



NEW SOUTH WALES  
**GOVERNMENT GAZETTE.**

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ANNO OCTAVO  
GULIELMI QUARTI REGIS.  
No. 6.

By His Excellency Lieutenant-General Sir Richard Bourke, Knight Commander of the Most Honorable Military Order of the Bath, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the advice of the Legislative Council.

*“An Act for regulating Buildings and Party-walls, and for preventing Mischiefs by Fire, in the Town of Sydney.”*

**W**HEREAS it is expedient for the safety of the Inhabitants of the Town of Sydney, and the security of property therein, that provision should be made for the better regulation of Buildings and Party-walls, and for the prevention of Mischiefs by Fire, in the said Town: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, that the several churches, chapels, meeting-houses, or other places of public worship, dwelling-houses, and all other Buildings whatsoever, at any time heretofore begun or built, or which shall at any time or times hereafter, be begun or built within the said Town, on new or old foundations, or on foundations partly new and partly old, shall be distinguished by, and divided into, the six several Rates or Classes of Building hereinafter described; and such six several Rates or Classes of Building, shall be under the Rules and Directions hereinafter contained concerning the same.

*(First Rate of Building.)*

II. And be it enacted, That every church, chapel, meeting-house, and other place of public worship; and every house or building for distilling or brewing of liquors for sale;

for making of soap, for melting of tallow, for dying, for boiling or distilling turpentine, for casting brass or iron, for refining of sugar, for making of glass for chemical works for sale, of what dimensions soever the same respectively are, or may be; and also every warehouse and other building whatsoever, not being a dwelling-house now built, or hereafter to be built (except such buildings as are hereinafter particularly declared to be of the fifth or sixth rate, or class of building), which does or shall exceed three clear stories above ground, exclusive of the rooms (if any) in the roof thereof, or which is or shall be of the height of thirty-one feet from the surface of the pavement, ground, or way, above the area before either of the fronts thereof, to the top of the blocking-course, or the coping on the parapet thereof; and every dwelling-house, which does or shall exceed nine squares of building on the ground-floor, each square containing one hundred superficial feet, shall be deemed the first-rate or class of building.

*(Thickness of external walls to the first rate.)*

III. And be it enacted, That every front, side, end, or other external wall (not being a party-wall), which shall, after the first day of January, in the year of Our Lord, One thousand eight hundred and thirty-eight, be built to any first-rate building, or to any addition thereto, or enlargement thereof, shall be built and remain, at the foundation thereof, of the thickness of two bricks and a half in length, or one foot nine inches and a half at the least; and shall from thence regularly and gradually diminish on each side of the wall two inches and a quarter to the top of the footing of every such wall, except where any immediate adjoining building will not admit of such footing being made on the side of such wall next such adjoining building; in which case such footing shall be made as near to the dimensions herein directed, as the case will admit; which footing shall be nine inches high at the least, and wholly

below the upper surface of the pavement and flooring-boards of the cellar-story, two inches at the least; and every such wall, shall from the top of such footing, be of the thickness of two bricks in length, or one foot five inches and a half at the least, up to the under side of the one pair of stairs floor; and from thence of the thickness of one brick and a half in length, or thirteen inches at the least, up to the under side of the plate, under the roof or gutter of every such building; and from thence of the thickness of one brick in length, or eight inches and a half at the least, up to the under side of the blocking-course or coping on the parapet of every such first-rate building; except such parts of every such wall as shall be wholly of stone, which parts, so being of stone, shall be of the thickness of fourteen inches at the least below the ground-floor, and of nine inches at the least above the ground-floor; and except all recesses above the ground floor in the said walls, which shall be arched over in every story, so nevertheless as that the arch, and the back of such recess, shall be respectively of the thickness of one brick in length, or eight inches and a half at the least.

*(Thickness of party walls to the first Rate.)*

IV. And be it enacted, That every party-wall which shall, after the said first day of January, be built to any first rate building, or to any addition thereto, or enlargement thereof, shall be built and remain at the foundation thereof, of the thickness of three bricks and a half in length, or two feet six inches and a half at the least: and shall from thence, regularly and gradually diminish on each side of the wall four inches and a half to the top of the footing of every such wall, which footing shall be one foot high at the least, and wholly below the upper surface of the pavement and flooring-boards of the cellar story two inches at the least; and every such party-wall shall from the top of such footing, be of the thickness of two bricks and a half in length, or one foot nine inches and a half at the least, up to the underside of the ground-floor; and from thence of the thickness of two bricks in length, or one foot five inches and a half at the least, up to the under side of the floor of the rooms (if any) in the roof of the highest Building adjoining to such party wall; and from thence of the thickness of one brick and a half in length, or thirteen inches at the least, up to the top of every such party wall.

*(Second Rate.)*

V. And be it enacted, That every warehouse, stable, and other building, not being a dwelling-house, except such buildings as are herein particularly declared to be of the first, fifth, or sixth-rate or class of building, now built or hereafter to be built, which does or shall exceed two clear stories and shall not contain more than three clear stories above ground, exclusive of the rooms (if any) in the roof thereof, or which is, or shall be of the height of twenty-two feet, and shall not be of the height of thirty-one feet from the surface of the pavement, ground or way, above the area before either of the fronts thereof, to the top of the

blocking course or coping on the parapet thereof; and every dwelling-house, which does or shall exceed five squares of building on the ground plan, and shall not amount to more than nine squares of building on the ground plan thereof, shall be deemed the second rate or class of building.

*(Thickness of external Wall to the second Rate.)*

VI. And be it enacted, That every front, side, or other external wall (not being a party wall) which shall, after the said first day of January, be built to any second rate building, or to any addition thereto, or enlargement thereof, shall be built and remain, at the foundation thereof, of the thickness of two bricks in length, or one foot five inches and a half at the least, and shall from thence regularly and gradually diminish on each side of the wall two inches and a quarter to the top of the footing of every such wall, except where any immediate adjoining building will not admit of such footing being made on the side of such wall next such adjoining building; in which case such footing shall be made as near to the dimensions herein directed as the case will admit; which footing shall be nine inches high at the least, and wholly below the upper surface of the pavement and flooring-boards of the cellar story two inches at the least; and every such wall shall, from the top of such footing, be of the thickness of one brick and a half in length, or thirteen inches at the least, up to the under side of the one pair of stairs floor; and from thence of the thickness of one brick in length, or eight inches and a half at the least, up to the under side of the blocking-course or the coping on the parapet of every such second rate building; except such parts of every such wall, being above the ground-floor, as shall be wholly of stone, which parts, so being of stone, shall be of the thickness of nine inches at the least; and except all recesses above the ground-floor in the said walls, which shall be arched over, so nevertheless as that the arch, and the back of each such recess, shall respectively be of the thickness of one brick in length, or eight inches and a half at the least.

*(Thickness of party Walls to the Second Rate.)*

VII. And be it enacted, That every party-wall which shall, after the said first day of January, be built to any second rate building, or to any addition thereto, or enlargement thereof, shall be built and remain, at the foundation thereof, of the thickness of three bricks and a half in length, or two feet six inches and a half at the least, and shall from thence regularly and gradually diminish on each side of the wall four inches and a half to the top of the footing of every such wall; which footing shall be nine inches high at the least, and wholly below the upper surface of the pavement and flooring-boards of the cellar-story two inches at the least; and every such party-wall shall, from the top of such footing, be of the thickness of two bricks and a half in length, or one foot nine inches and a half at the least, up to the under-side of the ground floor; and from thence

of the thickness of two bricks in length, or one foot five inches and a half at the least, up to the under side of the floor of the two pair of stairs story; and from thence of the thickness of one brick and a half in length, or thirteen inches at the least, up to the top of every such party-wall.

*(Third Rate.)*

VIII. And be it enacted, That every warehouse, stable, and other building, not being a dwelling-house, except such buildings as are herein particularly declared to be of the first, fifth, or sixth rate or class of building now built, or hereafter to be built, which does or shall exceed one clear story, and shall not contain more than two clear stories above ground, exclusive of the rooms (if any), in the roof thereof, or which is or shall be of the height of more than thirteen feet, and shall not be of the height of twenty-two feet from the surface of the pavement, ground, or way above the area before either of the fronts thereof, to the top of the blocking-course, or the coping on the parapet thereof: and every dwelling-house, which does or shall exceed three squares and a half of building on the ground plan, and shall not amount to more than five squares of building on the ground plan thereof, shall be deemed the third rate or class of building.

*(Thickness of external Walls to the Third Rate.)*

IX. And be it enacted, That every front, side, end, or other external wall (not being a party-wall), which shall, after the said first day of January, be built to any third rate building, or to any addition thereto, or enlargement thereof, shall be built and remain, at the foundation thereof, of the thickness of two bricks in length, or one foot five inches and a half at the least, and shall from thence regularly and gradually diminish, on each side of the wall, two inches and a quarter, to the top of the footing of every such wall, except where any immediate adjoining building will not admit of such footing being made on the side of such wall, next such adjoining building; in which case such footing shall be made as near to the dimensions herein directed as the case will admit; which footing shall be six inches high at the least, and wholly below the upper surface of the pavement and the flooring-boards of the cellar story two inches at least; and every such wall shall, from the top of such footing, be of the thickness of one brick and a half in length, or thirteen inches at the least, up to the under side of the ground-floor; and from thence of the thickness of one brick in length, or eight inches and a half at the least, up to the under side of the blocking-course or coping on the parapet of every such third rate building.

*(Thickness of Party-walls to the Third Rate.)*

X. And be it enacted, That every party-wall which shall, after the said first day of January, be built to any third rate building, or to any addition thereto, or enlargement thereof, shall be built and remain at the foundation thereof, of the thickness of three bricks in

length, or two feet two inches at the least, and shall, from thence, regularly and gradually diminish on each side of the wall, four inches and a half to the top of the footing of every such wall, which footing shall be nine inches high at the least, and wholly below the upper surface of the pavement and flooring-boards of the cellar story, two inches at the least; and every such party-wall shall, from the top of such footing, be of the thickness of two bricks in length, or one foot five inches and a half at the least, up to the under side of the ground-floor, and from thence of the thickness of one brick and a half in length, or thirteen inches at the least, up to the top of every such party-wall.

*(Fourth Rate.)*

XI. And be it enacted, That every warehouse, stable, and other building, not being a dwelling-house, except such buildings as are herein particularly declared to be of the first, fifth or sixth rate, or class of building, now built, or hereafter to be built, which does not, or shall not, exceed one clear story above ground, exclusive of the rooms (if any), in the roof thereof, or which is not, or shall not be of the height of more than thirteen feet from the surface of the pavement, ground, or way above the area before either of the fronts thereof, to the top of the blocking-course, or coping, on the parapet thereof; and every dwelling-house which does not, or shall not exceed three squares and a half of building on the ground plan thereof, shall be deemed to be of the fourth rate or class of building.

*(Thickness of external Walls to the Fourth Rate.)*

XII. And be it enacted, That every front, side, end, or other external wall, which shall, after the said first day of January, be built to any fourth rate building, or to any addition thereto, or enlargement thereof, shall be built and remain at the foundation thereof, of the thickness of two bricks in length, or one foot five inches and a half at the least; and shall from thence regularly and gradually diminish on each side of the wall two inches and a quarter to the top of the footing of every such wall; except where any immediate adjoining building will not admit of such footing being made on the side of such wall next such adjoining building; in which case such footing shall be made as near to the dimensions herein directed as the case will admit, which footing shall be six inches high at the least, and wholly below the upper surface of the pavement and flooring-boards of the cellar story two inches at the least; and every such wall shall, from the top of such footing, be of the thickness of one brick and a half in length, or thirteen inches at the least up to the under side of the ground-floor; and from thence of the thickness of one brick in length, or eight inches and a half at the least, up to the under side of the blocking-course or coping on the parapet of every such fourth rate building.

*(Thickness of Party-walls to the Fourth Rate.)*

XIII. And be it enacted, That every party-

wall which shall, after the said first day of January, be built to any fourth rate building, or to any addition thereto, or enlargement thereof, shall be built and remain at the foundation thereof, of the thickness of two bricks in length, or one foot five inches and a half at the least; and shall from thence regularly and gradually diminish on each side of the wall two inches and a quarter to the top of the footing of every such wall; which footing shall be nine inches high at the least, and wholly below the upper surface of the pavement and flooring-boards of the cellar story two inches at the least; and every such party-wall shall, from the top of such footing be of the thickness of one brick and a half in length, or thirteen inches at the least, up to the under side of the ground-floor; and from thence of the thickness of one brick in length, or eight inches and a half at least, up to the top of every such party-wall.

*(Party Walls to be between House and House and other Buildings, except in such parts where each have independent Walls.)*

XIV. And be it enacted, That from and after the said first day of January, every house or building thereafter to be built, and being of the first, second, third, or fourth rate or class of building, herein-before directed, and not having each of them a separate and distinct side wall, on the part or parts where they are or shall be contiguous, shall have party-walls between house and house, or other buildings, or between so much of such house and house, or other buildings, as shall not respectively have such separate and distinct walls as aforesaid: and such party-walls shall extend to the outer surfaces of the external enclosures of each of the adjoining houses or buildings; and all party-walls, and also all chimnies and chimney-shafts hereafter to be built, shall be built wholly of good sound bricks, or stone, or of good sound bricks and stone together, except such timber, wood, lead, or iron work, as shall or may be laid therein, according to the directions hereinafter contained; and also except such piling, bridging, or planking, as may be necessary for the foundation thereof; and every such party-wall shall be topped or coped with stone, tile, or brick, and shall be of the dimensions hereinbefore directed; and one-half of every such party-wall between house and house, or between other buildings, shall be built on the ground or site of one or the adjoining houses or buildings, and the other half thereof shall be built on the ground or site of the other of the adjoining houses or building; and it shall be lawful for the first builder of any such party-wall, and for the workmen employed in building the same, to enter upon the ground adjoining thereto, in order to the building such party-wall in manner aforesaid.

*(All Party-walls above four stories high, to be built as of the First Rate.)*

XV. Provided, nevertheless, and be it enacted, That every party-wall which shall, after the said first day of January, be built to any dwelling-house exceeding four stories in

height from the foundation thereof, exclusive of the rooms (if any) in the roof of either of the buildings adjoining thereto, shall be built in every particular according to the directions hereinbefore contained with respect to the party-walls of the first rate or class of building, notwithstanding such house shall not be of the first rate or class of building; and every party-wall which shall, after the time aforesaid, be built to any dwelling-house containing four stories in height from the foundation thereof, exclusive of the rooms (if any) in the roof of either of the buildings adjoining thereto, shall be built in every particular according to the directions hereinbefore contained with respect to party-walls of the third rate or class of building, notwithstanding such house shall be of the fourth rate or class of building only.

*(Materials of Divisions of different possessions in the First, Second, Third and Fourth Rates.)*

XVI. And be it enacted, That every internal enclosure to be made, after the said first day of January, for separating any building of the first, second, third, or fourth rate or class of building, from any other building, where such buildings shall be in separate occupations, and every addition or enlargement to such internal enclosure, shall be of brick or stone, or artificial stone or stucco, or of brick and stone or artificial stone or stucco together; except such timber, wood, lead, or iron work as may be laid therein, according to the directions hereinafter contained for external enclosures to such first, second, third, or fourth rate or class of building, and also except such piling, bridging, or planking as may be necessary for the foundation of the same.

