



THE WESTERN AUSTRALIAN
GOVERNMENT GAZETTE.

[PUBLISHED BY AUTHORITY.]

TUESDAY, JULY 18, 1854.

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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 land will be offered for sale by Public Auction, by the Sub-Collector of Revenue at Albany on the 23rd day of August 1854 at one o'clock, at the upset price affixed thereto, on the terms and conditions set forth in certain Land Regulations, dated 14th June, 1843:—

By the Sub-Collector of Revenue at Albany, on the 23rd August, 1854:—

Albany Building Lot No 74. Upset price 20*l*.

Albany Building Lot No. 209. Upset price 20*l*.

Given under my hand and the Public Seal of the Colony, at Perth, this 26th day of June, 1854

CHARLES FITZGERALD,
Governor, &c.

By His Excellency's command,
 W. A. SANFORD,
 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 of Revenue at Perth on the 2nd day of August, 1854, at one o'clock at the upset price affixed thereto, on the terms and conditions set forth in certain Land Regulations, dated 14th June, 1854:

Perth Building Lot W 99. Upset price £15.

Perth Building Lot W 160. Upset price £15.

Fremantle Building Lot No. 335. Upset price £30.

Avon Location No 129—Comprising 20 acres more or less, extending 15 chains N.N.W. and 13 chains 33 links W.S.W. from South corner of James Crouch's Avon Location No. 75; opposite boundaries parallel and equal and all magnetic. Upset price £1 per acre.

By the Sub-Collector of Revenue at the Vasse, on the 2nd August, 1854:

Sussex Location No. 27.—Comprising 30 acres more or less in form of a double square extending 13 chains South and 28 chains 8 links West from N.W. corner of Capt. Molloy's Sussex location No. 23, opposite boundaries parallel and equal and all true. Upset price £1 per acre.

Given under my hand and the Public Seal of the said colony at Perth, this 15th, day of July, one thousand eight hundred and fifty four.

CHARLES FITZGERALD,
Governor &c.

By His Excellency's command,
 W. A. SANFORD,
 Colonial Secretary.

GOD SAVE THE QUEEN!!!

To all persons interested in Perth Building Allotments W 37 and W 86.

TAKE NOTICE.—That the Governor, by and with the advice of the Executive Council, deems it necessary, for the purpose of opening a public highway and constructing a drain between Moore street and Water-street, to resume the under-

mentioned portion of the lands above designated, namely:—

One rood five perches more or less, bounded on the S.E. by a straight line 3 chains 3 links in length extending from S.W. corner of lot W 86 towards the N.W. corner of lot X 1, on the East by 83 links of Lord-street; on the North by 13 links of Small-street; on the N.W. by a line parallel to the S.E. boundary hereinbefore described and at the distance of 75 links from it and measuring 4 chains and 16 links in length; on the South by 96 links of the South boundary of lot W 37 aforesaid, a plan of which is to be seen in the Survey Office at Perth, and the sum of £15 is hereby tendered in compensation therefor

You are requested to notify to me in writing within 28 days from the date hereof whether you accept this tender or claim a larger amount, otherwise the land above described will be resumed on behalf of the Crown on the terms herein proposed.

You will not be entitled to any compensation for or in respect of any improvement of such land commenced or continued after this notice.

Any former notice on this subject is hereby cancelled

Dated this 3rd day of July, 1854.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

To all persons interested in Perth Suburban Lot No. 28.

TAKE NOTICE.—That the Governor, by and with the advice of the Executive Council, deems it necessary, for the purpose of prolonging Hutt-street to Brisbane-street, and for effecting the necessary drainage along the said prolongation, as also for cutting and completing a drain to extend from Lake-street to Beaufort-street, to resume the undermentioned portion of the land above designated, namely:—One and a half acres more or less, extending from North East side of Ellen-street to S.E. corner of Perth Building lot N 11, being in continuation of Hutt-street, also, three roods and twenty seven perches more or less comprised in a width of 33 links on the south side of a line commencing at a spot on the East side of Lake-street at 2 chains 60 links from S.W. corner of building Lot N 18, towards north corner of lot N 19, and terminating at a spot 8 chains 71 links from S.E. corner of lot N 11, towards N.E. corner of lot Y 74, and in a width of 33 links on the south side of another line commencing at a spot on the West side of Beaufort-street, at 4 chains 91 links from south corner of building lot N 30, towards N.E. corner of lot N 29, and terminating at a spot 7 chains 20 links from N.W. corner of lot Y 72 towards the west corner of the new lot N 38 as altered by the above prolongation of Hutt-street; a plan of which is to be seen in the Survey Office, Perth; and in compensation therefor you are hereby tendered the

sum of Ninety Pounds Sterling (£90).

