning and successful savage is proportionably diminished.

His Excellency will be pleased to learn that throughout the whole of the southern district, from which I have but lately returned, the most perfect tranquility prevails. In fact, so well inclined are the aborigines generally to acknowledge our supremacy, and admit our interference in their social polity, that I conceive we may now safely direct our attention to the suppression of those acts of sanguinary vengeance and reprisal amongst themselves, which not only are a most serious present evil, but are handed down as perpetual heir-looms of deadly feud from father to son. In alluding to this subject, I do not however advocate the policy of general interference in the ordinary contentions which must of necessity arise amongst an uncivilised people; but merely the expediency of making an example of such individuals as may have acquired notoriety for acts of tyranny and bloodshed amongst their more peaceably disposed fellow countrymen. In any such extreme case, when legal conviction ensues, I earnestly hope that his Excellency will permit the enforcement of the full penalty of the law, as the only certain preventive of a crime now rather on the increase.

I trust that the manner in which during the last six years, I have fulfilled the duties of Protector of Natives, will protect me from the imputation of undue severity, when I unhesitatingly assert that the severe judicial punishment of one native is often the most merciful boon that humanity can concede to the survivors.

The native schools at Fremantle and on the Upper Swan offer no novel subject of remark. The number of pupils has not increased, but this is solely attributable to the lack of necessary funds and not to any positive disinclination of the parents to commit their children to our charge. The progress made in the elementary branches is on the whole steady and encouraging. With reference to our native school, or rather establishment, at Perth, it will be necessary to enter into a few short details, explanatory of some changes lately effected in its plans and operations. This school, now five (5) years in existence, has, until the last sixteen (16) months, been exclusively confined to the premises of the Wesleyan Mission in Perth, and the educational part to the usual elementary rudiments. But sufficient time having now been consumed in overcoming the first difficulties of so novel an experiment, it was found requisite to open a wider field to test the capabilities and enlarging the sphere of usefulness of the pupils, and at the same time endeavouring to lighten the very heavy expenses of their maintenance, amounting, on an average, to upwards of four hundred pounds (£400) per annum, the whole of which sum, with the exception of seventy-five pounds (£75) from the colonial chest, is defrayed by the Wesleyan Missionary Society. The deaths of several and the declining health of many of the children, attributable, it is believed, to the change of diet and their artificial and confined mode of life, was another and most influential reason for some alteration in the existing system of management; accordingly, about sixty (60) acres of available land, about 11 miles north of Perth, having been purchased by the Committee, the pupils in August, 1845, removed to their new location, where with the exception of the females, who returned to Perth during the winter months, they have ever since remained. I am happy in being enabled to state that hitherto the change has been productive of the hoped for results. Such pupils, as on leaving Perth, evinced symptoms of disease, have recovered, with the exception of two or three cases, which were even then considered hopeless by the medical attendant. The establishment now comprises twenty-four (24) pupils, twelve (12) males, and twelve (12) females, of ages varying from 6 to 19. Of this number, four couples have been married within the last two years, and one of the girls has lately married a young white man, who is employed in the establishment as overseer and instructor of the native lads in the mysteries of shingle-splitting, timber sawing, and general

agricultural operations, in which they have attained much proficiency. This overseer and his native wife receive £20 per annum for their services.

Since the occupation of the land above alluded to, above 15 acres have been cleared and planted, a stock-yard, sheds, and substantial fences erected, and various buildings are in the course of completion. The pupils receive wages, varying to age and capabilities, from 4s. to 10s. per month, out of which they are expected to find their simple articles of clothing - their board and all the contingent expenses being defrayed by the committee.

The weekly division of occupation is as follows:- Two days (of six hours each) are devoted to gardening and other agricultural pursuits - two to shingle splitting, brickmaking, and timber sawing - and the remaining two to fishing and hunting, thereby in a great measure providing for the support of the establishment. The females, in the meanwhile, are engaged in cooking, washing, and other domestic duties.

Amongst these various occupations, the purely scholastic part of their education is by no means neglected, although that the progress is less rapid than heretofore, may naturally be inferred.

The Native Convict Establishment at Rottneat, continues to give proof of the well-working of the system pursued so energetically by Mr. Vincent, the superintendent. Not only (as observed in previous reports,) might the dwelling house and farm buildings in comfort, convenience of arrangement, and solidity of erection, serve as worthy models for our colonists generally but the agricultural operations are rapidly assuming that importance which promises at no very distant period, to throw a considerable quantity of surplus produce into the colonial market. The health of the prisoners, 30 in number, has been good during the past year, and the superintendent speaks favourably of their general conduct. But two instances of corporal punishment have occurred during that period. Two natives had died, both, (as proved at the post mortem examination,) from disease on the lungs.