*(Method of ascertaining the Rate.)*

XVII. And be it enacted, That in measuring the several buildings herein-before declared to be of the first, second, third or fourth rate or class of building for the purpose of ascertaining the rate thereof, such measurement shall be made by the surveyor or surveyors to be appointed pursuant to this Act, or any one of them, by as true a measure as the nature of the case will admit; and in ascertaining the squares of building contained in every such building being a dwelling-house, the same shall be taken by the surveyor or surveyors as aforesaid, on the level of the floor at the principal entrance to such dwelling-house, and no more than such parts of the party-walls as belong to such dwelling-house, shall be included in such admeasurement; and in case the owner or any other person interested in such building, shall apprehend him or herself to be injured by the admeasurement made by such surveyor or surveyors as aforesaid, it shall be lawful for such owner or other person to apply to any two Justices of the Peace for the district of Sydney, and the said Justices shall enquire into the matter, and shall, by their order declare such building to be of such rate or class as the same shall to them appear to be of, according to the description of the several rates or classes hereinbefore contained; and it shall be lawful for any of the parties between whom such order

shall be made, to appeal to the Justices of the Peace, at their General Quarter Sessions of the Peace, whose order and determination shall be binding and conclusive upon all parties.

*(Fifth Rate of Building.)*

XVIII. And be it enacted, that every dwelling-house, warehouse, stable, and other building (except such buildings not being dwelling-houses as are herein-before particularly declared to be of the first rate or class of building) which is or shall be at the distance of four feet, and not eight feet from any public road, street, or causeway, and is, or shall be detached from any other building not in the same possession therewith, sixteen feet at the least, and not thirty feet, or connected with any other building only by a fence or fence-wall, shall be deemed to be of the fifth rate or class of building, and shall and may be built of any dimensions whatever.

*(Sixth Rate of Building.)*

XIX. And be it enacted, That every dwelling-house, warehouse, stable, and other building (except such buildings not being dwelling-houses as are herein-before particularly declared to be of the first rate or class of building) which is or shall be at the distance of eight feet from any public road, street, or causeway, and is or shall be detached from any other building not in the same possession therewith at least thirty feet, or connected with any other building only by a fence or fence-wall, shall be deemed to be of the sixth rate or class of building, and shall and may be built of any dimensions and with any materials whatever

*(Detached Offices deemed of the same Rate as if independent of any other Building.)*

XX. And, in order to prevent doubts which may arise concerning the rate or class of building of any office or offices now built, or hereafter to be built, belonging to any building herein-before declared to be of the first, second, third, or fourth rate or class of building, be it enacted, That every such office which shall be entirely free and detached from such building to which the same belongs, or shall be connected therewith only by a fence or fence-wall, or covered passage open on one or both sides, shall be deemed to be of the rate or class of building such office would be of, if the same did not appertain to any dwelling-house or other building.

*(How long old sound Party Walls may remain.)*

XXI. And whereas some houses or other buildings erected, or begun to be erected before the said first day of January, may have one or more good sound party-wall or party-walls, although not built agreeably to the several Rules herein-before directed to be observed concerning party-walls to be built after the said first day of January, and in such case it may happen that one of the adjoining houses may have been, or may hereafter be rebuilt, without making use of such party-wall or party-walls; be it therefore enacted, That every such wall may remain as a party-wall until both the houses or buildings to which the same belongs,

No. 295. September 27, 1837.

or the remaining house or building, where one has been already rebuilt, shall be rebuilt (if such wall shall so long continue sound) and no longer: And that in case either of the houses or buildings to which any such party-wall does belong, has been, or shall hereafter be rebuilt with a wall against such party-wall (without making use of such party-wall), of the heights and thicknesses herein-before prescribed for side walls, the proprietor of such remaining house or building shall not, when such remaining house or building, or when such old party-wall shall be taken down, be entitled to more than one-half of the materials of such old party-wall, nor to more than one-half of the ground on which such old party-wall was erected; nor shall such proprietor build on more than one-half of the said ground, unless he shall have agreed with and satisfied the owner or owners of such adjoining rebuilt house for the other half thereof; and in case the parties cannot agree concerning the same, and both or either of them shall be desirous of buying or selling, the price, and the matters in difference, shall be settled by a jury, to be summoned, returned, and empanelled as hereafter is mentioned concerning mixed property: But if such remaining house or building be of the first, second, or third rate or class of building, or be four stories high from the foundation thereof, exclusive of the rooms (if any) in the roof thereof, and if in that case such old party-wall shall not be of the thickness of two bricks in length, or one foot five inches and a half at the least, from the foundation thereof to the under side of the ground floor, and from thence upwards to the top thereof, of the thickness of one brick and a half in length, or thirteen inches at the least; then such old party-wall shall, when either of the houses or buildings to which the same belongs shall be rebuilt, be considered as if the same had been condemned, or adjudged ruinous, pursuant to the directions hereinafter contained for condemning, or adjudging ruinous, any unsound party-wall; or if such old party-wall shall have any timber or timbers of any adjoining building lying through the same, and if when either of the houses or buildings to which the same belongs, shall be rebuilt, the owner or owners of such adjoining or remaining house or building will not permit so much of such timber to be cut off as shall leave full six inches of clear brick work beyond the end of every such timber, then every such wall shall be considered as if the same had been condemned, or adjudged ruinous, pursuant to this Act, and the same shall be taken down and rebuilt, in such manner as is hereinafter directed concerning party-walls which shall be so condemned, or adjudged ruinous.

*(Timber Partitions to be taken down when one House or one Front is rebuilt.)*

XXII. And whereas, some houses or other buildings erected, or begun to be erected before the said first day of January, One thousand eight hundred and thirty-eight, may have one or more good and sound timber partition, or timber partitions between the same and the

adjoining house or building, be it enacted, That every such timber partition may remain until one of the adjoining houses or buildings to which the same belongs shall be rebuilt, or shall have one of the fronts which shall abutt on such timber partition, or two-third parts of one of such fronts taken down to the bressummer or one pair of stairs floor, and rebuilt, or until such timber partition shall be condemned, pursuant to the directions hereinafter contained, concerning ruinous or defective party-walls and party-partions, and no longer.

*(External walls shall not become party-wall.)*

XXIII. And as a further security against fire, be it enacted, that no wall or walls of any building of the first, second, third, or fourth rate or class of building, already erected or built, or hereafter to be erected or built, or of any addition or enlargement made, or to be made to any building of such first, second, third, or fourth rate or class of building, which shall not be a Party-wall on the said first day of January, shall ever be or become a Party-wall, unless the same shall be and remain of the heights and thicknesses above the footings, and of the materials hereinbefore directed concerning party-walls to be erected after the time aforesaid.

*(Party-walls to be one foot six inches above any Building which shall gable against them.)*

XXIV. And as a greater security from fire, be it enacted, that every party-wall which shall be built after the said first day of January, and every addition or enlargement which shall be thereafter made to any party wall then built, or thereafter to be built, shall be carried up, and remain, one foot six inches at the least above the roof of the highest building which shall gable against, or adjoin to such party-wall, in every part of such party-wall where such building shall gable or adjoin thereto, measuring at a right angle with the back of the rafters of such roof; and every such party-wall shall be carried up and remain one foot at the least above the gutters of the highest of such buildings, except the height of such party-wall, where so carried up, shall exceed the height of the blocking-course or parapet of either of the fronts abutting on the same of the highest building adjoining thereto, in which case the end only of every such party-wall next such blocking course or parapet may be less than one foot above the gutter for the distance of two feet six inches from the front of such blocking-course or parapet; and in case any dormer or other erection is or shall be fixed in the flat or roof of any building, within four feet of any party-wall, then every such party-wall shall be carried up against every such dormer or other erection, and shall extend for the breadth of at least two feet wider, and to the full height of every part of every such dormer or other erection as shall be within four feet of such party-wall: And no recess shall be made in any party-wall hereafter to be built to any building of the first, second, third, or fourth rate or class of building (except for chimnies, flues, girders, and beams, and other timbers, and for the ends

of walls or piers as hereinafter is directed) so as to reduce such wall in any part thereof under the thickness by this Act required for the party-wall to the highest rate or class of building to which such party-wall belongs: And there shall not be any opening whatever after the said first day of January, made in any party-wall, except for communication from one stack of warehouses to another, and from one stable building to another; all which communications shall have thereto iron doors in such manner as is hereinafter directed; and also except such passages or ways on the ground for foot passengers, cattle, or carriages as may be necessary; all which passages or ways shall be arched over with brick or stone, or brick and stone together throughout, of the thickness of thirteen inches at the least in every building of the first and second rate or class of building, and of the thickness of eight inches and a half at the least in every building of the third or fourth rate or class of building: And if there be any cellar or vacuity under any such passage, every such cellar or vacuity shall be arched over throughout with brick or stone, or brick and stone together, in the same manner as the passage or way over such cellar or vacuity is hereby directed to be arched.

*(House ends of beams may be laid into Party-walls.)*

XXV. And be it enacted, That no timbers shall at any time, after the said first day of January, be laid into any party-arch, except for bond to the same, nor into any party-wall other than such templets, chains, and bond-timbers as shall be necessary for the same; and other than the ends of girders, beams, purlings, and of binding or trimming joists, or of other principal timbers; all which timbers shall have at least eight inches and a half of solid brick-work between the ends and sides of every such piece of timber and the timber of any building adjoining thereto; and the end of every girder, beam, purling, binding, or trimming joists, and of every other piece of principal timber may be laid beyond the centre of any party-wall hereafter to be built, so nevertheless as that there be left eight inches and a half at the least of solid brick or stone work at the end of every such piece of timber, except in places where any part of the ends of any such timber shall lie opposite to and level with any part of the ends of any timber of any adjoining building or buildings, in which case no part of such timbers shall approach nearer than four inches to the centre of the said wall.

*(Party-arches and Party-walls not to be maimed: for what uses Party-walls may be cut into.)*

XXVI. And be it enacted, That no person shall cut or maim any party-arch, nor the shaft of any chimney now built, or hereafter to be built, or any party-wall for any purpose whatsoever; and that no person shall cut or maim any party-wall now built, or hereafter to be built, other than for the purposes and in the manner hereinafter mentioned; that is to say, when the front or back wall of any house or building, being in a line with the front or back



wall of the house or building adjoining thereto, shall at any time hereafter be built, it shall be lawful to cut or break not more than nine inches deep from the external face of such front or back wall, and to the centre of such party-wall, for the purpose of inserting therein the end of such new front or back wall; and in every such case where a bressummer and story-posts shall be fixed in the ground story of such new front or back wall, such break may be cut from the foundation of such new front or back-wall to the top of such bressummer fourteen inches deep from the external face of such front or back wall, and the same may be four inches wide in the cellar story, and two inches wide in the ground story, for the purpose of placing therein such story-posts and bressummers, agreeably to the directions of this Act: And it shall be lawful to cut into any party-wall for the purpose of tailing in stone steps, or stone landings, or for placing in such party-wall timber for bearers to wood stairs, so as no timber bearer be laid into any party-wall nearer than eight inches and a half to any chimney or flue whatever, or to any timber of the adjoining house or building, or nearer than four inches to the internal finishing of such adjoining house or building, and for the purpose of laying therein stone corbels for the support of chimney-jambs, girders, beams, purlings, binding or trimming joists, or of other principal timbers; and it shall also be lawful to cut perpendicular recesses into any party-wall, not being less than thirteen inches thick, for the purpose of inserting walls and piers therein, so nevertheless as that no such recess be more than fifteen inches wide, or more than four inches deep, and that no such recess be nearer than ten feet to any other recess; and it shall be lawful to cut off the footing on the side of any party-wall where either of the adjoining buildings shall be rebuilt with a wall against such party-wall; but every person who shall cut into any party-wall for any of the purposes aforesaid, shall immediately make good, and well and effectually pin up, with brick, stone, slate, tile, shell or iron, bedded in mortar, every defect which shall be occasioned by the cutting of any such party-wall: And no party-wall shall be cut for any of the purposes aforesaid, if the cutting thereof will injure, displace, or endanger the timbers, chimnies, flues, or internal finishings of the adjoining buildings.

*(Thickness of backs of Chimnies in Party-walls; how Chimnies may be built back to back in Party-walls.)*

XXVII. And be it enacted, That the back of every chimney in every party-wall which shall, after the said first day of January, be built, shall be at least thirteen inches thick in the cellar story, and eight inches and a half thick in every other story from the hearth of every such chimney to the height of twelve inches above the mantle in every such chimney; and that no chimney which shall, after the said first day of January, be built in any party-wall where either of the buildings adjoining thereto is of the first rate or class of building, shall be built with the back thereof against the

back of any other chimney, unless the back of each chimney in the cellar story be at least eight inches and a half, and the back of each chimney in any of the upper stories be at least four inches and a quarter from the centre of such party-wall: and that no chimney which shall, after the said first day of January, be built in any party-wall, where either of the buildings adjoining thereto is of the second, third, or fourth rate or class of building, shall be built with the back thereof against the back of any other chimney, unless the back of each chimney in the cellar-story be at least six inches and a half, and the back of each chimney in any of the upper stories be at least four inches and a quarter from the centre of such wall: And that no flue shall be built opposite to another flue in any party-wall, unless the back of each flue be at least two inches from the centre of such party-wall: The breast of every flue which shall, after the said first day of January be built, whether such flue be in a party-wall or not, shall be of brick or stone at least eight inches and a half thick in every cellar story, and at least four inches thick in every other story: All the withs or partitions between any flues which shall, after the said first day of January be built, shall be of brick or stone, and every such with or partition of brick shall be at least half a brick thick: And every breast and back of every chimney, and every breast, back, and with or partition of any flue hereafter to be built, shall be rendered or pargetted within and without, except the outside thereof, which shall be next to vacant ground, in which case the back of every chimney and flue next such vacant ground shall be by lime, or in some durable manner marked and distinguished, except in a fore-front, back-front, or side-front of any building not likely hereafter to be built against; and every back of every such chimney and flue so being against such vacant ground shall be rendered or pargetted as soon as any building shall be erected to such wall.

*(Chimney Jambs, Breasts, &c., to be placed in Party-walls when desired by Owner of adjoining Ground.)*

XXVIII. Provided always, and be it enacted, That if any person or persons being possessed of, or entitled unto, any part of the ground whereon a party-wall is intended to be built, shall be desirous of having chimney jambs, breasts, and flues of chimnies made in any such party-wall on his, her, or their part thereof, or shall be desirous of having a recess or recesses left in the said party-wall, of the several breadths and depths in and by this Act allowed to be left or cut into any party-wall for the purpose of inserting therein external or internal walls or piers, or for any other purpose allowed by this Act, and of such desire shall give notice in writing under his, her, or their hands, particularly describing every such chimney jamb, breast, and flue, and every such recess, to the builder or builders of such party-wall, or any one of them, at any time before such party-wall shall be begun to be built; then such builder or builders of such party-wall shall, after such notice so given, erect in a proper, substantial

and workmanlike manner, such and so many chimneys jacks, breasts, and flues of chimnies, in all such parts of every such party-wall as shall be, by the person or persons giving such notice required; and shall also leave such recesses in every such party-wall, not being in any respect contrary to the rules, regulations, and restrictions in and by this Act prescribed: And from and after the erecting such jacks, breasts, and flues of chimnies so required, the person or persons giving such notice, his, her, or their executors and administrators shall be deemed to have made use of such party-wall, and shall from thenceforth be liable to pay the whole expense of erecting and setting up all such jacks, breasts, and flues of chimnies, erected in pursuance of such notice, and also such proportional part of the expense of erecting such wall, as is hereinafter directed concerning party-walls to be built after the said first day of January, to be recovered in case of non-payment, with full costs of suit, in like manner as any proportion of any party-wall is by this Act made recoverable by the builder thereof, from any other person liable to contribute thereto.