You are requested to notify to me in writing within 28 days from the date hereof whether you accept this tender or claim a larger amount, otherwise the above described portion of your land will be resumed by the Crown on the terms herein proposed.

You will not be entitled to any compensation for or in respect of any improvement of such land commenced or continued after this notice.

Dated this 3rd day of July, 1854.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

*Colonial Secretary's Office, Perth,
July 14, 1854.*

HIS Excellency the Governor directs it to be notified for general information that Staff Surgeon GALBRAITH, M.D., has been appointed principal Medical Officer for Convict Service in Western Australia, to date from the 1st instant.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

*Colonial Secretary's Office, Perth,
July 14, 1854.*

CONDITIONAL Pardons have been this day signed for the following men:—

Reg. No.	33	John Smith
"	38	Charles Burgess
"	91	Robert Davis
"	1104	Henry Peters
"	1653	Thomas White
"	1673	John Thompkins.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

*Colonial Secretary's Office, Perth,
July 8, 1854.*

TENDERS (in duplicate) will be received at this office and opened at noon of Tuesday, the 25th instant, from persons willing to undertake the Fencing of such enclosures as the government may direct during the term of 6 calendar months, with the following description of Fence:—

3	rail, open, post & rail fence 4 ft. high.
2	" Paled Fence 4 ft. high.
3	Post and rail ditto close pales in 2 lengths 6 ft. high.

The government do not bind themselves to accept the lowest or any tender.

Further particulars may be obtained on application at the office of Works.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

*Colonial Secretary's Office, Perth,
June, 30, 1854.*

TENDERS (in duplicate) will be received at this office up to noon of the 25th proximo, for the performance of the Mason's and Bricklayers works required for the erection of a new Gaol at Perth. Tenders to express the price per

rod superficial (for Brickwork) of 272½ ft reduced to the standard thickness of 1½ brick thick.

Ditto for stone walling at per yard, superficial of 9 ft. reduced stone work to 18 inches thick and to state the price for both, finding all labor, scaffolding and mortar, or for labor and scaffolding only, or the whole may be taken at an amount or for each kind of work by itself. Tenders to bear the names of two respectable and approved householders willing to enter into bond with the contractor for the due performance of his contract and no payments will be made until such bond shall have been fully executed.

Samples for the performance of the work can be seen and such samples must and will be most rigidly adhered to in the execution of all and every part of the works. The Government do not bind themselves to accept the lowest or any tender. The Drawings and Specifications may be seen and further particulars procured at the office of Works.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

CHARTS AND MAPS.

JUST Published at the Survey Office, Perth, a Chart of the West Coast of Australia, between Garden Island and Gantheaume Bay, including Port Gregory, Champion Bay and Port Grey, on enlarged scales. Price 4s.

ALSO,—

A Chart of Rottnest Island, Gage's Roads and Owen's anchorage. Price 2s. 6d., printed or lithographed.

A Chart of the several anchorages between Rottnest Island and Cape Peron. Price 2s 6d.

A Lithographed map of part of Western Australia, shewing the limits of the several Government Residencies. Price 3s.

The above may be had at the office of the Surveyor General, Perth, of the Harbor Master, Fremantle, or of the Government Residents at Albany, Bunbury and Champion Bay.

*Colonial Secretary's Office, Perth,
14th July, 1854.*

HIS Excellency the Governor directs the publication of the following Despatches from Her Majesty's Secretary of State for the Colonies for general information.

By His Excellency's command,
W. A. SANFORD,
Colonial Secretary.

Extract from His Grace, the Secretary of State for the Colonies; Despatch No. 55, dated 22nd April, 1854, to His Excellency Governor FitzGerald.

Downing Street, April 22, 1854.

SIR,—I have received your Despatch No. 12, of the 18th of January last, accompanied by a Memorial from certain heads of families at Fremantle, expressing alarm at the limited amount of Military force available for the preservation of order and the protection of the inhabitants.

