



# THE WESTERN AUSTRALIAN GOVERNMENT GAZETTE.

[PUBLISHED BY AUTHORITY.]

TUESDAY, FEBRUARY 11, 1851.

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## 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.*

IN pursuance of the authority in me vested by a certain Act of the Imperial Parliament of Great Britain and Ireland, passed in the 5th and 6th 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 portions of Crown Land will be offered for Sale, by Public Auction, by the Collector of Revenue, at Perth, at 1 o'clock, on Wednesday, the 19th February next, at the upset price affixed thereto on the terms and conditions set forth in certain Land Regulations dated 14th June, 1843:—

Guildford Allotment, No. 31. Upset price £10.

Guildford Allotment, No. 131. Upset price £7.

*Murray Location No. 6.*—Comprising two acres more or less, adjoining West side of marked Road between Bunbury and Peel, the North boundary extending three chains West, from said road through a spot 7 chains Southward from the 44th mile mark, the South boundary 5 chains long, parallel to the above, and the West boundary 4 chains North and South. Upset price £1 per acre.

*Given under my hand and Seal of the Colony at Perth, this 11th day of January, 1851.*

CHARLES FITZGERALD,  
Governor, &c.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

GOD SAVE THE QUEEN!!

## 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.*

IN pursuance of the authority in me vested by a certain Act of the Imperial Parliament of Great Britain and Ireland, passed in the 5th and 6th 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 portions of land will be offered for Sale by Public Auction by the Collector or Sub-Collectors of Revenue, at one o'clock on the days and at the places hereinafter mentioned, at the upset price affixed to each Lot respectively, on the terms and conditions set forth in certain Land Regulations dated 14th June, 1843.

*By the Collector of Revenue, at Perth, on Wednesday, the 26th February,—*

*Cockburn Sound Location, No. 30.*—Comprising (10) ten acres, more or less, in form of an average square, on left bank of Serpentine river, the boundaries north and south, east and west, and upper boundary commencing 4½ chains below the lower boundary of Location No. 26. Upset price £1 per acre.

*Perth Lot X 4.* Upset price £12.

*Avon Location No. 64.*—Comprising 10 acres more or less, bounded on the South by a road known as King's Dick's Line; on the East by the public reserve round Wootating Spring and by Location No. 63; on the North by a West Line 8 chains 9 links; and on the West by a South line 16 chains 38 links in length. Upset price £1 per acre.

*By the Sub-Collector of Revenue, at the Vasse, on Wednesday, the 26th February—*

Busselton Building Lot No. 94. Upset price £5.

*By the Sub-Collector, at Fremantle, on Wednesday, the 26th February,—*

Fremantle Allotments Nos. 192 and 557. Upset price £20 each lot.

*Given under my hand and the Public Seal of the Colony at Perth, this 18th day of January, 1851.*

CHARLES FITZGERALD,  
Governor, &c.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

GOD SAVE THE QUEEN!!!

**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.*

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*By the Sub-Collector of Revenue, at Albany, on Wednesday, the 25th March,—*

**Plantagenet Location No. 58.**—Comprising 10 acres more or less, in form of an average square, extending in direction N.W. from Peenebup Brook tributary to the River Pallenup. The lower boundary extending N.W. from a burnt stump near right bank of said brook, standing near a marked tree in its bed about a mile below the hut of a Sandal-wood station. Upset price £1 per acre.

*By the Collector of Revenue, at Perth, on Wednesday, April 2,—*

**Champion Bay Location No. 1.**—Comprising 80 acres more or less, extending 22 chains East, and 36 chains 37 links South, from a spot 30 chains in direction East, 15 degrees south from a white gum tree marked with a broad arrow on its South side, near right bank of a small tributary to the Bowes River about 256 chains N.E. by N. from King's Table Hill. Upset price £1 per acre.

*Given under my hand and the Public Seal of the Colony, at Perth, this 18th day of January, 1851.*

CHARLES FITZGERALD,  
Governor, &c.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

GOD SAVE THE QUEEN!!!