*(Regulation of Party-walls, &c., between intermixed Property.)*

XXIX. And whereas several houses and other buildings within the limits aforesaid, are or may be built in some part thereof over a public way, and in several houses or other buildings within the limits aforesaid, several of the rooms or floors of such houses or buildings are or may become the property of different owners, and lie intermixed without being separated by any party-wall, and without being arched over and under each other, with brick or stone, or brick and stone throughout: Be it therefore enacted, that when any house or other building, except as hereinafter is excepted, so built, in any part thereof, over a public way, or any house or building, except as hereinafter is excepted, having any rooms the property of different persons, and intermixed as aforesaid, shall be rebuilt, there shall be a party-wall according to the directions hereinbefore contained for the highest rate or class of building adjoining thereto, with a party-arch or party-arches of the thickness of one brick and a half in length, or thirteen inches at the least, in every building of the first and second rate or class of building, and of the thickness of one brick in length, or eight inches and a half at the least, in every building of the third and fourth rate or class of building, between house and house, or other building, or between the different rooms or floors so being the property of different persons as aforesaid.

*(Owners may be compelled to join in Building Party Walls, &c.)*

XXX. And whereas it may sometimes happen that no party-wall or party-arch can be built upon proper foundations between such houses and other buildings over public ways, or having rooms or floors the property of different persons lying intermixed, as aforesaid, without pulling down such houses or buildings, and laying parts of each to the others of such houses or buildings; and it may happen that the parties interested therein, or some one of them, will not, or cannot, by reason of some legal disability, or otherwise, join in building such party-wall or party-arches, as aforesaid, or in pulling down such houses, and in laying parts of each to the other or others of such houses;

in all which cases differences may arise amongst the said several owners, and the rebuilding the same, and the said party-walls or party-arches thereof may be thereby prevented or delayed, to the great injury or inconvenience of such of the owners as are desirous of rebuilding: For remedy thereof, and in order to prevent the fatal effects of fire, be it enacted, That in all and every or any of such cases when any owner or owners of any such house or other building within the limits aforesaid, built over any public way, or intermixed as aforesaid, shall be desirous of rebuilding such house or other building, and the owner or owners of the adjoining house or building, or of the other parts of such intermixed house or building, shall not be willing, or shall not, by reason of some legal disability, or otherwise, be able to join in such rebuilding, then the party or parties, so desirous of rebuilding, shall give notice, in writing, to the owner or owners of such adjoining house or houses, or other buildings, or of the other parts of such intermixed house or building, that he, she, or they, so intending to rebuild, will apply to the Justices of the General Quarter Sessions of the Peace to be next holden in the district of Sydney, after fourteen days from the delivery of such notice, in order to obtain the judgment and determination of the said Court of Quarter Sessions touching the rebuilding of such house or houses, or other buildings, or such party-walls or party-arches, to be described in such notice, and for ascertaining the site of a party-wall or party-walls, or the situation of any party-arches to be built according to the directions and restrictions in this Act contained, by delivering a true copy of such notice to the owner or owners of such adjoining house or houses, or other buildings, or of the other parts of such intermixed house or building; or in case such owner or owners shall be under the disability of coverture, infancy, idiocy, or lunacy, then to the husband or husbands of such owner or owners under coverture, or to the guardians, trustees, or committees of such owners being under the disability of infancy, idiocy, or lunacy respectively, or by leaving the same at his, her, or their last or usual place of abode, or by delivering a true copy of such notice to the tenant in possession of such adjoining house or houses, or other buildings, or of the other parts of such intermixed house or building; or in case such house or buildings shall be uninhabited, then by fixing such copy, written fair, and in a legible hand, to or upon the door, or some other notorious part of such adjoining, or intermixed house, or other building which shall be uninhabited; and in every such case it shall and may be lawful to and for the said Court of Quarter Sessions, and they are hereby authorised and required, upon application to them by the party or parties so desirous to rebuild, and upon such proof of such notice as they shall deem reasonable, to issue their warrant or warrants, precept or precepts, to the Sheriff of New South Wales, requiring him to empanel and return a competent number of substantial and disinterested persons, qualified to serve on juries, within the respective distances to which they are summoned, not less than twenty-four, nor more than thirty-six; and out of such persons so to be empanelled, summoned and returned, a jury of twelve persons shall be drawn by some person by the said Court of Quarter Sessions appointed, in



such manner as juries are directed to be drawn for the trial of issues joined in the Supreme Court, which persons so to be empannelled, summoned, and returned, are hereby required to come and appear before the said Court of Quarter Sessions, at such time and place as in such warrant, or warrants, precept or precepts, shall be appointed, and there to attend from day to day, until discharged by the Court; and all parties concerned shall and may have their lawful challenges against any of the said jury, but shall not be at liberty to challenge the array; and the said Court of Quarter Sessions is hereby authorised and empowered by precept or precepts, from time to time, as occasion may require, to call before them all and every person or persons, who shall be thought proper or necessary to be examined as a witness or witnesses before them on oath concerning the premises; and the said Court, if they think fit, shall and may likewise authorise the said jury to view the place or places in question, in such manner as they shall direct, and shall have power to command such jury, and all such witnesses and parties as shall be necessary or proper to attend, until all such affairs for which they are summoned shall be concluded; and the said jury upon their oaths, (which oaths, as also the oaths to persons called upon to give evidence, the said Court are hereby empowered, and required to administer) shall enquire and try, and determine by their verdict, whether the premises in any of the cases aforesaid, ought to be rebuilt or not; and if the same ought to be rebuilt, shall award and determine the site of a party-wall or party-walls, and also what party-arches may be necessary over or under any rooms of such house or houses, or other buildings, so intended to be rebuilt, or shall ascertain the quantity of the soil or ground, or other parts of the premises (if any) necessary to be laid to, or taken from, the house of the person or persons desirous to rebuild, permitting such person or persons to erect a party-wall or party-walls, party-arch or party-arches; and shall ascertain and award what, (if any) compensation should be made and paid, by either or any of the said parties in difference to the other or others of them, in lieu of the lessening either of the said houses or other buildings by such party-wall or party-walls, party-arch or party-arches, or as a satisfaction for such other injury (if any) as shall be done, or occasioned thereby to any or either of the said parties; and shall also ascertain and award what proportion of the expense of building such party-wall or party-walls, party-arch or party-arches, shall, when the same are so built, be repaid by either or any of the parties in difference to the person or persons so rebuilding as aforesaid: And the said Court of Quarter Sessions shall give judgment according to such verdict, as well for determining the site of such intended party-wall or party-walls, party-arch or party-arches, as also for such sum or sums of money (if any) so assessed by the said jury, and likewise for such proportion of the expense of building such party-wall or party-walls, party-arch or party-arches, so found or awarded by the said jury, to be repaid to the person or persons who shall rebuild, or shall have rebuilt, the same, and shall and may (if they see fit) award to either of the parties such costs as they shall deem reasonable; which verdict or verdicts, and the judgment order or determination thereupon, shall be binding and conclusive against all and every person

No. 295. September 27, 1837.

and persons, bodies politic and corporate, claiming any estate, right, title, trust, use, or interest, in, to, or out, of the said premises, or any part thereof, either in possession, reversion, remainder or expectancy, as also against the King's Most Excellent Majesty, His Heirs and Successors, and against infants and issue unborn, persons in reversion or remainder, lunatics, idiots and femes-covert, and persons under any other legal incapacity or disability, and against all trustees and cestuique trusts, his, her, and their successors, heirs, executors and administrators, and against all other persons whomsoever: And all and every the said verdicts, judgments, orders and determinations, and all other proceedings of the said Court of Quarter Sessions, so to be made, given and pronounced as aforesaid, shall be by the Clerk of the Peace entered and filed as of record of the said Court (for the entry and filing whereof, and for every order of Court and copy thereof, the said Clerk of the Peace shall be paid after the rate of twelve-pence for every one hundred words, and no more;) And the said Clerk of the Peace is hereby empowered and required to make and deliver to any person requiring the same, an exemplification under his hand and seal of any such verdict, judgment, order and determination, being paid for the same after the rate of twelve-pence for every one hundred words; And every such exemplification shall and may be taken and read as evidence in all courts of law and equity whatever: And after the expiration of fourteen days from and after the obtaining such judgment, and payment or tender, in manner hereinafter directed, of the sum or sums of money (if any) thereby assessed or awarded, or where no sum of money shall be so assessed or awarded, after the expiration of fourteen days from and after the obtaining such judgment, the person or persons who shall have applied for and obtained such judgment, his, her, or their heirs, executors, or administrators, servants or workmen, shall and may pull down his, her, or their own house or other building, and rebuild the same in the manner so ascertained by such judgment; and to that end shall and may in the presence of a constable or other officer of the peace, after the end of fourteen days after such judgment, order, and determination, shall have been obtained, enter upon the site of ground so ascertained for a party-wall or party-walls, party-arch or party-arches, and into the house or other building (if any be) adjoining to the house, or party-wall or party-walls, party-arch or party-arches, intended to be rebuilt, at any time between the hours of six in the morning and seven in the afternoon (Sunday, Good Friday, and Christmas Day, excepted); and if the outer door of such house or other building be shut, and the occupier or any other person therein, refuse to open the same, being thereunto required, or if such house or other building be empty and unoccupied, shall and may break open such outer door, and remove to some other part of the same premises, or in case there be no room on the premises sufficient for that purpose, to remove to any other place, any goods, furniture, shelves, or other thing obstructing the building of such intended party-wall or party-walls, party-arch or party-arches, or the pulling down any wall, partition, or other thing necessary to be pulled down and removed, in order to the building such intended party-wall or party-walls, party arch or party-arches; and from and after

such entry as aforesaid, and at all usual times of working, it shall be lawful for the builder or builders employed to erect such intended party-wall or party-walls, party-arch or party-arches, and his and their servants, and all others employed by him or them, to enter into and upon the premises, and abide therein the usual times of working, for the shoring up the said house or other building so broken into or entered upon, and for taking down and removing any party-wall or party-walls, partition, wainscot, or other thing necessary to be taken down and removed for the purpose aforesaid, and to build such intended party-wall or party-walls, party-arch or party-arches: And if any such owner or occupier, or other person or persons shall in any manner hinder or obstruct any workman or workmen employed for any of the purposes aforesaid, or wilfully damage or injure the said works, every such owner or occupier, or other person so offending, shall, for every such offence, forfeit and pay the sum of ten pounds; to be levied, recovered, and applied, as the several penalties of ten pounds hereinafter mentioned, are directed to be levied, recovered, and applied.

*(Builders to be repaid a part of the expense according to the verdict.)*

XXXI. Provided also, and be it enacted, That within ten days after such party-wall or party-walls, party-arch or party-arches, shall be so built, the person or persons who shall have rebuilt the same, his, her, or their executors, administrators, or assigns, shall leave a true account in writing of the expense of building the same with the party or parties so awarded by the jury as aforesaid to contribute to the expense thereof, or at his, her, or their last or usual place of abode; or, in case such party or parties be under coverture, to her or their respective husbands; or if infants, idiots, or lunatics, then to their respective guardians, trustees, or committees; or in the case of any body corporate being so awarded to contribute as aforesaid, then to the Mayor or other officer of such corporation, who shall pay to the person or persons who shall have rebuilt such party-wall or party-walls, party-arch or party-arches, as aforesaid, his, her, or their executors, administrators or assigns, the proportion of the expense of building the same so awarded by the said jury as aforesaid within twenty-one days after demand thereof; or in case the same be not so paid, it shall be lawful for the tenant or occupier of the house or building so chargeable therewith to pay the same, and to deduct the money so paid out of the next rent which shall become due to the owner or owners of such house or building; or the same may be recovered from the party or parties so awarded to pay the same by action of debt, bill, plaint or information in the Supreme Court, with double costs of suit.

*(Court may be held in any part of the town of Sydney, appointed by the Justices in Quarter Sessions.)*

XXXII. Provided always and be it enacted, That upon every application to the General Quarter Sessions of the Peace for the district of Sydney, for or concerning any matter to be by such Quarter Sessions ordered, directed, or done, in pursuance of this Act, the jury (if any) to be empannelled, and all parties required to attend the said Quarter Sessions pursuant to such application may, at the

discretion of said Court, be empannelled and required to attend at some general or special adjournment of the said Quarter Sessions, within six weeks next after such application; which said adjournment shall be to some convenient place in the said town of Sydney, to be appointed by the Justices in the said Quarter Sessions; and that from time to time every further meeting of the said Quarter Sessions, for any thing to be done upon such application shall be appointed at, or within the space of three weeks from the last meeting; which adjournment and adjournments, the Justices of the Peace for the said district, and every of them, are hereby empowered and required to make and hold from time to time, as there shall be occasion.

*(Court may fine the Sheriff or Under Sheriff making default, and also any witness making default.)*

XXXIII. And be it enacted, That it shall and may be lawful to and for the said Court of Quarter Sessions, and they are hereby empowered and required from time to time to impose any reasonable fine or fines on the said sheriff or his deputy or deputies, making default in the premises, and on any of the persons who shall be summoned and returned on such jury, and shall not appear at the time and place in such summons specified, or appearing, shall refuse to be sworn on such jury, or to give his or their verdict, or in any manner wilfully neglecting his or their duty therein, contrary to the true intent and meaning of this Act; and on any of the persons having notice to attend to give evidence touching the premises, who shall not attend, or attending shall refuse to be sworn, examined, and give evidence; and from time to time in default of payment thereof on demand, to levy such fine or fines in such manner as other fines set by the said Court have been usually levied; so that no fine shall exceed the sum of ten pounds upon any one person for any one offence; and such fine or fines, when so received, or levied and recovered, shall be applied to and for the use of the person or persons so applying to the said Court of Quarter Sessions, and to and for no other use or purpose whatsoever; and if such person or persons having notice to attend and give evidence as aforesaid, shall not attend and give evidence accordingly, having had ten days previous notice in writing thereof, under the hands of the party on whose behalf such evidence shall be wanted, his guardian, trustee, committee, attorney or agent, and having been tendered his reasonable charges and expenses for such attendance, he, she, or they so neglecting or refusing to give evidence, shall be liable to an action on the case, to be brought in the Supreme Court against him, her, or them respectively, by the party or parties on whose behalf any such notice to attend as aforesaid shall have been given; in which the plaintiff or plaintiffs shall recover their damages occasioned by such non-attendance, with full costs of suit; and such, and no other justification or excuse shall be allowed for non-attendance, as is by law allowable for the non-attendance of witnesses legally summoned to appear and give evidence on trials of issues joined in the said Supreme Court: Provided the Court of Quarter Sessions where such witness or witnesses shall appear, may (if they shall think fit) order such further sum to be paid to such witness or witnesses respectively for their attendance on such Court, as to them shall seem reason-

able, in proportion to the time such witness or witnesses shall attend; and such witness or witnesses shall not be compelled to give evidence before such further sum or sums (if any) as shall be so ordered, shall be paid to them respectively. (Old party-walls and party-arches when decayed may be rebuilt.)