I entirely approve of the remarks which you have made in forwarding this Memorial. You will acquaint the Memorialists, that Her Majesty's Government are not prepared to make any addition to the Military force in Western Australia.

Downing Street, April 19, 1854.

SIR,—With reference to your Despatch, No. 108, of the 4th of April, respecting the postal arrangements between the United Kingdom and Western Australia, I transmit for your information, the copy of a letter from the Postmaster General, whom I have consulted on the subject.

I have &c., &c.,
(Signed) NEWCASTLE.
Governor FitzGerald.

General Post Office, April 1, 1854.

SIR,—With reference to your letter of the 18th ult., enclosing a copy of a Despatch from the Governor of Western Australia respecting the Postal arrangements with that colony, I am directed by the Post Master General to state for the information of His Grace the Duke of Newcastle that in accordance with the wish of the Governor a Public notice will be issued directing that all letters to Western Australia not specially directed to go via Singapore will be forwarded by the first private ship direct.

It appears on enquiry that if the steamers of the Peninsula and Oriental Company were to touch at Perth, as the Governor suggests, the length of the voyage would be increased three days and the Company would be unable to keep their times of arrival at the other ports, also, that the Company have incurred considerable expence in erecting machinery and building a wharf at Albany, an expence which would be thrown away if they changed that Port for Perth.

Under these circumstances the Postmaster General is sorry that he cannot at present hold out any expectation of a more direct postal communication between the United Kingdom and the seat of Government in Western Australia than that which now exists.

I am &c.,
(Signed) FREDERIC HILL.

Downing Street, May 1, 1854.

SIR,—I have received your Despatch No. 7, of the 16th January last, accompanied by certain Resolutions passed at a public meeting at Fremantle, deprecating the supposed intention of Her Majesty's Government to transfer to Western Australia, re-convicted felons of the worst class from the neighboring colonies; and also expressing a wish for the presence of regular troops.

I have to authorise you to contradict as unfounded the rumour that Her Majesty's Government contemplated the transfer to Western Australia of re-convicted Convicts of the worst stamp from the neighboring colonies.

I cannot hold out any prospect that an additional number of regular troops will be sent to the colony. It is to be borne in mind that not only may the services of the military Pensioners in the colony be obtained as is now done, as Volunteers in ordinary times, but that in case of emergency and danger to the community, the whole body of Pensioners are bound to come forward on the requisition of the Governor, for the preservation of peace and order.

I have &c.,
(Signed) NEWCASTLE.
Governor FitzGerald.

Downing-street, 31st March, 1854.

SIR,—I transmit to you herewith, copies of the following instruments,—

1. The Queen's declaration of the 28th ultimo, of Her Majesty's intention to take up arms in conjunction with the Emperor of the French for the defence of the Sultan against Russia.

2. The Queen's declaration of the same date, announcing that it is Her Majesty's intention so far to waive the belligerent rights appertaining to her by the law of Nations, as to forego the exercise of Her right of seizing Enemy's property laden on board a Neutral Vessel, unless it be contraband of War; and further announcing that Her Majesty will not claim the confiscation of Neutral Property, not being contraband of War, found on board Enemy's Ships; and that it is not Her Majesty's intention to issue Letters of Marque for the Commissioning of Privateers.

But you will perceive that Her Majesty has declared it to be impossible to forego the exercise of Her right of seizing articles contraband of War, and of preventing Neutrals from bearing the Enemy's Despatches, and of preventing Neutrals from breaking an effective Blockade.

You will receive, by the earliest opportunity, formal instructions for the performance of the duties which devolve on you at the present crisis.

I have the honor to be, Sir,
Your most obedient humble servant,
NEWCASTLE.

Governor FitzGerald,
&c., &c., &c.

DECLARATION.

It is with deep regret that Her Majesty announces the failure of Her anxious and protracted endeavors to preserve for Her People and for Europe the blessings of peace.

The unprovoked aggression of the Emperor of Russia against the Sublime Porte has been persisted in with such disregard of consequences, that after the rejection by the Emperor of Russia of terms which the Emperor of Austria, the Emperor of the French, and the King of Prussia, as well as Her Majesty, considered just and equitable, Her Majesty is compelled by a sense of what is due to the honor of Her Crown, to the interests of Her People, and to the independence of the States of Europe, to come forward in defence of an Ally whose territory is invaded, and whose dignity and independence are assailed.