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*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.*

IN pursuance of the authority in me vested by a certain Act of the Imperial Parliament of Great Britain and Ireland, passed in the 5th and 6th years of Her Majesty's reign, intituled "An Act for regulating the sale of the Waste Lands belonging to the crown in the Australian colonies," I do hereby notify and proclaim that the following portions of land will be offered for sale by Public Auction, by the Collector or Sub-Collectors of Revenue, at one o'clock on the days and at the dates hereinafter mentioned, at the upset prices affixed to each lot respectively, on the terms and conditions set forth in certain Land regulations dated 14th June, 1843:

*By the Collector of Revenue, at Perth, on Wednesday, March 5,—*

**Avon Location No. 75.**—Comprising 10 acres more or less, in form of a square, lying magnetic N.N.W. and S.S.W., and magnetic E.N.E. and W.S.W., the E. corner of the square being at middle of the N.W. boundary of Avon Location No. 79. Upset price £1 per acre.

**Avon Location No. 76.**—Comprising 10 acres more or less, in form of a square, lying magnetic N.N.W. and S.S.E., and magnetic E.N.E. and W.S.W., the East corner of the square being at a pile of stones near a blue gum tree marked with a diamond about  $\frac{1}{2}$  of a mile W. by S.  $\frac{1}{4}$  S. from South corner of Avon Location No. 49. Upset price £1 per acre.

**Swan Location No. 123.**—Comprising 15 acres more or less, with frontage on the Western shore of Melville Water, between locations 86 and 122. Upset price £1 10s per acre.

*By the Sub-Collector of Revenue, at Fremantle, on Wednesday, March 5,—*

Fremantle Allotment No. 258. Upset price £20.

*Given under my hand and Seal of the Colony, at Perth, this 8th day of February, 1851.*

CHARLES FITZGERALD,  
Governor, &c.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

GOD SAVE THE QUEEN!!!

*Colonial Secretary's Office, Perth,  
February 8, 1851.*

HIS Excellency the Governor has been pleased to appoint Mr. James Harding to be Acting Harbor Master, until further instructions are received from the Secretary of State.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

*Colonial Secretary's Office, Perth,  
February 5, 1851.*

HIS Excellency the Governor has been pleased to appoint Lieut. Elliot, or the Officer in command at Shark's Bay, to be Postmaster at that Station.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

*Colonial Secretary's Office, Perth,  
February 8, 1851.*

HIS Excellency the Governor has been pleased to cancel the resumption of Fremantle Allotment No. 181, assigned to W. M. Lewis.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

*Colonial Secretary's Office, Perth,  
February 6, 1851.*

HIS Excellency the Governor directs it to be notified for general information, that the following parties forming the Water Police at the Port of Fremantle, have been sworn in as Constables:—

George Clifton, Inspector.  
William Smith, Coxswain  
Benjamin Baxter | John Kenny  
Charles Bedham | George Chester

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

**Lands open for Sale.**

*Colonial Secretary's Office, Perth,  
February 3, 1851.*

IT is hereby notified for general information that 107 additional building

allotments, numbered respectively 576 to 682 inclusive, and 24 suburban lots of 5 acres each, adjoining the above and numbered respectively 1 to 24 inclusive, have recently been laid out and marked near the southern boundary of Fremantle Townsite, and are now open to selection for purchase by Public Auction under the existing Regulations.

Upset price of the building allotments £20 each, and of the suburban lots £3 per acre.

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

*Colonial Secretary's Office, Perth,*  
February 8, 1851.

WEEKLY REPORT OF LICENSES ISSUED.

*Depasturing Licenses.*

G. Hancock, 6,000 acres, Avon  
James Drummond, jun., 10,000 acres, Melbourne  
J. Davidson, 6,000 acres, ditto  
James Paine, 9,000 acres, Leschenault

*Timber License.*

Feb. 5, G. Hancock, 2 men, 1 month

*Publicans' Spirit License.*

Ann Steel, *Rose & Crown*, Guildford  
G. Syrad, *Halfway House*, Baylup  
Solomon Cook, *Dusty Miller*, York  
*One Gallon License*—James Stokes, Perth  
*Dog License*—G. F. Moore, 1 sheep dog, Swan

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

THE following Lists of Licenses granted for the Town of Perth, are published for general information.

G. F. STONE,  
Clerk to the Magistrates.

*Horse or Bullock Teams.*

No. 1 H. L. Colo	No. 13 R. Habgood
" 2 Ditto	" 14 E. Barron, jun.
" 3 G. Haysom	" 15 J. Harris
" 4 Ditto	" 16 James Mews
" 5 P. Doyle	" 17 G. Haysom
" 6 J. Ougden	" 18 Moses Stokes
" 7 L. Longulant	" 19 G. Shenton
" 8 H. Burgess	" 20
" 9 J. C. Patterson	" 21 Thomas Clayer
" 10 J. Stanton	" 22 Jeremiah Hicks
" 11 D. Ronayne	" 23
" 12 J. Ougden	" 24 J. Dolbier.