XXXIV. And whereas it may happen that party-walls or party-arches, or party-fence walls built or to be built within the limits aforesaid, may be defective, or so far out of repair as to render it necessary to pull down and rebuild the same, or some part or parts thereof, as well when both or either of the adjoining houses or other buildings may not require to be rebuilt, as when the said houses or buildings or one of them may require to be rebuilt; Be it enacted, that from and after the said first day of January, every owner of any house or building within the limits aforesaid, who shall think it necessary to repair, pull down, or rebuild any party-wall or party-fence wall, or any part or parts thereof between any such house or building, or the ground thereto adjoining, and the next adjoining house or building, or the ground thereto adjoining, shall (in case the owner or owners of such adjoining house, building, or ground, will not, or by reason of any legal disability or otherwise, cannot agree touching the repairing, or pulling down, or rebuilding the same) give three months' notice in writing to the owner, if he is known and can be met with, or if such owner or owners be under coverture, to her or their husbands respectively, or if under the disability of infancy, idiocy, or lunacy, to the guardian or guardians, trustee or trustees, committee or committees of such infant, idiot, or lunatic respectively, or otherwise to the occupier of such adjoining house, building, or ground, of such his or her intention to repair or pull down such party-wall, party-arch, or party-fence wall, or any part thereof, by delivering a copy of such notice to such owner or occupier, or other person or persons as aforesaid, or by leaving the same at his, her, or their last or usual place of abode, or if such adjoining house or building be unoccupied, by fixing a copy of such notice on the door of such last mentioned house or building; which notice shall be in the form or to the effect following:—"Apprehending the party-wall, party-arch, or party-fence wall, or some part thereof (as the case shall be) between the house or building, or ground (as the case shall be) thereto adjoining, situate , inhabited or occupied by , and my house or building, or ground (as the case shall be) adjoining thereto, to be so far out of repair as to render it necessary to repair, or pull down and rebuild the same or some part thereof: Take notice that I intend to have the said party-wall, party-arch, or party-fence wall (as the case shall be) surveyed, pursuant to an Act of the Governor and Council, passed in the eighth year of the reign of King William the Fourth; and that I have appointed of , and of , my surveyors, to meet at in (being at some place within the limits aforesaid) on my behalf, on the day of next, at of the clock in the of the same day (being between the hours of six in the morning and six in the afternoon): and I do hereby require and call

" upon you to appoint two other surveyors or able workmen on your part, to meet them at the time and place aforesaid, to view the said party-wall, party-arch, or party-fence wall (as the case shall be), and to certify the state and condition thereof, and whether the same or any part thereof ought to be repaired, or pulled down and rebuilt. Dated this day of ."

And every such owner, if he is known and can be met with, or in case such owner be under any disability as aforesaid, then such person or persons as aforesaid, to whom such notice shall be so given, or otherwise the occupier to whom such notice shall be so given, shall appoint two surveyors or able workmen to meet at the time and place in such notice mentioned; and they, together with the two surveyors or workmen named by the party giving such notice, and whose names shall be expressed in such notice, may view such party-wall, party-arch, or party-fence wall, and certify the state and condition thereof, and whether the same or any part thereof ought to be repaired, or pulled down and rebuilt; and such surveyors so respectively named as aforesaid, or in case the owner or occupier of such adjoining house or building, or such other persons as aforesaid, having notice as aforesaid, shall refuse or neglect to name such two surveyors or able workmen according to such notice, then the two surveyors or workmen named in such notice, together with two other surveyors or able workmen also to be named by the party giving such notice as aforesaid, shall and may within six days after the time appointed in such notice, view the party-wall, party-arch, or party-fence wall intended to be repaired or pulled down, and shall certify in writing under their hands, to the said Justices of the Peace in their next General or Quarter Sessions of the Peace, the state and condition of such party-wall, party-arch, or party-fence wall, and whether the same or any part thereof ought to be repaired, or pulled down and rebuilt; and in case the major part of the surveyors or workmen appointed in manner aforesaid to view such party-wall, party-arch, or party-fence wall so intended to be repaired or pulled down, shall not, within the space of one month next after such appointment, sign such certificate in writing; then, and in every such case, it shall and may be lawful to and for any one or more of His Majesty's Justices of the Peace for the district of Sydney in the Colony aforesaid, and such one or more Justice or Justices is and are hereby authorised and required, upon application to him, or them, for that purpose, by the party giving such notice as aforesaid, to name and appoint one other able surveyor or workman to be added to the surveyors or workmen appointed as aforesaid; and all the said surveyors or workmen so appointed, or the major part of them, shall meet for that purpose (six days notice having been given to, or left at the dwelling-house of each and every of them of such intended meeting), and shall view the party-wall, party-arch, or party fence-wall, so proposed to be repaired or pulled down: And in case the major part of such surveyors or workmen, appointed in manner aforesaid, shall certify, in writing under their hands, that the party-wall, party-arch, or party fence-wall described in such notice, or any part thereof, is decayed and ruinous, or is not sufficiently secure against fire, if any should happen, and that the same ought to be repaired or

pulled down; then within three days next after such certificate made by such major part of the said surveyors or workmen as aforesaid, a copy thereof shall be delivered to the owner or occupier, owners or occupiers of, or left at such adjoining house or building, or fixed on the door thereof, in case the same be unoccupied; and such certificate shall be immediately filed with the Clerk of the Peace for the district of Sydney, paying such Clerk one shilling for filing thereof, and no more: And such last mentioned owner or occupier, owners or occupiers, shall and may (if he, she, or they think fit) appeal from or against such certificate to the next General or Quarter Sessions to be holden for the district of Sydney; and the Justices at the said General or Quarter Sessions, to which such appeals shall be made, shall summon before them one or more of such surveyors or workmen, and such other person or persons as they think fit, and shall examine the matter upon oath, which oath or oaths they are hereby empowered to administer; and upon such examination or examinations the said Justices are hereby authorised and required to make such order or orders in the premises as they in their discretion shall think to be just and reasonable; which order or orders shall be entered and filed on record by the Clerk of the Peace for the said district of Sydney, in like manner as the judgments of any Court of Quarter Sessions concerning intermixed property, are hereinbefore directed to be entered and filed of record; and the determination of the said Justices shall be final and conclusive to all parties, without any appeal from the same: And on default of appealing to such next General or Quarter Sessions as aforesaid; or, if upon any appeal there be no order made to the contrary; then and in every such case, and not otherwise, it shall be lawful for the party intending to repair, or pull down and rebuild such party-wall, party-arch, or party fence-wall, as aforesaid, after the expiration of fourteen days after delivering or leaving the copy of such certificate as aforesaid; or after the determination of such appeal as aforesaid to cause such party-wall, party-arch, or party fence-wall, or any parts thereof, to be repaired or pulled down, and to have and exercise the like power of entry into or upon the adjoining house or houses, building or buildings, or of breaking open the same in the presence of a peace-officer, in case the same be unoccupied, or be refused to be opened, and of removing wainscot, shelves, furniture, and other things, and of shoring up the said adjoining house or houses, building or buildings, as is given or allowed to the owners of intermixed houses or buildings in and by this Act; and shall and may erect and build a new party-wall or party-walls, party-arch or party-arches, or any part or parts thereof, of such materials and of such thickness, and height, and in such manner, and subject to such restrictions and directions as are in and by this Act prescribed.

*(Owners of houses of the first, second and third class shall give three months notice in writing before pulling down old party-walls.)*

XXXV. And whereas several old houses and other buildings of the first, second, and third rate or class of building within the limits aforesaid, have, instead of party-walls of the respective thicknesses hereinbefore directed for the same, between such houses or other buildings, and the adjoining houses or buildings, party-walls, not being of

greater thickness than one brick and a half in length, or thirteen inches, from the foundation to the ground floor thereof, or than one brick in length, or eight inches and a half, from thence to the coping thereof: And whereas disputes may arise concerning the pulling down such old party-walls, and concerning the building party-walls agreeably to the rules and directions herein contained in the place and stead of such old party-walls whenever the owner or owners of any or either of the houses or buildings adjoining to any such party-walls may be desirous to rebuild any such house, or rebuild any such house or building of the first, second, or third rate or class of building or so much thereof as may subject the same, or the party-walls thereto, to the rules and regulations contained in this Act; be it enacted, That if the owner or owners of any house or building of the first, second, or third rate or class of building to which any such old party-wall belongs, shall be desirous of pulling down and rebuilding such house or building, or so much thereof, as aforesaid, and of such his, her, or their desire, shall give three months notice in writing, to the owner or owners, occupier or occupiers of the next adjoining house or building of his, her, or their intention in three months from the date thereof to pull down such party-wall, and instead thereof, to build a party-wall, agreeably to this Act; then and in that case, from and after the expiration of the three months expressed in such notice, it shall be lawful for the owner of such house or building, so intended to be rebuilt, to pull down the said party-wall, and to have and exercise the like power of entering into and upon the said adjoining house or building, or of breaking open the same, in the presence of a peace-officer, in case the same be unoccupied, or be refused to be opened, and of removing any wainscot, shelves, furniture, or other things, and of shoring up the said adjoining house or building, as by this Act is given and allowed to the owners of intermixed houses or buildings; and shall and may, in the place and stead of every such old party-wall, build a new party-wall of such materials, thickness, and height, and in such manner, and subject to such restrictions and directions as are in and by this Act prescribed.

*(Owners of houses having partitions of wood, may give three months notice to owners of adjoining houses of their design to pull down the same, &c.)*

XXXVI. And whereas, several old houses or other buildings within the limits aforesaid, have instead of a party-wall between such house or other building, or between such houses or other buildings, and the houses or other buildings and ground adjoining thereto, one timber or wood partition, or two old timber or wood partitions, with or without bricknogging in one or more of the stories thereof, one belonging to each house or other building: And whereas disputes may arise concerning the pulling down such partitions, and the wall or walls under or over the same, if any such there be, and concerning the building party-walls, agreeably to the rules and directions herein contained in the place and stead of such partition or fence, whenever it may be expedient to rebuild any such house or building, or so much thereof as may subject the same and the partitions abutting on the same to the rules and regulations contained in this Act; be it enacted, That if the owner or owners of any

house or building to which any such timber or wood partition or partitions, or wooden fence belongs, shall be desirous of pulling down and rebuilding such house or building, or so much thereof as aforesaid, and of such his, her, or their desire, shall give three months notice to the owner or owners, occupier or occupiers of the next adjoining house or building of his, her, or their intention to pull down such timber or wood partition or partitions after the end of three months after the date of such notice, and instead thereof to build a party-wall or party-walls, agreeably to this Act; then and in that case, from and after the expiration of the three months expressed in such notice, it shall be lawful for the owner of such house or building so to be rebuilt, to pull down the said partition or partitions, and the wall or walls under or over the same, if any such there be, and the said wooden fence or fences, and to have and exercise the like power of entry into and upon the said adjoining house or building and ground, or of breaking open the same in the presence of a peace-officer, in case the same be unoccupied or be refused to be opened, and of removing any wainscot, shelves, furniture, or other things, and of shoring up the said adjoining house or building, as by this Act is given and allowed to the owners of intermixed houses or buildings; and shall and may in the place and stead of such partition or partitions, and of the wall or walls under or over the same, if any such there be, or of such wooden fence or fences, build a new party-wall or party-walls of such materials, thickness, and height, and in such manner and subject to such restrictions and directions as are in and by this Act prescribed.

*(How owners are to be reimbursed part of their expense, and in what proportion, who have built said partitions or party-walls.)*

XXXVII. And be it enacted, That the person or persons at whose expense any party-wall or party-arch shall be built agreeably to the directions of this Act, shall be reimbursed by the owner or owners who shall be entitled to the improved rent of the adjoining building or ground, and who shall at any time make use of such party-wall or party-arch, a part of the expense of building the same, in the proportion after mentioned; that is to say, if the adjoining building then erected, or afterwards to be erected, be of the same rate or class of building as or superior to the building belonging to the person or persons at whose expense the said party-wall was built, then the owner or occupier of such adjoining building or ground shall pay one moiety of the expense of building so much of the said party-wall or party-arch as such owner or occupier shall make use of; and if the adjoining building then erected, or afterwards to be erected, be of an inferior rate or class of building, then the owner or occupier of such adjoining building or ground shall pay a sum of money equal to one moiety of the expense of building a party-wall or party-arch of the thickness by this Act required for the rate or class of building whereof such adjoining building shall be, and of the height and breadth of so much of the said party-wall or party-arch as such owner or occupier shall make use of; and in the meantime, and until such moiety or other proportional part of the expense of building such party-wall or party-arch be so paid, the sole property of such whole party-wall or party-arch, and of the whole ground whereon the said party-

No. 295. September 27, 1837.

wall shall stand, shall be vested entirely in the person or persons at whose expense the same shall be built. And such moiety or other proportional part of the expense of building such party-wall or party-arch, shall be so paid to the person or persons at whose expense the same shall be built, or in whom the property thereof shall be vested at the times hereinafter mentioned; that is to say, in respect of every such party-wall to any house or building whereunto, at the time of building the same, no other house or building was adjoining, so soon as such party-wall shall be first cut into or made use of; and in respect of every such party-wall or party-arch as shall be built against or adjoining to any other house or building, so soon as such party-wall or party-arch shall be completely built and finished; and in respect of such last-mentioned party-wall or party-arch, the owner or occupier of such adjoining house or building shall, together with such proportional part of the expense of building such party-wall or party-arch, also pay a like proportional part of all other expenses which shall be necessary to the pulling down the old party-wall, or timber or wood partition, and the whole of all the reasonable expenses of shoring up such adjoining house or building, and of removing any goods, furniture or other things, and of pulling down any wainscot or partition, and also all such costs, if any, as may have been awarded by the said Court of Quarter Sessions as aforesaid; but not any part of the expense of pulling down and clearing away any such old party-wall or party-arch, or old partition, if any such there was: And it is hereby directed, that the expense of building such party-wall or party-arch shall be estimated for the new work by any two surveyors appointed under the provisions of this Act, one of whom shall be chosen by each of the parties interested, and who, before proceeding to such estimate, shall nominate an umpire to decide between them in case of dispute, deducting thereout the value of the materials, if any, of so much of the old wall or arch as did belong to such adjoining building or ground, and also the value of the materials, if any, of so much of the old timber partition as did belong to such adjoining building or ground, the value of such materials, respectively, being assessed by the said surveyors and umpire in manner aforesaid: And that within ten days after such party-wall or party-arch shall be so built, or so soon after as conveniently may be, such first builder or builders shall leave, at such adjoining house or building, a true account in writing of the number of rods in such party-wall or party-arch, for which the owner or owners of such adjoining building or ground shall be liable to pay, and of the deduction which such owner or owners shall be entitled to make thereout on account of such materials, and also on account of such other expenses and costs as aforesaid: Whereupon it shall be lawful for the tenant or occupier of such adjoining building or ground to pay one moiety, or such proportional part as aforesaid, to such first builder or builders for the same, and also for shoring and supporting such adjoining building as aforesaid, and for all such other expenses as are hereinbefore directed to be paid by the owner or owners of such adjoining building or ground, and to deduct the same out of the rent which shall become due from him or her to such owner or owners, under whom he or she

holds the same respectively, until he or she shall be reimbursed the same: And in case the same be not paid within twenty-one days next after demand thereof, then the same shall and may be recovered, together with full costs of suit, of and from such owner or owners, by action of debt, or on the case, in the Supreme Court of the said Colony: And if the plaintiff or plaintiffs in any such action, shall three calendar months at the least before the commencement thereof, give notice in writing to the person or persons against whom such action is intended to be brought, of his, her, or their intention to bring the same, or leave the same at his, her, or their last or usual place of abode, and shall in such notice specify the sum for which it is to be brought, and also annex to such notice, a bill of the just and true particulars of the expenses and charges with which the intended defendant or defendants is, or are, to be charged; then such plaintiff or plaintiffs, if he, she, or they recover the full sum specified in such notice, shall also recover and be entitled to double costs of suit, and shall have and be entitled to the like remedies for recovery thereof, as are usually given for costs in other cases of costs at law.