Her Majesty, in justification of the course she is about to pursue, refers to the transactions in which Her Majesty has been engaged.

The Emperor of Russia had some cause of complaint against the Sultan with reference to the settlement, which His Highness had sanctioned, of the conflicting claims of the Greek and Latin Churches to a portion of the Holy Places of Jerusalem and its neighborhood. To the complaint of the Emperor of Russia on this head, justice was done; and Her Majesty's Ambassador at Constantinople had the satisfaction of promoting an arrangement to which no exception was taken by the Russian Government.

But while the Russian Government repeatedly assured the Government of Her Majesty that the Mission of Prince Menchikoff to Constantinople was exclusively directed to the settlement of the question of the Holy Places at Jerusalem, Prince Menchikoff himself pressed upon the Porte other demands of a far more serious and important character, the nature of which he in the first instance endeavoured, as far as possible, to conceal from

Her Majesty's Ambassador. And these demands, thus studiously concealed, affected not the privileges of the Greek Church at Jerusalem, but the position of many millions of Turkish subjects in their relations to their Sovereign the Sultan.

These demands were rejected by the spontaneous decision of the Sublime Porte.

Two assurances had been given to Her Majesty; one, that the mission of Prince Menchikoff only regarded the Holy Places; the other, that his Mission would be of a conciliatory character.

In both respects Her Majesty's just expectations were disappointed.

Demands were made which, in the opinion of the Sultan, extended to the substitution of the Emperor of Russia's authority for his own, over a large portion of his subjects; and those demands were enforced by a threat; and when Her Majesty learnt that, on announcing the termination of his Mission, Prince Menchikoff declared that the refusal of his demands would impose upon the Imperial Government the necessity of seeking a guarantee by its own power, Her Majesty thought proper that Her Fleet should leave Malta, and, in co-operation with that of His Majesty the Emperor of the French, take up its station in the neighborhood of the Dardanelles.

So long as the negotiations bore an amicable character Her Majesty refrained from any demonstration of force. But when, in addition to the assemblage of large military forces on the frontier of Turkey, the Ambassador of Russia intimated that serious consequences would ensue from the refusal of the Sultan to comply with unwarrantable demands, Her Majesty deemed it right, in conjunction with the Emperor of the French, to give an unquestionable proof of Her determination to support the Sovereign rights of the Sultan.

The Russian Government has maintained that the determination of the Emperor to occupy the Principalities was taken in consequence of the advance of the Fleets of England and France. But the menace of invasion of the Turkish territory was conveyed in Count Nesselrode's Note to Rechid Pacha, of the 19th and 31st of May, and re-stated in his Despatch to Baron Brunnow, of the 20th May, and 1st June, which announced the determination of the Emperor of Russia to order his troops to occupy the Principalities, if the Porte did not within a week comply with the demands of Russia.

The Despatch to Her Majesty's Ambassador, at Constantinople, authorizing him in certain specified contingencies to send for the British Fleet, was dated the 31st May, and the order sent direct from England to Her Majesty's Admiral to proceed to the neighborhood of the Dardanelles, was dated the 2nd of June.

The determination to occupy the Principalities was therefore taken before the orders for the advance of the combined squadron.

The Sultan's Minister was informed that unless he signed within a week, and without the change of a word, the Note proposed to the Porte by Prince Menchikoff, on the eve of his departure from Constantinople, the Principalities of Moldavia and Wallachia would be occupied by Russian Troops. The Sultan could not accede to so insulting a demand; but when the actual occupation of the Principalities took place, the Sultan did not, as he might have done in the exercise of his undoubted right, declare war, but addressed a Protest to his Allies.

Her Majesty, in conjunction with the Sovereigns of Austria, France, and Prussia,

has made various attempts to meet any just demands of the Emperor of Russia without affecting the dignity and independence of the Sultan; and had it been the sole object of Russia to obtain security for the enjoyment by the Christian subjects of the Porte of their privileges and immunities, she would have found it in the offers that have been made by the Sultan. But as that security was not offered in the shape of a special and separate stipulation with Russia, it was rejected. Twice has this offer been made by the Sultan, and recommended by the Four Powers, once by a note originally prepared at Vienna, and subsequently modified by the Porte, once by the proposal of bases of negotiation agreed upon at Constantinople on the 31st of December, and approved at Vienna on the 13th of January, as offering to the two parties the means of arriving at an understanding in a becoming and honorable manner.