*Slaughter Houses.*

H. L. Colo	J. Dolbier
D. Ronayne	J. Hicks
F. Toovey	W. Padbury.

*Boat Licenses.*

F. F. Armstrong, Wherry.  
J. Watson, Gig.  
F. Caporn, Gig.  
I. Cousins, Flat  
Ditto, Whaleboat.  
J. Tuckey, Cargo Boat  
W. Rewell, Gig.  
James Dyer, Cargo Boat.  
H. Burges, ditto.  
G. Glyde, ditto.  
L. Longulant, ditto.

*Colonial Secretary's Office, Perth,*  
February 5, 1851.

THE following Regulations for Ticket-of-leave holders, are published in terms of an Ordinance of the 14th Victoria No. 6, entitled "An Ordinance for the due custody and discipline of offenders transported to Western Australia, and of offenders sentenced therein to transportation."

*By His Excellency's command,*  
C. A. J. PIESSE,  
Colonial Secretary.

1. All Tickets-of-leave are issued for

particular districts, named in the Tickets-of-leave; or passports are allowed to enable the holders to remain in the service of their masters beyond the boundaries of the district.

2. Every man holding a Ticket-of-leave is required within seven days after his arrival in his district to report himself either personally or in writing, to the nearest Resident Magistrate, for the information of the Comptroller General, giving his name, the ship he arrived in, his master or employer, his trade or calling, or his mode of maintaining himself, and his rate of wages; and also to do so between the 1st and 14th January and the 1st and 14th June in each year, to the nearest Resident Magistrate. Any Ticket-of-leave holder failing to comply with this order will render himself liable to have his Ticket-of-leave cancelled by the Comptroller General.

3. Every Ticket-of-leave holder is required to report to the Comptroller General every change of service or residence within the district, within 14 days of its taking place, and to obtain the sanction of a magistrate in the mean time.

4. Immediately after the 14th of January and the 14th of June, the Resident Magistrate will report to the Comptroller General the names of all absentees who have not duly reported themselves as directed in paragraph 2, with a view to the forfeiture of the Ticket-of-leave of such men.

5. The Resident or any other Magistrates of the several districts will, whenever they think necessary, interrogate the holder of a Ticket-of-leave as to his manner of life or means of subsistence, and if not satisfied that the Ticket-of-leave man subsists honestly, will report the case forthwith to the Comptroller General for the information of the Governor.

6. No Ticket-of-leave holder can leave the district assigned to him without permission in writing from the Comptroller General, to whom all applications for change of district must be made, accompanied by a character for sobriety and good conduct signed by his last master, or a Magistrate of the district he wishes to leave.

7. The district in which a Ticket-of-leave is considered to have effect, is the district within which the authority of the Resident Magistrate extends as marked in the official boundary maps.

8. No Ticket-of-leave holder is to be absent from his district without a pass, except in the exercise of his duty as a constable.

9. No pass can be granted to a Ticket-of-leave holder to be absent from his district, except by the Comptroller General or the Resident Magistrate, if by the Resident Magistrate, it cannot be granted for a longer period than 14 days.

10. Forms of these passes, as well as Register Books for the Ticket-of-leave men within their respective districts, will be furnished to the Magistrates by the Comptroller General.

11. No Ticket-of-leave holder for a country district is allowed to be in either of the towns of Perth or Fremantle without a pass; any man having a pass for this

purpose to produce it immediately on his arrival, if at Perth, to the Colonial Secretary, or at Fremantle, to the Comptroller General, or in their absence, the Resident Magistrate.

12. No Ticket-of-leave holder is allowed to be employed on board whaling or other vessels.

13. No Ticket-of-leave man is allowed to carry firearms without permission from a Justice of the Peace, the Colonial Secretary, or the Comptroller General.

14. The breach of any of these regulations will subject a Ticket-of-leave holder to be deprived of his indulgence, and to be returned to the Penal Establishment.

15. Every person having a Ticket-of-leave man in his employment is to report immediately to the nearest Magistrate, and the Comptroller General, in case such Ticket-of-leave man shall be absent without leave, or shall abscond from his service or from the district assigned to him; and such Magistrate and Comptroller General will forthwith issue warrants for his apprehension.