*(Party-walls shall be such as are required for the highest rate of building adjoining, and not to be of less thickness.)*

XXXVIII. And be it enacted, That every party-wall hereafter to be built, and every addition which shall be made thereto, or to any party-wall which is already built or begun, shall be built agreeably to the directions herein contained concerning the party-wall of the highest rate or class of building to which such party-wall shall adjoin, when such additions are completed; and that no party-wall now built, or hereafter to be built, shall after the same, and the buildings adjoining thereto, is and are completed, be raised, unless the same when raised be of the full thickness such party-wall is of in the story next under the roof of the highest adjoining building; nor shall any party-wall hereafter be raised, unless the same can be done with safety to such wall, and the several buildings adjoining thereto; but all such party-walls as will when raised be of the materials, heights, and thicknesses hereinbefore required, or, as can be safely raised, may, together with the shaft or shafts of the chimnies belonging thereto, be raised by and at the expense of the proprietor or occupier of any building to which the same belong, to any height he, she, or they shall think proper; but if the proprietor or occupier of any building adjoining to the said party-wall and chimney shafts shall make use of any part of such party-wall and chimney shaft, other than the use he makes of the chimney flues therein, which shall be so raised, then such person so making use thereof, for the part so used, shall be chargeable with a proportionable share of the expense of raising such party-wall and chimney shafts; and such charge shall be estimated in manner hereinbefore mentioned, and the proportion such person shall be liable to pay, shall be recovered in such manner as is hereinbefore particularly declared concerning the first building of a party-wall.

*(Party-fence walls may be raised by the owner of one side, but not to be used as a party-wall, unless of sufficient thickness, &c.*

XXXIX. Provided always, and be it enacted, That any party-fence wall now built, or hereafter to built,

may be raised by and at the expense of the proprietor or occupier of the ground on either side adjoining thereto; but no party-fence wall shall hereafter be built upon, or against, or used as a party-wall, unless the same be of the materials, height, and thickness hereinbefore directed for party-walls to the rate or class of building so to be erected against or upon the same: And in case of the insufficiency of such wall for the purposes aforesaid, or if instead of such party-fence wall there be only a wooden fence, the proprietor or occupier of either of the adjoining premises shall be at liberty, at his own expense, to take down such wall or fence, and erect a new party-wall in lieu thereof, making good every damage that may accrue to the adjoining premises by such rebuilding, so nevertheless as that such new party-wall shall not extend on the surface of such adjoining ground more than seven inches beyond the centre line of such party-fence wall or fence; but no proprietor or occupier of such adjoining premises shall make use of such party-wall otherwise than as a party-fence wall, unless he, she, or they pay a proportionable share of the whole expense, to be estimated as aforesaid, of erecting such parts of such wall, according to the use he, she, or they shall make of the same.

*(First builder not to lose any right of soil on account of party-wall not being half on each ground.)*

XL. Provided also, and be it enacted, That in case any such party-wall shall extend further upon the ground of the party building the same, than the party-fence wall did, yet the party rebuilding the same shall not thereby lose any part of the soil whereon such party-wall shall be built; nor shall the owner or owners of the other part of such party-wall claim, or be entitled to, any right of soil more than what he was before entitled to.

*(If the fore and back fronts are taken down within five years, this is deemed a rebuilding.)*

XLI. And be it enacted, That if the fore front and back front of any building now built shall, after the said first day of January be rebuilt as low as the bressummer, or one pair of stairs floor, within the space of five years from each other, the party-walls of every such building shall from thenceforth be in all respects subject to the several regulations hereinbefore contained concerning the party-walls of houses to be built after the said first day of January: And for the further prevention of fire, the back of every chimney to be built after the said first day of January in any building of the first rate or class of building, not being in a party-wall, shall be in the cellar story at least thirteen inches thick from the hearth to the height of twelve inches above the mantle; and shall be at least eight inches and a half thick from the hearth to the height of twelve inches above the mantle in every other story, except where any such chimney shall be built against a wall, in which case the back of every such chimney from the hearth to the height of twelve inches above the mantle may be half a brick thinner: And that the back of every chimney hereafter to be built in any building of the second, third, or fourth rate or class of building, not being in a party-wall, shall be in every story at least eight inches and a half thick from the hearth to the height of twelve inches above the mantle, except where any such chimney shall be built against a wall, in which case the back of every such chimney from the hearth to the



height of twelve inches above the mantle, may be half a brick thinner: And that there shall be no timber whatever over the opening of any chimney to be built after the time aforesaid, for supporting the breast of such chimney; but there shall be an arch of brick or stone, or an iron bar or bars over the opening of every such chimney to support the breast thereof: And that no timber shall after the said time be laid in any wall under the hearth of any chimney thereafter to be built unless the same shall be in every part thereof which shall lie under such hearth eighteen inches at the least lower than the surface of such hearth; and that the hearth of every chimney to be built after the time aforesaid, shall be laid wholly on brick or stone, except the same be in a cellar or ground story, and be laid and bedded on the solid earth; and every such chimney shall have a slab or slabs, or foot paces, before the same of tile, stone, marble, or iron, at least eighteen inches broad, and at least one foot longer than the opening of every such chimney when finished; and such slab or slabs, or foot paces shall be laid on brick or stone trimmers at least eighteen inches broad from the opening of such chimney, or from the perpendicular face of the arch over the opening which supports the breast of such chimney; except the same be in a cellar or ground floor, and be laid and bedded on the solid earth: And that no timber or wood work whatever shall be laid in the brick work of any oven, stove, copper, still, boiler, or furnace, to be built after the said first day of January, nor within two feet of the inside of any such oven, stove, copper, still, boiler, or furnace; nor shall any timber whatever be laid in the brick work of any chimney to be built after the said time nearer than nine inches to the opening of such chimney, or than five inches to the inside of the flue of any chimney, oven, stove, copper, still, boiler, or furnace, or than nine inches to the inside of the flue of any such oven, stove, copper, still, boiler, or furnace, where any such timber shall lie or be placed nearer than five feet above the mouth of the same; and that no wood work whatever shall at any time after the time aforesaid, be affixed to the front of any jamb or mantle, or to the front or back of any chimney or flue, except such wood work be affixed by iron nails or holdfasts, or other iron fastenings; and no iron nail, iron holdfast, or other iron fastening, shall lie or be driven more than three inches into the wall against such chimney or flue, or nearer than four inches to the inside of the opening of any chimney: And that no chimney shall after the time aforesaid be erected on any timber work whatever, except on such piling, bridging, or planking, as may be necessary below the foundation of the building in which such chimney is erected; but every chimney thereafter to be built shall be erected on such piling, bridging, or planking, or on solid ground, or on a brick or stone foundation, or shall be set upon brick or stone corbels or iron brackets, or upon iron shores, which iron shores shall be supported by brick or stone foundations.

*(Materials of external walls.)*

XLII. And be it enacted, that every external wall, or external inclosure of every building of the first, second, third, fourth, or fifth rate or class of building which shall be erected and built after the said first day of January, and of every addition or enlargement thereafter to be made to

any building of the first, second, third, fourth, or fifth rate or class of building now erected, or hereafter to be erected, shall be of brick, stone, artificial stone, lead, copper, tin, slate, tile, or iron, or of brick, stone, and such artificial stone, lead, copper, tin, slate, tile, and iron together, except the necessary piling, bridging, and planking, for the foundation of the same, and also except the necessary templets, chains, bond-timbers, and also except the doors, sashes, window shutters, and door and window frames to such buildings, and the tiers and stories of door cases and doors to all such warehouses as are, or shall be, of the first, second, third, or fourth rate or class of building; all which window-frames and door-frames shall be set in reveals, and recessed at least four inches from the front of the building in which such window-frames and door-frames shall be fixed; and also except the bressummers, story posts, and plates, which may be made on the ground-story only; and also except all stall-boards for the conveniency of any shop or shops, which may be made on the ground-story only; which bressummers, story posts and plates, and the tiers or stories of door cases and doors to all such warehouses, as before mentioned, are not hereby required to be fixed in reveals; but no story post or bressummer shall at any time after the said first day of January be fixed more than two inches deep in any party-wall, or be placed in any front nearer than seven inches to the centre line of the party-wall of such building, if such party-wall be of the thickness of two bricks, or nearer than four inches and an half to the centre of such party-wall, if such party-wall shall not exceed one brick and an half in thickness; but no timber work whatever, other than and except such bressummer, story posts and plates, and such tiers or stories of door cases and doors shall be laid in any such external wall nearer than four inches to the external surface thereof; and every such story post which shall be fixed as a support to two fronts, being the corner of any streets, square, place, court, or way, shall be of hardwood or stone, and at least twelve inches square.

*(No bow windows to be built extending beyond the line of the street, except projections for decorations.)*

XLIII. And be it enacted, That no bow window or other projection shall, after the time aforesaid, be built with, or added to, any building of the first, second, third, or fourth rate or class of building, next to any public street, square, court, or way, so as to extend nearer to the curb-stone or exterior edge of the footway in front of any such house than the breadth of any such footway, as by law determined; except such projections as may be necessary for copings, cornices, facias, door and window dressings, or for open porticos, steps, or iron pallisades; and also except such window to any shop or shops on the ground-floor story of any such building, the stall-boards of which windows shall not in any street or way thirty feet wide or more, project above ten inches, nor in any street or way less than thirty feet wide, above five inches from the upright line of the building in such street or way respectively: And no cornice or covering thereof to any such shop window shall in any street or way thirty feet wide or more, project more than eighteen inches, nor in any street or way less than thirty feet wide, more than thirteen

inches from the upright line of the building to which such shop window belongs.

*(Saving to Commissioners of Paving.)*

XLIV. Provided always, and be it enacted, that nothing herein contained shall prejudice, lessen, or defeat the powers which have been or may hereafter be granted to the Town Surveyor or any Commissioners for paving any streets, or other places within the limits of the said town of Sydney. *(Old external Walls or Inclosures, may be repaired with the same Materials.)*

XLV. And be it enacted, That every external wall, or other external inclosure to any building, which is built, or begun to be built before the said first day of January, not being of the several materials in and by this Act required for external walls, or external inclosures thereafter to be built, may be at all times thereafter repaired with the same sort or sorts of materials as the materials of which such external wall, or other external inclosure is erected; but in case any such external wall, or other external inclosure, be at any time hereafter taken down, or otherwise demolished to the bressummer or one pair of stairs floor, or the place where the bressummer is usually fixed, then every part of the same, not being built of the several materials in and by this Act required for external walls, or other external inclosures, thereafter to be erected, shall be taken down, and the same shall be entirely rebuilt of such materials, and in such manner in all respects as in and by this Act required for all external walls, or other external inclosures thereafter to be built, according to the rate or class of building to which such wall, or other external inclosure belongs.

*(No stack of Warehouses to be above thirty-five squares, including internal and external walls.)*

XLVI. And be it enacted, That no stack of warehouses to be erected after the said first day of January, shall contain more than thirty-five squares of building on the ground plan thereof, including all the external and internal walls, and so much of the party-walls, if any, as belong to such stack of warehouses; and no enlargement shall be at any time thereafter made to any stack of warehouses already built or begun, so as to increase the same beyond the said thirty-five squares on the ground plan, including such walls as aforesaid, except such stack of warehouses be separated and divided by one or more party-wall or party-walls, built in every respect according to the directions herein-before contained concerning party-walls, into divisions of not more than thirty-five squares each, including such walls as aforesaid on the ground plan of such warehouses; and that no stack of warehouses shall communicate with any other warehouse or building through a party-wall, unless the door case and sill of every such communication be of stone, and unless there be to every such communication a door of wrought iron, of the thickness of a quarter of an inch at least in the pannels thereof; and no timber, bond, or lintel shall be laid into any wall in any such stack of warehouses nearer than eighteen inches to the opening of such communication.

*(No stables to contain more than twenty-five squares of building, including internal and external walls.)*

XLVII. And be it enacted, That no building for stables to be erected after the said first day of January, shall contain more than twenty-five

squares of building on the ground plan thereof, including all the external and internal walls, and so much of the party walls (if any) as belong to such building for stables; and no enlargement shall be at any time thereafter made thereto, or to any building for stables already built, or begun to be built, so as to increase the same beyond the said twenty-five squares on the ground plan, including such walls as aforesaid, except such building for stables be separated and divided by one or more party-wall or party-walls, built in every respect according to the directions herein-before contained concerning party-walls into divisions of not more than twenty-five squares each, including such walls as aforesaid on the ground plan of such stables: And that no such building for stables shall communicate through a party-wall with any other stables or building, unless the door case and sill of every such communication be of stone, and unless there be to every such communication a door of wrought iron, of the thickness of a quarter of an inch in the pannels thereof; and no timber, bond, or lintel, shall be laid into any wall in any such building for stables nearer than eighteen inches to the opening of such communication.

*(Buildings hereafter divided into distinct tenures on the ground floor deemed separate buildings.)*

XLVIII. And be it enacted, That if any building whatsoever of the first, second, third, or fourth rate or class of building be at any time hereafter converted into two or more dwelling-houses, workshops, stables, or other buildings which shall be in distinct tenures on the ground floor thereof, then each such tenement shall be considered as a separate building, and the same shall be divided from each other by a party-wall or party-walls; and every such party-wall shall be of the materials, height and thickness, and shall be from time to time under the several regulations respecting party-walls herein directed to be observed with respect to the party-wall of the highest rate or class of building adjoining to such party-wall or party-walls.

*(Not to prevent Proprietors from dividing warehouses.)*

XLIX. Provided nevertheless, and be it enacted, That nothing in this Act contained, shall extend to prevent any person, being the proprietor or leaseholder of any stack of warehouses, from dividing the said warehouses, from time to time, into divisions, for the conveniency of letting the same to under tenants; so nevertheless, as that if any stack of warehouses contain more than thirty-five squares of building on the ground plan, the same shall be separated and divided by a party-wall or party-walls as aforesaid, into divisions of not more than thirty-five squares each, as is herein-before directed concerning stacks of warehouses to be erected after the said first day of January.