It is thus manifest that a right for Russia to interfere in the ordinary relations of Turkish subjects to their Sovereign, and not the happiness of Christian communities in Turkey, was the object sought for by the Russian Government; to such a demand the Sultan would not submit, and His Highness, in self-defence, declared war upon Russia, but Her Majesty nevertheless, in conjunction with Her Allies, has not ceased her endeavors to restore peace between the contending parties.

The time has however now arrived when the advice and remonstrances of the Four Powers having proved wholly ineffectual, and the military preparations of Russia becoming daily more extended, it is but too obvious that the Emperor of Russia has entered upon a course of policy which, if unchecked, must lead to the destruction of the Ottoman Empire.

In this conjuncture, Her Majesty feels called upon by regard for an Ally, the integrity and independence of whose empire have been recognized as essential to the peace of Europe, by the sympathies of Her people with right against wrong, by a desire to avert from Her dominions most injurious consequences, and to save Europe from the preponderance of a Power which has violated the faith of Treaties, and defies the opinion of the civilised world, to take up arms in conjunction with the Emperor of the French, for the defence of the Sultan.

Her Majesty is persuaded that in so acting she will have the cordial support of Her people; and that the pretext of zeal for the Christian religion will be used in vain to cover an aggression undertaken in disregard of its holy precepts, and of its pure and beneficent spirit.

Her Majesty humbly trusts that Her efforts may be successful, and that, by the blessing of Providence, peace may be re-established on safe and solid foundations.

Westminster, March 28, 1854.

DECLARATION.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, having been compelled to take up arms in support of an Ally, is desirous of rendering the war as little onerous as possible to the Powers with whom she remains at peace.

To preserve the commerce of neutrals from all unnecessary obstruction, Her Majesty is willing, for the present, to waive a part of the belligerent rights appertaining to Her by the law of nations.

It is impossible for Her Majesty to forgo the exercise of her right of seizing articles contraband of war, and of preventing neutrals from bearing the enemy's despatches, and she must maintain the right of a belligerent to prevent neutrals from breaking any effective blockade which may be established with an adequate force against the enemy's forts, harbors, or coasts.

But Her Majesty will waive the right of seizing enemy's property laden on board a neutral vessel, unless it be contraband of war.

It is not Her Majesty's intention to claim the confiscation of neutral property, not being contraband of war, found on board any ships, and Her Majesty further declares, that being anxious to lessen as much as possible the evils of war, and to restrict its operation to the regularly organized forces of the country, it is not her present intention to issue letters of marque for the commissioning of privateers.

Westminster, March 28, 1854.

Downing-street, May 1, 1854.

SIR,—With reference to my preceding Circular communications, I send herewith, for your information, a Copy, published by authority, of an Order of the Lords of Her Majesty's Privy Council, dated the 24th ultimo, directing that the export of Gunpowder, Saltpetre, and Brimstone, Arms and Ammunition, Marine Engines and Boilers, &c., be not prevented excepting to the places mentioned in the Order.

I have the honor to be, Sir,
Your most obedient humble servant,
NEWCASTLE.

Governor FitzGerald,
&c., &c., &c.

AT the Council, Whitehall, the 24th day of April, 1854,

By the Lords of Her Majesty's Most Honorable Privy Council.

THE Lords of the Council, having taken into consideration certain applications for leave to export various articles, of which the exportation is prohibited by Her Majesty's Proclamation of the 18th February, 1854, are pleased to order, and it is hereby ordered, that the officers of Her Majesty's Customs do not hereafter prevent the export of any articles except only—

Gunpowder, Saltpetre, and Brimstone,

Arms and Ammunition,

Marine Engines and Boilers, and the component parts thereof.

And that such last-named articles be prohibited from export only when destined to any place in Europe north of Dunkirk or to any place in the Mediterranean Sea east of Malta; and that the officers of Her Majesty's Customs do permit the export of the said enumerated articles to any other part of the world, upon taking, from the persons exporting the same, a Bond, that they shall be landed and entered at the port of destination.

Whereof the Lords Commissioners of Her Majesty's Treasury, and officers of Her Majesty's Customs, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. C. GREVILLE.