16. Such reward as His Excellency the Governor on recommendation of the Comptroller General may see fit, will be paid for the arrest of any Ticket-of-leave man absent without leave, or absconding from his district.

17. The holder of a Ticket-of-leave is liable to be punished summarily by Magistrates, in Petty Sessions, for the following offences, viz.:—

Misdemeanors.

Pilferings.

Simple Larceny (under £5).

Punishment—sentence to irons for six or twelve months, and forfeiture of Ticket-of-leave.

Drunkenness.

Absconding from district or his master, or when beyond the boundaries of the district for which he holds his passport.

Neglect of work or disobedience of orders or other disorderly or dishonest conduct.

The forfeiture of his Ticket-of-leave, and in addition, 50 lashes, and imprisonment with hard labor, or 14 days solitary confinement.

18. Any Ticket-of-leave holder forfeiting his indulgence, and returned by magisterial sentence to the Convict Establishment, returns to the position of an ordinary prisoner of the Crown, and forfeits all privileges belonging to a Ticket-of-leave holder, and can be called upon to serve a probation of three years on the public works, or such time as the Governor or on the recommendation of the Comptroller General may see fit, before his indulgence is restored to him.

19. Graver offences will be taken cognizance of by the tribunals constituted for that purpose.

20. Any Ticket-of-leave man absconding from his district or from the service of his master during the subsistence of the sentence of his transportation shall be liable to be tried in a summary way by any two Magistrates authorized to take cognizance of such offences, although his original and additional sentences may have expired at the time of his apprehension, and he will be liable to be punished as if

his original term of transportation had not expired.

21. All sentences to irons, to the roads, or to hard labor, are to be served in addition to the prisoner's original sentence. Thus, if a prisoner's original sentence is 14 years, and he receives a sentence of 6 months to irons, he will not be free until he has served 14 years and 6 months.

22. Every Ticket-of-leave holder is subject to the provisions of the Masters' and Servants' Act in Western Australia, and under this Act a Ticket-of-leave holder can compel his master or employer to perform his part of the contract, in all respects as efficiently, as if the prisoner were a free man.

23. Every Ticket-of-leave holder, by Act of Parliament, is allowed to acquire and hold personal property, and to maintain an action or suit for the recovery of any personal property, or for any debts due to him, or for any damage or injury sustained by him; but if he should, at any time forfeit his Ticket-of-leave from misconduct, the property acquired by him will become absolutely vested in Her Majesty, and will be disposed of at the discretion of the Governor of the colony.

24. Every Ticket-of-leave holder is required to pay into the hands of the Comptroller General of convicts the sum of £15 on account of the expenses of his passage to the colony.

25. For the payment of this sum every employer of a Ticket-of-leave holder, is required to pay to the Comptroller General of convicts a sum of not less than one third of the amount of wages for which the holder of the Ticket-of-leave has engaged, either half-yearly or yearly, as may suit his convenience, or at the termination of any engagement for a shorter period. He is to notify such payments to the Comptroller General, who will forward two receipts, one for the employer and the other for the Ticket-of-leave holder.

26. No person is allowed to employ a Ticket-of-leave man without notifying the same to the Comptroller General, through the Resident Magistrate, together with the rate of wages at which he has been engaged, and the amount of one third of such wages if not paid by such employer to the Comptroller General will be recoverable in like manner as any other debt, according to the statute in that case made and provided.

27. Every Ticket-of-leave holder who is allowed to work on his own account, will be required to pay such an amount as the Comptroller General may decide, according to his ability and means of obtaining employment.

28. The Comptroller General has the power of retaining any Ticket-of-leave holder he may think fit, or who may not be able to obtain employment, and employ him on the public works, under such regulations as to rations, lodgings and mode of payment as may from time to time be sanctioned by His Excellency the Governor.

29. No Ticket-of-leave holder will except under special circumstances, be allowed a conditional pardon until one half of his sentence of transportation, reckoning from date of conviction has ex-

pired, and that he has served without offence while on Ticket-of-leave—nor will receive a conditional pardon until the whole sum of £15 has been paid, but when he has paid the sum of £10 he may apply for a conditional pardon, through the Comptroller General, provided his application be accompanied by a character from his master or employer for honesty and sobriety, countersigned by a Magistrate, he will then be recommended to the Secretary of State for a conditional pardon, so that it may arrive about the period of the expiration of his time. If he should commit any serious offence after being recommended for a conditional pardon, he will forfeit that pardon for such period as His Excellency the Governor may see fit.