*(Nor from dividing stables subject to restrictions mentioned.)*

I. Provided also, and be it enacted, That nothing in this Act contained shall extend to prevent any person, being the proprietor or leaseholder of any stable yard, or livery stables, from dividing the said stables, from time to time, into divisions, for the conveniency of letting the same to under tenants; so nevertheless, as that if any building for stables contain more than twenty-five squares of building on the ground plan, the same shall be

separated and divided by a party-wall or party-walls, as aforesaid, into divisions of not more than twenty-five squares each, as herein-before directed concerning buildings for stables to be erected after the said first day of January.

*(Buildings of the fifth and sixth rates, in distinct tenures, and not at the requisite distances, deemed nuisances.)*

Ll. And be it enacted, That if any building herein-before declared to be of the fifth or sixth rate or class of building be hereafter divided into two or more distinct tenures, and the several parts of such building in such separate tenures be not at the several distances from each other herein-before particularly directed for every such fifth or sixth rated building: then every such several part of such building in every such separate and distinct tenure, being nearer to each other than the said several distances, shall be deemed a public nuisance, and shall be immediately taken down as such.

*(Funnel for smoke. No brick tunnel in the front to extend beyond the line of the street.)*

LII. And be it enacted, That no iron, tin, copper, or other pipe or funnel for conveying smoke or steam, shall be at any time after the said first day of January, fixed next any public street, square, court, or way, on the front of any building of the first, second, third or fourth rate or class of building; nor shall any such pipe or funnel be fixed on the inside of any such building nearer than fourteen inches to any timber or other combustible material whatever; nor shall any brick funnel be thereafter built or placed on the outside of any front next to any public street, square, place, court, road or way, of any building of the first, second, third, or fourth rate or class of building, so as to extend beyond the general line of the houses in the public street, square, place, court or way, in which the same is erected.

*(Every building contrary, declared to be a common nuisance.)*

LIII. And be it enacted, That every church, chapel, meeting-house, dwelling-house, or other building, and every party-wall and other wall which shall after the said first day of January be built within the limits of this Act, shall be built pursuant to such rules and regulations, and with such materials as are herein-before particularly appointed; and if any person or persons presume to build, or to begin building, or to cause the building or beginning to build, or to alter, or cause to be altered, any building already erected, in any respect contrary thereunto, and be thereof convicted by the oaths of two or more credible witnesses, before the Court of Quarter Sessions for the district of Sydney (which oaths the said Court of Quarter Sessions is hereby empowered and required to administer), then the said house, building, or wall, so irregularly built, or begun to be built, or so irregularly altered, or begun to be altered, shall be deemed a common nuisance, and the builder and the owner thereof, or one of them, as the said Court shall require, shall enter into a recognizance in such sum as the said Court of Quarter Sessions shall appoint for abating and demolishing the same, within such convenient time as the said Court shall appoint; or otherwise to amend the same according to such rules and regulations as are herein-before contained: And in default of entering into such recognizance, the

No. 295. September 27, 1837.

person or persons so making default shall be committed to the common gaol of Sydney, there to remain, without bail or mainprize, until he shall have abated or demolished, or otherwise amended the same; or until such irregular house or building shall be abated or demolished by order of the said Court, which order the said Court is hereby empowered to make; provided always that such conviction be had within three months after such building shall be finished.

*(Buildings deemed nuisances shall be taken down by order of the Court.)*

LIV. And be it enacted, That it shall be lawful for the said Court or any two or more Justices of the Peace for the said district of Sydney, to order every house or building so irregularly built or begun to be built, or so irregularly altered or begun to be altered, as shall have been adjudged to be a common nuisance by the said Court of Quarter Sessions under the provisions of this Act, to be abated or taken down, and to order the person or persons authorised to abate or take down the same, to sell and dispose of the materials thereof, and out of the monies arising by the sale thereof to pay to themselves, and all persons by them employed for the purposes aforesaid, the reasonable charges of abating or taking down such nuisance; and to pay the surplus of the monies arising by such sale (if any be) to the owner or owners of such materials; and if the monies arising by such sale be not sufficient to pay such charges, the deficiency shall be made good by such owner or owners, and may be levied in like manner as is herein-after directed concerning the expense of taking down ruinous buildings, and putting up hoards for the safety of passengers.

*(Governor to appoint Surveyors in Town of Sydney.)*

LV. And be it enacted, That the Governor of the said Colony for the time-being, shall and may nominate and appoint such and so many discreet persons, skilled in the art of building as he may think fit, to be, during his will and pleasure, the surveyors or supervisors, to see the said rules and regulations well and truly observed in and throughout the said town of Sydney, and shall appoint the several districts which shall be under their respective surveys: And it shall be lawful for the Colonial Secretary of the said Colony, to administer to all the said surveyors or supervisors an oath for the true and impartial execution of their office in that behalf, which oath shall be registered in the office of the said Colonial Secretary, and shall be in the form, or to the effect following; that is to say:—"I, A. B., being one of the surveyors or supervisors appointed in pursuance of an Act of the Legislative Council of New South Wales, passed in the eighth year of the Reign of King William the Fourth, intituled, 'An Act for regulating Buildings and Party-walls, and for preventing Mischiefs by Fire in the Town of Sydney,' do swear, that upon receiving notice of any building or wall to be built, or other builder's work to be done within the district under my inspection, not being by illness, or otherwise lawfully prevented, I will diligently and faithfully survey the same, and, to the utmost of my abilities, endeavour to cause the rules and regulations in the said Act of Council prescribed, to be strictly observed; and that without favour or affection, prejudice

"or malice.—So help me God." And such surveyor or supervisor is hereby required to take the said oath before he shall perform any of the duties, of his said office, and shall, from time to time leave notice, in writing, with the Colonial Secretary of the place of his usual abode or residence.

*(Notice of building to be given to Surveyors.)*

LVI. And be it enacted, That before any building, or any wall, on new or old foundations, or on foundations partly new and partly old, within the limits of this Act, shall after the said first day of January be begun to be built, the master workman, or other person causing such building or wall to be built, shall give twenty-four hours' notice thereof to the surveyor or supervisor appointed as aforesaid, within whose district the same shall be; and such surveyor or supervisor shall view the said building or wall, and see that all the rules and regulations in this Act contained are well and truly observed; and such surveyor or supervisor, for his trouble therein, shall be paid by such master workman, or other person causing such building or wall to be built, after the following rates, that is to say, the sum of three pounds ten shillings for every new building of the first rate or class of building, or one pound fifteen shillings for every first rate building to which any alteration or addition shall be made; and three pounds three shillings for every new building of the second rate or class of building, or one pound ten shillings for every second rate building to which any alteration or addition shall be made; and two pounds ten shillings for every new building of the third rate or class of building, or one pound five shillings for every third rate building to which any alteration or addition shall be made; and two pounds two shillings for every new building (of the fourth rate or class of building, or one pound one shilling for every fourth rate building to which any alteration or addition shall be made; and one pound ten shillings for every new building of the fifth rate or class of building, or fifteen shillings for every fifth rate building to which any alteration or addition shall be made; and one pound one shilling for every new building of the sixth rate or class of building, or ten shillings and sixpence for every sixth rate building to which any alteration or addition shall be made; and in default of payment of any of the said several sums of money the same shall by warrant of one or more of such Justice or Justices for the district of Sydney be levied by distress and sale of the goods and chattels of such master workman, or other person as aforesaid, together with the reasonable costs and charges of such distress and sale.

*(On default of notice, treble satisfaction to the Surveyor, and £20 penalty.)*

LVII. And be it enacted, That if any person shall, after the said first day of January, begin any such building, or any such wall; or if any person or persons shall thereafter cut into any party-wall, without first giving such notice as aforesaid to the surveyor or supervisor within whose district the same is situated, or shall refuse such surveyor or supervisor admittance from time to time, at reasonable hours, for the purpose of viewing the same, then every person so neglecting to give such notice, or so refusing such admittance, shall, for every default therein, forfeit and pay to the said surveyor or supervisor treble the satisfaction which such surveyor or supervisor would

have been entitled to receive for his trouble in viewing such building or wall, and seeing the rules and regulations of this Act well and truly observed therein, in case such notice had been given; and shall also for every such default forfeit the sum of twenty pounds, to be recovered by any action in the Supreme Court of the said Colony, by any person or persons who shall sue for the same; and also every such house, building, or wall, so begun to be built, without giving such notice, or without giving such admittance to such surveyor or supervisor, in case the same be not built in every respect agreeably to the regulations of this Act, shall be demolished or amended by order of the said Court of Quarter Sessions, or of any two Justices of the Peace for the said district of Sydney in the manner hereinbefore directed.

*(Surveyor to give information of irregular building.)*

LVIII. And be it enacted, That in case the workmen employed in building any such building or wall, or in the cutting into any such party-wall shall not well and truly observe the several rules and regulations in this Act contained, and from time to time conform themselves thereto, the surveyor or supervisor within whose district the same is situated, shall from time to time give information thereof, as soon as conveniently may be, to any two or more Justices of the Peace for the said district of Sydney; and the said Justices shall proceed thereupon to hear the matter, and if any breach of the rules and regulations in this Act contained, is found to have been committed, the said Justices shall proceed to cause such irregular building or wall to be demolished or amended in manner hereinbefore directed.

*(Two pounds ten shillings penalty on workmen offending.)*

LIX. And be it enacted, That if any workman or servants to any master workman, or other person or persons causing any such building or wall to be erected within the limits of this Act, shall, without the direction, privity, or consent of such master workman, or person causing such building or wall to be erected, do any thing in or about such building or wall, contrary to the directions of this Act, every such workman or servant so offending, upon conviction thereof before one or more Justice or Justices of the Peace for the said district, upon the oath of one or more credible witness or witnesses (which oath any Justice of the Peace for said district is hereby empowered and required to administer), or upon his own confession, shall, for every such offence forfeit the sum of fifty shillings, one moiety thereof to be paid to the Colonial Treasurer of said Colony for the public uses thereof, the other moiety thereof to the informer; and if any such forfeiture of fifty shillings be not paid upon and immediately after such conviction, then the offender shall by warrant under the hand and seal of any of the said Justices of the Peace, be committed to the House of Correction, there to remain without bail or mainprize for any time not exceeding three months nor less than one month, unless the said penalty be sooner paid.

*(Houses or Walls hereafter built to be Surveyed within Fourteen Days after covered in, and Oath made of their conformity to this Act.)*

LX. Provided also, and be it enacted, That every master workman, or other person who shall after

the said first day of January build, or cause to be built, any house or other building, or any addition to any house or other building, or any party-wall or other wall, or who shall be employed to cut into any party-wall within the limits of this Act, shall, within fourteen days after such house or other building is covered in, or such party-wall or other wall is finished, or the cutting into any party-wall is made good, cause the same to be surveyed by the surveyor or supervisor within whose district the same is situated; and in case the said surveyor shall refuse, neglect, or shall by illness or otherwise be prevented surveying such building, wall, or other work, then the same shall be surveyed by any other surveyor or supervisor appointed and sworn within the said Town of Sydney; and if such surveyor or supervisor shall, upon such survey, find that the same is, to the best of his judgment and belief, built or made good, agreeably to the several directions in this Act contained, then such surveyor or supervisor, shall within fourteen days after surveying the same, make oath thereof, by affidavit in writing before some Justice of the Peace for the said district of Sydney, which oath such Justice is hereby empowered and required to administer; and the said affidavit shall be filed with the Clerk of the Peace for the district of Sydney aforesaid, within ten days after the making thereof; and the said Clerk of the Peace shall for his trouble therein be entitled to, and receive the sum of one shilling, and no more; and if any master workman, or other person causing such building or wall to be erected, or such party-wall to be cut into as aforesaid, make default in the premises by neglecting to cause such survey to be made, or such affidavit to be made and filed, he shall for every such neglect forfeit the sum of ten pounds, and if such affidavit be not made and filed within the space of one month next after the recovery of such penalty, such master workman, or other person as aforesaid, shall forfeit the further sum of ten pounds, and so *toties quoties* for every month until such affidavit shall be made and filed; and each of the said penalties shall be recovered and applied in manner hereinafter mentioned.

*(Public Buildings excepted.)*

LXI. Provided also, and be it enacted, That nothing in this Act contained shall extend to any house or building being in the possession of His Majesty, his Heirs, and Successors, or employed for His Majesty's use or service.

*(Surveyor on misbehaving to be discharged.)*

LXII. Provided also, and be it enacted, That if any surveyor or supervisor appointed and sworn in manner herein-before directed, shall at any time wilfully neglect his duty, or behave himself negligently or unfaithfully in the discharge thereof, and the same being upon complaint thereof made to appear to the Governor of the said Colony for the time-being, such surveyor or supervisor shall by the said Governor be forthwith discharged from his said office.

*(When any Building is presented as ruinous, a hoard to be put up for safety of Passengers.)*

LXIII. And whereas houses and buildings within the limits aforesaid, are often, either from litigated titles thereto, or the obstinacy, neglect, or poverty of the owners thereof, or of the parties interested therein, in so ruinous or dangerous a condition, that passengers thereby, are in danger

of their lives or limbs from the falling thereof, or of the bricks or timber therefrom, be it therefore enacted, That if any presentment shall hereafter be made by an inquest or jury in Sydney, that any house or building within the limits thereof, is in a ruinous or dangerous condition, it shall be lawful for the Police Magistrates of Sydney or any of them in respect of any such house or building within the said town, and they and he are and is hereby required on notice of any such presentment being made, and a copy thereof being laid before them or him respectively, to cause, with all convenient speed, a proper and sufficient hoard to be put up for the safety of all passengers passing thereby, and to cause notice in writing to be given to the owner or owners, or such other person or persons interested therein, if he, she, or they can be found; and if not, to cause such notice in writing to be affixed to or upon the door or other conspicuous part of such house or building so presented to be in such ruinous or dangerous condition, to repair the same or to pull down such building, as the case may require, within fourteen days then next ensuing: And if such owner or owners, or other person or persons interested in any such house or building, do not begin to repair or take down the same, within the said fourteen days after such notice so given or affixed as aforesaid, and complete such repairs, or take down the same as soon as the nature of the case will admit; then oath being made before any such Magistrate as aforesaid, which oath every such Magistrate is hereby empowered and required to administer, of such notice having been so given, or affixed as aforesaid, the said Magistrate or Magistrates is and are hereby authorised and required, with all convenient speed, to order and cause such house or building, so presented to be in a ruinous or dangerous condition, or so much thereof as the said Magistrates or Magistrate shall find necessary for the safety of passengers to be taken down and secured, in such manner as shall from time to time be requisite; and to sell and dispose of such of the materials as the said Magistrates or Magistrate shall judge necessary and expedient; and out of the monies arising by the sale thereof, to reimburse, repay, and satisfy to themselves and every person by them respectively employed for the purposes aforesaid, all the charges of putting up every such hoard, and of taking down and securing all or any part of every such house or building so taken down or secured as aforesaid, and of selling the said materials as aforesaid, or so much thereof, as the monies arising by such sale will extend to pay; and shall account for and pay the surplus of the monies arising by such sale (if any be) to the owner of every such house or building, upon personal demand thereof made by such owner; and if no such demand be made of any such Magistrate or Magistrate aforesaid, then such overplus shall be, within two months, paid over to the Colonial Treasurer of the said Colony for the public uses thereof.