I herewith subjoin a statement of the receipt and expenditure of the Rottneat establishment for the past year, which I have endeavoured to make as accurate as circumstances would permit and have the honour to be

Sir,

Your very obedient servant,

CHARLES SYMONS.

Protector of Natives.

The Honourable the
Colonial Secretary.

EXPENDITURE.

| | |
|--|----------|
| To Meat rations, clothing, &c., for 30 prisoners, and purchase of Agricultural and other implements..... | 202 0 0 |
| To percentage to superintendent for erecting barracks &c..... | 30 0 0 |
| To boat hire..... | 30 0 0 |
| To salary of superintendent..... | 100 0 0 |
| To ditto assistant overseer..... | 18 0 0 |
| | <hr/> |
| | £380 0 0 |

RECEIPTS.

| | |
|--------------------------------|----------|
| By 30 tons of Salt, at £3..... | 90 0 0 |
| Sale of Flour..... | 23 0 0 |
| " Barley..... | 25 0 0 |
| | <hr/> |
| | 138 0 0 |
| Balance..... | 242 0 0 |
| | <hr/> |
| | £380 0 0 |

York, January 1, 1846.

Sir, -I have the honor to transmit to you for his Excellency's perusal, my annual report of affairs connected with the aborigines in the district assigned me as Protector.

I am happy to say that I can report favourably of the continued good conduct of the natives in that part of the district from Northam so far south as the locations extend on the Avon and Dale rivers, a distance of about fifty miles; the natives inhabiting the southern portion of this country, were formerly very daring and troublesome, but have of late conducted themselves in a peaceable manner, still however occasionally committing some such minor offences as robbing shepherd's huts, (frequently wholly unprotected,) and stealing provisions from settler's houses, &c. I have only one case of sheep stealing, in this part of the district, during the past year, a single sheep only having been taken.

I regret not being able to report quite so favourably of the conduct of the natives of that portion of the district lying between Northam and the Victoria Plains. In the valley of the Toodyay several cases of sheep stealing have occurred, unattended however with any attempt at violence or intimidation, a few complaints have been made in the same district of sheep stations robbed, &c., all being cases of minor import except one, which occurred at a sheep station near Northam, in charge of a boy as hut keeper; a number of natives came, and having caught the boy, three of them held him down, while the others rifled the hut of all the provisions it contained; yet in this, which may be regarded as an aggravated case, an unwillingness to commit murder is observable, far different from the spirit which actuated the natives in earlier days, under similar circumstances.

Warrants have been issued to apprehend the principal persons concerned in these offences, and I have no doubt they will shortly be secured.

I lament extremely having to report the death of a European, by the hand of a native, which native was afterwards shot by the Superintendent of Police, who found it necessary to fire in endeavouring to apprehend him. As this case however, and all particulars connected with it, was fully reported to his Excellency at the time, it is unnecessary for me to say more upon the subject.

A considerable number of natives, principally boys and young men, are as usual employed by the settlers in herding stock, &c., and some few in reaping corn and other farming operations; but as very little dependence can be placed upon their promises to remain in service for any length of time, fewer are on that account employed.

I have much satisfaction in noticing a continued disposition on the part of the natives in the neighbourhood of York, to apply for advice and medicine in cases of sickness, all that have presented themselves or that could be persuaded to attend, have received food and medicine so long as they required it, and I hope that the gratuitous assistance thus rendered, will have its proper effect in promoting a feeling of confidence on their part, in the motives by which we are actuated.

In recurring to the experience of past years, and comparing the relative situation of natives and settlers then and at present, there is much worthy of observation, and much I think to encourage hopes of the continued efficacy of the means hitherto used for the restraining and correcting the feelings of both parties, and promoting a good understanding between them. Seldom do acts of aggression on either side proceed as formerly, from impulses of prejudice and animosity; the settler regards the native as entitled to friendly treatment so long as he abstains from his depredations, and these are all he has to fear; in seeking redress from the magistrate, he shows no vindictive feeling, and the culprit on his part appears to regard himself less as an object of personal resentment, than as an offender against the law - he is well aware that settlers have no wish to injure or ill-treat him; and much is to be said in estimation of his own misdeeds. In his rambles through the bush in search of food, his only want, he frequently finds a shepherd's hut with provisions exposed and unprotected, or falls in with sheep that have been lost by their keepers, or scattered by the native dogs, and cannot withstand the temptation offered; such are ordinary

cases of stealing, a sheepfold is seldom deliberately plundered or a dwelling house broken open; on the other hand, the settler has often reason to be grateful for the voluntary services of the native, in bringing home a part of his scattered flock, or restoring property found in the bush.

Acts of violence are still less frequent, and it is but justice to the natives to say, that in the intercourse with settlers, who must still be viewed by them as strangers at the least, they manifest no greater ill-will, no more inclination to injure or molest them, than is generally exhibited amongst themselves in their intercourse one with another, and in no country in the world, can a stranger travel with greater safety, than in the settled parts of this colony.