30. The wives and families of well conducted Ticket-of-leave men will be sent out to them, when one half of the expence of their passage has been paid either by themselves, their friends, or their parishes, or the expence of their passage may be assumed as a debt by the Ticket-of-leave holder to be paid (under a bond) in the same way as the expence of his own passage.

E. Y. W. HENDERSON,  
Comptroller General.

#### **Tenders for Guard Room, Fremantle.**

*Colonial Secretary's Office, Perth,  
February 7, 1851.*

**TENDERS** (in duplicate) will be received at this Office until Tuesday, the 4th March next, for erecting a Guard Room near the Tunnel at Fremantle.

Walls of 16 inch stone work.

Roof. Weather Board and Shingle.

For particulars application to be made to the Superintendent of Public Works.

*By His Excellency's command,  
C. A. J. PIESSE,  
Colonial Secretary.*

#### **Water Police Barrack.**

*Colonial Secretary's Office, Perth,  
February 7, 1851.*

**TENDERS** (in duplicate) will be received at this Office until Tuesday, the 4th March next, for erecting a Building near the Gaol, to correspond in size and material with the present Court House, Fremantle.

For particulars application to be made to the Superintendent of Public Works.

*By His Excellency's command,  
C. A. J. PIESSE,  
Colonial Secretary.*

#### **Tenders for Hire of Boat.**

*Colonial Secretary's Office, Perth,  
February 1, 1850.*

**TENDERS** (in duplicate) will be received at this Office, up to 12 o'clock on Friday, the 14th instant, for a Ten Ton Boat, and two approved Seamen and a Dingy at per day, to take in stores and proceed to the Challenger, or any other Rock, on or about the 17th inst., to assist in fixing Beacons, or any work that may be required to be done under the direction of the Superintendent of Public Works, any absence of the boat or party without the sanction of the Superintendent, violates the contract. The contractor to be at his own risk for any damage, loss of boat, or materials belonging thereto, unless certi-

fied for payment by the Superintendent.

For further particulars application to be made to the Superintendent of Public Works.

*By His Excellency's command,  
C. A. J. PIESSE,  
Colonial Secretary.*

*Colonial Secretary's Office, Perth,  
January 25, 1851.*

**TENDERS** (in duplicate) will be received at this Office up to 12 o'clock on Wednesday, the 19th February next, for erecting two buildings near Guildford, 35 x 16 and 21 x 16,—

The Walls to be Pug or rammed earth, the Roof split-stuff and thatched.

For further particulars application to be made to the Superintendent of Public Works.

*By His Excellency's command,  
C. A. J. PIESSE,  
Colonial Secretary.*

*Colonial Secretary's Office, Perth,  
January 25, 1851.*

**TENDERS** (in duplicate) will be received at this Office up to 12 o'clock on Wednesday, the 19th February next for Building a Room 20ft. x 16ft. at Fremantle, near the old Public Offices, for the service of the Water Police.

The Walls to be of Stone

Roof, Weather-board and Shingle.

For particulars and specification application to be made to the Superintendent of Public Works.

*By His Excellency's command,  
C. A. J. PIESSE,  
Colonial Secretary.*

#### **Tenders for Building a Lock-up-House at Bunbury.**

*Colonial Secretary's Office, Perth,  
January 10, 1851.*

**TENDERS** in duplicate will be received at this Office up to 12 o'clock on Wednesday, the 26th February next, for Building a LOCK-UP-HOUSE at Bunbury, to contain three Cells 8x12 and one room 12x17.

Foundation to be of stone, 3 feet 6 inches below the surface, and 2 feet thick.

Main Walls of 18 inch brickwork, 11 feet in height from the offset. Partition Walls 9 inches thick carried up to the roof, and all plastered inside two coats.

Floor 1½ inch laid on joists 8x3 crossed with ¾ board, all well seasoned; close jointed and securely nailed down and cleaned off.

Doors of each cell to be inch stuff double banded with iron, hung with strong hooks and rides, and two strong bolts to each door.

The Roof to be provided.

For plans and specifications application to be made to the Superintendent of Public Works, Perth, or to the Resident Magistrate, Bunbury.

*By His Excellency's command,  
C. A. J. PIESSE,  
Colonial Secretary.*