*(Overplus arising by the sale to be paid to owners any time within six years on demand.)*

LXIV. Provided nevertheless and be it enacted, that any such owner, his or her executors or administrators, shall and may at any time or times within the term of six years then afterwards, be entitled to have and receive such overplus from the said Colonial Treasurer, after such payment

to him, within ten days after demand thereof, personally made by such owner, his or her executors or administrators; and the said Colonial Treasurer is hereby required to pay the same accordingly out of the public funds of the said Colony, upon receiving a warrant for the Amount thereof under the hand of the Governor of the said Colony for the time being, and such Treasurers shall be allowed the payment thereof in any account to be by him made with the Government of said Colony; and if it happens that the monies arising by such sale shall fall short, and are deficient to repay and satisfy all such charges, then such deficiency shall, from time to time, be paid by the owner or owners of every such house or building if known and to be met with: And if such owner or owners, on demand thereof, neglect or refuse to pay the same, then such deficiency may be levied by warrant under the hand and seal of any Police Magistrate for the District of Sydney for the time being, by distress and sale of the goods and chattels of such owner or owners, if any such can be found: And if no such owner or owners can be met with, or being met with, shall not on demand pay the said deficiency, and no sufficient distress of his, her, or their goods and chattels can be met with wherefrom such deficiency of such costs and charges may be levied and recovered; then the person or persons who shall at any time thereafter occupy any such house or building, or the ground where the same stood, is, and are, hereby required and authorised to pay and deduct the same out of the rent thereof; and if he, she, or they, neglect or refuse to pay such deficiency of charges, then the same shall, by warrant under the hand and seal of any Police Magistrate for the district of Sydney, be levied by distress and sale of the goods and chattels of any occupier or occupiers of the premises, together with the costs of every such distress and sale; and the owner or owners of the premises is and are hereby required to allow to every such occupier or occupiers all such deficiencies and charges which he, she, or they shall so pay, or which shall be recovered or levied by distress and sale from him, her or them, as aforesaid, out of any rent which shall become due for the said premises, or any part thereof; and every occupier paying any such deficiency and charges, shall be acquitted and discharged for so much money as he, she, or they so pay, in the same manner as if the same had been actually paid to such person or persons to whom his, her, or their rents were due and should have been paid; and all money received or recovered on the account aforesaid, for or in respect of any such house or building within the said town of Sydney, shall be paid to the said Colonial Treasurer for the public uses of the said Colony.

*(Not more than 10 gallons of Turpentine may be distilled at once in houses contiguous to others.)*

LXV. And be it enacted, that from and after the said first day of January, it shall not be lawful for any person or persons to distil or boil any turpentine, or to draw any oil of turpentine and rosin by distilling turpentine, or to boil any oil and turpentine together, above the quantity of ten gallons at one time, of all or any of the said commodities, within the limits aforesaid, in any workhouse or place contiguous to any other building, or in any place nearer to any other building than the distance of fifty feet at the least,

upon pain that every person offending therein shall, for every such offence, forfeit and pay the sum of one hundred pounds; every of which forfeitures shall and may be recovered with treble costs of suit, by any action in the said Supreme Court; one moiety whereof shall be paid to the Colonial Treasurer of the said Colony for the Public uses thereof, and the other moiety thereof to such person or persons as shall inform or sue for the same.

*(Shipwrights, &c., excepted.)*

LXVI. Provided always, and be it enacted, that nothing in this Act contained, shall extend to prevent shipwrights, barge-builders, boat-builders, or mast-makers, or other persons employed in building or repairing ships, barges, boats, or other vessels near to the waters of Port Jackson Harbour, from boiling or mixing oil and other materials, for the purpose of paying ships, barges, boats, or masts.

*(Fire-engines and ladders to be kept in known places.)*

LXVII. And be it enacted, That from and after the said first day of January, it shall and may be lawful for any Police Magistrate of the Town of Sydney, and he is hereby required from time to time for ever, to make, place, and fix, or to cause to be made, placed, or fixed, at the public charge, upon the mains and pipes belonging to any water-works whatever, within the limits aforesaid, such and so many stopblocks and firecocks, to be placed at such distances in each and every street or place, as the said Police Magistrate shall deem expedient; and that the top of every such stopblock or firecock shall be even with the pavement of each street or place, to the intent such stopblocks or firecocks may upon occasion of any fire, be opened to let out the water without loss of time in digging down to the pipes; and that such Police Magistrate shall have power, and he is hereby required from time to time, to fix any mark or writing on the front of any house or houses over, against, or nearest to the place where such stopblocks or firecocks respectively lie, or are placed, for the better making known where all and every such stopblocks or firecocks lie; and shall also keep an instrument or key in every such house where such mark shall be, to open the stopblock or firecock; and shall keep in such house a pipe for the water to come thereout, to be made use of as occasion may require; and all such stopblocks and firecocks shall be kept in repair at the public charge.

*(Fees to the Turncock whose water first comes into a Main or Pipe at a Fire; to the first Engine-keeper.)*

LXVIII. And be it enacted, that the turncock belonging to the waterwork, whose water shall be found on, and shall first come into the main or pipe where any plug shall be opened, at any fire within the limits aforesaid, shall be paid any sum not exceeding ten shillings; and that the engine keeper who first brings a parish engine or other large engine to help to extinguish any fire happening within the limits aforesaid, if in good order and complete, with a socket, hose, leather pipe, standcock and suction pipe, shall be paid any sum not exceeding thirty shillings; the keeper of the second engine which shall be next brought in such order, and so complete, to help to extinguish any such fire, shall be paid any sum not exceeding twenty shillings; and the keeper of any other engine,



which shall be the *third* of such engines, brought in such order, and so complete, to any such fire, shall be paid any sum not exceeding ten shillings; and such several payments shall be made by and at the discretion of the Police Magistrates of the town of Sydney, or any one of them.

*(Penalty for chimnies taking fire through negligence.)*

LXIX. And be it enacted, that in every case in which it shall be made to appear to the satisfaction of any Police Magistrate for the town of Sydney, that the chimney of any house or building within the limits thereof has taken fire, from the occupier of any such house or building having omitted to cause such chimney to be regularly and sufficiently swept and cleaned, or from any other neglect of such occupier, or of his or her servant or servants, such occupier shall, on conviction before any such Police Magistrate, forfeit and pay for every such offence any sum not exceeding forty shillings, to be recovered by distress and sale of the offender's goods and chattels, one moiety whereof to be paid to the person informing, and the remainder to the Colonial Treasurer for the public uses of the said Colony; and in every such case, the proof that any such chimney did not take fire through the neglect of such occupier in not having the same regularly and sufficiently swept or cleaned, shall lie upon such occupier.

*(Watermen retained by Insurance Offices not to be impressed.)*

LXX. And whereas offices for insuring houses against loss by fire retain in their service, and give coats and badges and other rewards unto watermen for their service and assistance in, and toward, extinguishing of fire, and who are to be always ready when wanted, and are provided with various sorts of poles, hooks, hatchets, and several other instruments and things at the charge of the said respective insurance offices for the extinguishing of fire; which watermen so retained are, by experience, found to venture much further, and to have skill to give, and do give at fires happening within the limits aforesaid, greater help than other persons not used to come into danger; be it enacted, that the watermen for the time-being so retained by, and belonging to, every such insurance office, within the limits of the said town of Sydney, not exceeding thirty for each office, shall be free from being impressed, or liable to be compelled to go to sea to serve as mariners, or as soldiers on land, their names and places of abode being registered with the Bench of Magistrates, or Police Office for said district.

*(Money insured on houses burnt how to be applied.)*

LXXI. And in order to deter and hinder ill-minded persons from wilfully setting their house or houses, or other buildings, on fire, with a view of gaining to themselves the insurance money, whereby the lives and fortunes of many families may be lost or endangered; be it enacted, that it shall and may be lawful to and for the respective governors or directors of the several insurance houses, or other buildings against loss by fire, and they are hereby authorised and required, upon the request of any person or persons interested in, or entitled unto any house or houses, or other buildings, which may hereafter be burnt down, demolished, or damaged by fire, or upon any grounds of suspicion that the owner or owners, occupier or occupiers, or other person or persons who shall have insured such

No. 295. September 27, 1837.

house or houses, or other buildings, have been guilty of fraud, or of wilfully setting their house or houses, or other buildings on fire, to cause the insurance money to be laid out and expended, as far as the same will go towards rebuilding, re-instating, or repairing such house or houses, or other buildings so burnt down, demolished, or damaged by fire; unless the party or parties claiming such insurance money shall within sixty days next after his, her, or their claim is adjusted, give a sufficient security to the Governors or Directors of the Insurance Office where such house or houses, or other buildings are insured, that the same insurance money shall be laid out and expended as aforesaid; or unless the said insurance money shall be in that time, settled and disposed of, to, and amongst all the contending parties, to the satisfaction and approbation of such Governors or Directors of such Insurance Office respectively.

*(Servants by carelessness firing a house to forfeit £100, or be imprisoned eighteen months.)*

LXXII. And whereas fires often happen by the negligence and carelessness of servants, be it therefore enacted, that if any menial or other servant or servants, through negligence or carelessness, shall fire, or cause to be fired, any dwelling-house, or out-house, or houses, or other buildings situate within the town of Sydney aforesaid, such servant or servants, he, she, or they being free persons, and being thereof lawfully convicted by the oath of one or more credible witness or witnesses, made before two or more of His Majesty's Justices of the Peace for the said district in Petty Sessions assembled, shall forfeit and pay a sum not exceeding one hundred pounds, to be paid unto the said Bench of Magistrates; to be distributed amongst the sufferers by such fire, in such proportions as to the said Bench of Magistrates shall seem just: And in case of default or refusal to pay the same immediately after such conviction, that then, and in such case, such servant or servants shall, by warrant under the hands and seals of two or more of His Majesty's Justices of the Peace, be committed to the common gaol, or house of correction, as the said Justices think fit, for a space not exceeding eighteen months, there to be kept at hard labour; and such servants being convicts, and being convicted as aforesaid, if a male shall be liable to be worked in irons on the roads or any other public works for any period not exceeding eighteen months; and if a female, to be confined in the third class in the female factory, or house of correction, for any period not exceeding eighteen calendar months.

*(Constables and Beadles, on notice, to repair to buildings on fire.)*

LXXIII. And be it enacted, that upon the breaking out of any fire within the limits aforesaid, all constables not upon patrol, escort, or other express duty, and beadles, upon notice thereof, shall immediately repair to the place where the said fire shall happen, with their staves, and other badges of their authority; and shall be aiding and assisting as well in extinguishing the said fires, and causing people to work at the engines, as also in preventing goods being stolen; and shall cease and apprehend all ill-disposed persons that they shall find stealing or pilfering from the inhabitants; as also that the said constables and beadles shall give their utmost assistance to help the inhabitants to remove their goods,

*(No action to lie against a person where the fire accidentally begins.)*

LXXIV. And be it enacted, that no action, suit, or process whatever, shall be had, maintained, or prosecuted against any person in whose house, chamber, stable, barn, or other building, or on whose estate any fire shall after the said first day of January accidentally begin, nor shall any recompence be made by such person for any damage suffered thereby; any law, usage, or custom to the contrary notwithstanding; and in such case, if any action be brought, the defendant may plead the general issue, and give this Act, and the special matter in evidence, at any trial thereupon to be had; and in case the plaintiff become nonsuited, or discontinue his action or suit, or if a verdict pass against him the defendant shall recover treble costs; provided that no contract or agreement made between landlord and tenant shall be hereby defeated or made void.

*(Distress not unlawful for want of form.)*

LXXV. And be it enacted, that where any distress shall be made for any sum or sums of money to be recovered by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers on account of any defect of form in any proceedings relating thereto; nor shall the party or parties be deemed a trespasser or trespassers *ab initio* on account of any irregularity afterwards done by the party or parties making such distress; but the person or persons aggrieved by such irregularity may recover full satisfaction for the special damage only, by action on the case, and not by any other action whatever. *(Plaintiff not to recover if tender of sufficient amends be made, &c.)*

LXXVI. Provided always, and be it enacted, that no plaintiff or plaintiffs shall recover in any action for any such irregularity, or other proceedings, if tender of sufficient amends be made by or on the behalf of the party or parties who committed or caused to be committed any such irregularity or wrongful proceeding before such action be brought; and in case no such tender shall have been made, it shall and may be lawful for the defendant or defendants in any such action, by the leave of the court where such action shall depend, at any time before issue joined to pay into the court such sum of money as he or they shall see fit, whereupon such proceedings or order and judgment shall be had, made, or given in and by such court, as in other actions where the defendant is allowed to pay money into court.

*(No order of the Bench or Justices or other proceeding to be removed by Certiorari.)*

LXXVII. And be it enacted, That no order which shall be made by the Court of Quarter Sessions aforesaid, or by any Justice or Justices of the Peace, by virtue of or under this Act, or any other proceeding to be had touching the conviction of any offender or offenders against this Act, shall be removed or removable by *Certiorari*, or any other writ or process whatsoever, into any of His Majesty's Courts of Record for the said Colony.

*(Appeal may be made to the Justices at the Quarter Sessions.)*

LXXVIII. And be it enacted, That if any person or persons think him, her, or themselves aggrieved by any conviction, commitment, distress, order, or judgment of any Justice or Jus-

ices of the Peace, made out of Sessions by virtue of this Act; such person or persons may appeal to the Justices of the Peace at their General Quarter Sessions of the Peace to be holden in and for the said District of Sydney, which shall be holden next after such conviction, commitment, distress, order, or judgment, who shall proceed to hear and examine on oath, into the causes and matters of such appeal (which oath or oaths they are hereby empowered to administer); and shall determine the same, and award such costs to the parties appealing, or appealed against, as they shall think proper; and the order, judgment, and determination of the said Justices in Sessions, shall be binding and conclusive upon all parties.

*(Proviso.)*

LXXIX. Provided always, and be it enacted, That the person or persons so intending to appeal, shall immediately after such conviction, commitment, distress, order, or judgment, or within two days afterwards, enter into a recognizance to the party or parties appealed against, before such Justice or Justices of the Peace, with two sufficient securities, conditioned to try such appeal, and to abide the order of, and pay to the party or parties appealed against, such costs (if any), as shall be awarded against him, her, or them, by the said Court of General Quarter Sessions.

*(Limitation of actions for penalties.)*

LXXX. And be it enacted, That no action or prosecution shall be brought or commenced against any person or persons for any penalty or forfeiture inflicted or incurred by this Act, unless the same shall be commenced within six calendar months next after such forfeiture shall have been incurred.