Their conduct and that of the Europeans should be tested by somewhat different rules, their habits and peculiar notions are such as would frequently justify in their eyes, what we consider an infringement of the laws; these notions can only be rectified by time and experience, but, while they exist, should be borne in mind as mitigating circumstances, and have their due weight when the native's delinquencies are under investigation.

The police force at my disposal, being much too small for a full superintendance of every part of so extensive a district, and the cognizance of every offence committed in it, I am unable to pay that attention which is due, to cases of breaches of agreement, and this I regret exceedingly, being convinced that by the permanent engagement of natives in the service of settlers, upon fair terms, and in such occupations as are best suited to them in their present state, much might be done to improve their condition, by implanting in them a taste for the customs of civilised life in place of their present wild and wandering habits.

I have the honour to be,

Sir,

Your obedient servant,

R. H. BLAND.

Protector of Natives.

The Honourable the
Colonial Secretary.

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

By His Excellency JOHN HUTT, Esquire, Governor and Commander-in-Chief of the Territory of Western Australia, and Vice-Admiral of the same.

WHEREAS the undermentioned ordinances, enacted by the Governor of Western Australia, with the advice and consent of the Legislative Council thereof, were passed in the 7th and 8th years of her Majesty's reign:-

7th Vict. No. 11. "An Act to amend an Act intituled - "An Act to regulate the apprenticeship and otherwise to provide for the guardianship and control of a certain class of Juvenile Immigrants."

7th Vict. No. 14. An Act to regulate the temporary occupation of Crown lands in the colony of Western Australia."

8th Vict. No. 6. "An Act to prevent the enticing away of girls of the aboriginal race from school or from any service in which they are employed."

8th Vict. No. 8. "An Act to provide for the Alignment of Streets in the several Towns in the colony of Western Australia."

8th Vict. No. 9. "An Act for the adjustment of divisional boundaries of allotments in Towns, and to prevent litigation from undesigned encroachments on adjoining allotments."

8th Vict. No. 10. "An Act to extend the remedies of creditors against debtors about to leave the colony."

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 twelfth day of January, one thousand eight hundred and forty-six.

JOHN HUTT,

Governor and Com-in-Chief.

GOD SAVE THE QUEEN!!

By His Excellency's command,

PETER BROUN.

Colonial Secretary.

Colonial Secretary's Office, Perth,
January 12, 1846.

His Excellency the Governor has been pleased to direct the publication of a list of the officers who have been appointed in Perth to carry out the provisions of an act in Council intituled "An Act to provide for the improvement of Towns in the Colony of Western Australia."

Chairman.

James Purkis, Esq.

Treasurer.

William Knight, Esq.

Committee.

Messrs B. Smith, B. Maycock, I.H. Cole,

J. Chipper, R. Jones.

Collector.

Mr. Lawrence Welch.

Valuators under Act of Council, 8. Vict.

No. 9.

Messrs. Helms, Curtis, and Maycock.

By His Excellency's command,

PETER BROUN,

Colonial Secretary.

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

His Excellency the Governor, has been pleased to direct it to be notified for general information, that he has appointed Alfred Hawes Stone, Esq. Acting Commissioner of the Court of Requests, during the absence on leave of the Commissioner, E.W. Lander, Esquire.

By His Excellency's command,

PETER BROUN.

Colonial Secretary.

Committee.

Messrs B. Smith, B. Maycock, L.H.

Cole, J. Chipper, R. Jones.

Collector.

Mr. Lawrence Welch.

Valuators under Act of Council, S. Vict.

No. 9.

Messrs Helms, Curtis, and Maycock.

By His Excellency's command,

PETER BROUN,

Colonial Secretary.

Colonial Secretary's Office, Perth,

January 7, 1846.

His Excellency the Governor, has been pleased to direct it to be notified for general information, that he has appointed Alfred Hawes Stone, Esq. Acting Commissioner of the Court of Requests, during the absence on leave of the Commissioner, E.W. Landor, Esquire.

By His Excellency's command,

PETER BROUN,

Colonial Secretary.

Revenue Office, Perth,

January 3, 1846.

Notice is hereby given that the undermentioned Licenses have been issued since the 3rd of Dec.:-

For the Occupation of Crown Land.
James Drummond, 4,000 acres, Toodyay.

Dog Licenses.

J. Crane.

T. Helms.

H.C. SUTHERLAND,

Collector of Col. Revenue.

Colonial Secretary's Office, Perth,

January 7, 1846.

His Excellency the Governor, directs it to be notified that the Court in Albany, for the recovery of small debts, (under the provisions of the Act of Council S. W. 4th, No. 2,) will sit on the first and third Wednesday in every month, in the Court-house there.

By His Excellency's command,

PETER BROUN,

Colonial Secretary.