*(Limitation of actions against persons acting under this Act.)*

LXXXI. And be it enacted, That no action or suit shall be commenced against any person or persons for any thing done in pursuance of this Act, until twenty-one days after notice, in writing, of an intention to bring such action or suit has been given to the person or persons against whom such action or suit shall be brought, nor after the expiration of three calendar months next after the fact committed; and the defendant or defendants in every such action or suit may plead the general issue, and give this Act, and the special matter in evidence, at any trial or trials to be had thereupon, and that the matter or thing, for which such action or suit is brought, was done in pursuance and by the authority of this Act: And if the said matter or thing appear to have been so done, or if it appear that such action or suit was brought before the expiration of twenty-one days after such notice given as aforesaid, or that sufficient satisfaction was made or tendered before such action was brought; or if any such action or suit be not commenced within the time herein for that purpose limited, or be laid in any other county or place than as aforesaid; then the Jury in every such action or suit shall find for the defendant or defendants therein; and if a verdict be found for the defendant or defendants, or if the plaintiff or plaintiffs, in any such action or suit become nonsuited, or discontinue, or suffer a discontinuance of any such action or suit, or if in any such action or suit, judgment be given for the defendant or defendants therein, on demurrer, or by default or otherwise; then, and in any of the cases aforesaid, the defendant or defendants shall have judgment to

recover treble costs of suit, and shall have such remedy for recovering the same, as any defendant or defendants may have for costs in other cases by law.

" RICHARD BOURKE."

*Passed the Legislative Council  
this eighth day of September,  
One thousand eight hundred  
and thirty-seven.*

WILLIAM MACPHERSON,  
Clerk of the Council.

Colonial Secretary's Office,  
Sydney, 25th September, 1837.

#### SALE OF LAND.

AT Eleven o'Clock of Wednesday, the tenth day of January next, the Colonial Treasurer will put up to AUCTION, within the George-street Market Building, letter C, the under-mentioned PORTIONS OF LAND, upon the conditions authorised by Government.

Further information respecting the land may be obtained from the Surveyor-General, and respecting the conditions from the Colonial Treasurer.

1. ROXBURGH, 1000, One thousand acres, more or less, parish of Castleton, near Lucky Swamp; bounded on the west by Irving's purchase of 1153 acres and 640 acres; on the south by the new Bathurst road; and on the east and north by section lines. Price 5s. per acre.

2. ROXBURGH, 982, Nine hundred and eighty-two acres, parish unnamed, near Coolamigel, opposite the confluence of the Round Swamp Creek with the Turon River, commencing at the north-west corner, and bounded on the west by a line north 103 chains, commencing at the Turon River; on the south by a line east 138 chains to the Turon River; and on the east and north by the Turon River to the north-west corner aforesaid. Price 5s. per acre.

3. CAMDEN, 640, Six hundred and forty acres, or more, parish unnamed, near Bong Bong; bounded on the north by Reedy Creek; on the west, east, and south by section lines, about two miles from the south-west corner of Mr. H. Badgery's 1920 acres grant. Price 5s. per acre.

4. CAMDEN, 640, Six hundred and forty acres, parish unnamed, near Bong Bong, about half a mile from the south-east corner of Mr. H. Badgery's 1920 acres grant; bounded on the north by Reedy Creek; on the west, east, and south by section lines. Price 5s. per acre.

5. BRISBANE, 1000, One thousand acres, more or less, parish unnamed, at Bow; bounded on the east by Bow Creek; on the north by Blaxland's grant of 1280 acres; on the west by a section line; and on the south by land purchased by J. and G. Blaxland. Price 5s. per acre.

6. BRISBANE, 920, Nine hundred and twenty acres, parish unnamed, at Bow; bounded on the west by Bow Creek; on the north by Blaxland's purchase of 946 acres; on the east by a section line; and on the south by land purchased by J. and G. Blaxland. Price 5s. per acre.

7. ST. VINCENT, 940, Nine hundred and forty acres, more or less, parish unnamed, at Monkitoo; bounded on the west by John Coghill's 5600 acres; on the north by 640 acres applied for, and a section line; and on the east and south by section lines. Price 5s. per acre.

*This land is at present under lease, but the lease will expire on the 31st March, 1838.*

8. ST. VINCENT, 640, Six hundred and forty acres, parish unnamed, Monkitoo; bounded on the west by J. Coghill's grant of 2560 acres; on the north by his 5600 acres retained purchase and lot 7; and on the east and south by section lines. Price 5s. per acre.

9. HUNTER, 640, Six hundred and forty acres, parish unnamed, near Yarooa, near the confluence of the Goulburn River with the Hunter; bounded on the north by James Arndell's purchase; on the east, south, and west by section lines. Price 5s. per acre.

10. CAMDEN, 320, Three hundred and twenty acres, parish unnamed, at West Bargo; bounded on the east by the upper Bargo River; southerly by P. De Mestre's 700 acres; on the west by 320 acres applied for; and on the north by a line to include the quantity. Price 5s. per acre.

11. ARGYLE, 20, Twenty acres, parish of Towrang, at Goulburn; bounded on the south by the north boundary of the township reserve; on the west by the Wollondilly River; and on the north and east by lines to include the quantity. Price 5s. per acre.

12. ARGYLE, 20, Twenty acres, parish of Towrang, at Goulburn; bounded on the south by lot 11; on the west by the Wollondilly River; and on the north and east by section lines. Price 5s. per acre.

13. ARGYLE, 20, Twenty acres, parish of Towrang, at Goulburn; bounded on the south by lot 12; on the west by the Wollondilly river; on the north by land purchased by Bradley; and on the east by a line to include the quantity. Price 5s. per acre.

14. PHILLIP and BLIGH, 1200, Twelve hundred acres, more or less, parish unnamed, near the confluence of Munmurra Creek with the Goulburn river; bounded on the north and west by the Goulburn river; and on the east by the first section line east of Blaxland's purchase of 840 acres. Price 5s. per acre.

15. PHILLIP and BLIGH, 900, Nine hundred acres, more or less, parish unnamed, near the confluence of Munmurra Creek with the Goulburn River; bounded on the north by lot 14; on the west by the Goulburn River; and on the south and east by section lines. Price 5s. per acre.

16. PHILLIP and BLIGH, 800, Eight hundred acres, more or less, parish unnamed, near the confluence of Munmurra Creek with the Goulburn River; bounded on the south by the Goulburn River; on the west by William Blaxland's purchase of 840 acres; and on the north and east by section lines. Price 5s. per acre.

17. PHILLIP and BLIGH, 1000, One thousand acres, more or less, parish unnamed, near the confluence of the Munmurra Creek, with the Goulburn River, at the confluence of the Krui River with the Goulburn; bounded southerly by the River Goulburn; on the east by the Krui Creek; on the west by the Goulburn River and lot 16; and on the north by a section line. Price 5s. per acre.

18. BRISBANE, 640, Six hundred and forty acres, parish of Melbourne, Dart Brook; bounded on the west by Edward Sparkes' 1920 acres grant; on the south by a Village Reserve and Joseph Docker's 597 acres purchase; and on the

north and east by section lines. Price 5s. per acre.

19. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the south by lot 18; on the west by E. Sparkes' 1920 acres grant; and on the north and east by section lines. Price 5s. per acre.

20. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the south by an application to purchase; on the west by lot 18; and on the north and east by section lines. Price 5s. per acre.

21. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the west by lot 20; and on the north and south by section lines. Price 5s. per acre.

22. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the north by lot 21; on the west by an application to purchase; and on the south and east by section lines. Price 5s. per acre.

23. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the south by James Thompson's 1280 acres grant; on the west by an application to purchase; on the north by lot 22; and on the east by a section line. Price 5s. per acre.

24. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the west by lot 23; and on the north, east, and south by section lines. Price 5s. per acre.

25. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the west by lot 22; and on the east, south, and north by section lines. Price 5s. per acre.

26. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the east by A. Little's 2560 acres grant; on the west by lot 24; and on the north and south by section lines. Price 5s. per acre.

27. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the north by lot 25; and on the east, south, and west by section lines. Price 5s. per acre.

28. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the north by lot 26; on the west by lot 27; and on the south and east by section lines. Price 5s. per acre.

29. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Dart Brook; bounded on the north by lot 28; and on the south, east, and west by section lines. Price 5s. per acre.

30. BRISBANE, 700, Seven hundred acres, more or less, *parish of Melbourne*, Dart Brook; bounded on the north by lot 29; on the west by J. Thompson's 1280 acres grant; and on the east and south by section lines. Price 5s. per acre.

31. BRISBANE, 1000, One thousand acres, more or less, *parish of Melbourne*, Dart Brook; being lot 2 of the reserve in the parish of Melbourne; bounded on the north by lot 30; on the west by an application to purchase; on the south by a Village Reserve; and on the east by a section line. Price 5s. per acre.

32. BRISBANE, 1000, One thousand acres, more or less, *parish of Melbourne*, Dart Brook, being Lot 3 of the reserve in the parish of Melbourne; bounded on the south and east by an application to purchase; on the west by lot 31; and on the north by a section line. Price 5s. per acre.

33. BRISBANE, 640, Six hundred and forty acres, more or less, *parish of Melbourne*, Dart Brook; bounded on the south by lot 32; on the west by lot 30; and on the north and east by section lines. Price 5s. per acre.

34. BRISBANE, 1000, One thousand acres, more or less, *parish of Melbourne*, Dart Brook; bounded on the north by A. Little's grant of 2560 acres; on the west by lots 28 and 29; on the south by lot 33; and on the east by a section line. Price 5s. per acre.

35. NORTHUMBERLAND, 50, Fifty acres, more or less, *parish of Alnwick*, River Hunter; bounded on the north by F. Shortt's 2000 acres; on the west by Moram's 2560 acres; on the south by Field; and on the east by Pugh. Price 5s. per acre.

36. BRISBANE, 640, Six hundred and forty acres, *parish of Melbourne*, Middlebrook; bounded on the south by a Village Reserve; on the west by land applied for, and on the north and east by section lines. Price 5s. per acre.

37. BRISBANE, 1,000, One thousand acres, more or less, *parish of Melbourne*, Middlebrook; bounded on the south by lot 36; on the north by A. Little's 2,560 acres; and on the east and west by section lines. Price 5s. per acre.

38. BRISBANE, 1100, Eleven hundred acres, more or less, *parish of Melbourne*, Middlebrook; bounded on the west by lot 37; on the north by A. Little's 2,560 acres; on the west by Kingdon Ponds; and on the south by a section line. Price 5s. per acre.

39. BRISBANE, 700, Seven hundred acres, more or less, *parish of Melbourne*, Middlebrook; bounded on the south by a Village Reserve; on the west by lot 36; on the north by lot 38; and on the east by Kingdon Ponds. Price 5s. per acre.

40. BRISBANE, 900, Nine hundred acres, more or less, parish unnamed, near *Mount Marylan*, Kingdon Ponds; bounded on the east by Livingstone's grant; on the north by land applied for and a section line; and on the west and south by section lines. Price 5s. per acre.

41. BRISBANE, 640, Six hundred and forty acres, parish unnamed, near *Mount Marylan*, Kingdon Ponds; bounded on the east by lot 40; and on the north, west, and south by section lines. Price 5s. per acre.

42. NORTHUMBERLAND, 640, Six hundred and forty acres, parish unnamed, near *Milbro' Dale*; bounded on the north by the Rev. R. Hill's 800 acres purchase; on the east by a Village Reserve; and on the south and west by section lines. Price 5s. per acre.

43. CUMBERLAND, 50, Fifty acres, *parish of Cornelia*, at the *Hawkesbury*; bounded on the north by W. Knight's 80 acres grant; on the west by W. Smith's 80 acres grant; and on the south and east by lines to include the quantity. Price 5s. per acre.

44. ARGYLE, 320, Three hundred and twenty acres, *parish of Tourang*, to commence at the north-east corner of Jonas Bradley's 2,000 acres purchase; bounded on the west by J. Bradley's 2000 acres; and on the north, east, and south by section lines. Price 5s. per acre.

45. ARGYLE, 320, Three hundred and twenty acres, *parish of Tourang*; bounded on the north by lot 44; on part of the south by H. Kelly's 1,000 acres; on the west by J. Bradley's 2000

acres; and on the east and remainder of the south by a section line. Price 5s. per acre.

46. ARGYLE, 320, Three hundred and twenty acres, parish of Tourang; bounded on the north by lot 45; on the west by H. Kelly's 1000 acres; on the south by J. Bradley's 1000 acres; and on the east by section line. Price 5s. per acre.

47. KING, 640, Six hundred and forty acres, or more, parish unnamed, at Gungunaroer near Gunning; bounded on the north by Kennedy's 606 and 300 acres; on the south by a continuation east of the section line forming the north boundary of Robert Best's 640 acres; and on the west and east by section lines. Price 5s. per acre.

48. BRISBANE, 700, Seven hundred acres, parish unnamed, at Wybong, on Wybong Creek; bounded on the west by Wybong Creek; on the south by Donald McIntyre's 944 acres purchase; and on the north and east by section lines. Price 5s. per acre.

49. NORTHUMBERLAND, 30, Thirty acres, more or less, parish of Branxton, Anvil Creek; bounded on the south and west by the creek; on the north by the land of A. B. Spark; and on the east by the Church land. Price 5s. per acre.

50. CUMBERLAND, 10, Ten acres, parish of Hunter's Hill, Lane Cove; bounded on the west by Rochester's purchase of 10 acres; on the north by Lane Cove; on the south by a road dividing it from Stubbs' 25 acres; and on the east by a road to Lane Cove, partly dividing it from Morgan's land and lot 51. Price 10s. per acre.

51. CUMBERLAND, 10, Ten acres, more or less, parish of Hunter's Hill, Lane Cove; bounded on the west by a road dividing it from lot 50; on the south by a road dividing it from Morgan's 32 acres; and on the east by a line to Lane Cove; and on the north by the same. Price 10s. per acre.

52. CUMBERLAND, 10, Ten acres, more or less, parish of Hunter's Hill, Lane Cove; bounded on the west by lot 51; on the south by a road dividing it from Morgan's 32 acres; on the east by a line to Lane Cove; and on the north by the Cove. Price 10s. per acre.

53. CUMBERLAND, 10, Ten acres, more or less, parish of Hunter's Hill, Lane Cove; bounded on the west by lot 52; on the south by a road dividing it from Morgan's 32 acres; on the east by a line to Lane Cove; and on the north by the Cove. Price 10s. per acre.

54. CUMBERLAND, 10, Ten acres, more or less, parish of Hunter's Hill, Lane Cove; bounded on the west by lot 53; on the south by a road dividing it from Morgan's 32 acres and Morgan's 10 acres; and on the north and east by Lane Cove. Price 10s. per acre.

55. DURHAM, 640, Six hundred and forty acres, parish unnamed, Head of Musclebrook; bounded on the west by the section line one mile east from Francis Forbes' purchase of 820 acres; on the south by a continuation east of the south boundary of that purchase; and on the east and north by section lines. Price 5s. per acre.

*This land is presently under lease, which will expire on the 30th June, 1838.*

56. DURHAM, 640, Six hundred and forty acres, parish unnamed, Head of Musclebrook; bounded on the south by lot 55; and on the north, east, and west by section lines. Price 5s. per acre.

*This land is at present under lease, which will expire on 30th June, 1838.*

No. 295. September 27, 1837.

57. MURRAY, 640, Six hundred and forty acres, parish unnamed, near Lake George; bounded on the east by A. Andrews' purchase of 640 acres; on the west by 640 acres applied for; and on the north and south by section lines. Price 5s. per acre.

58. MURRAY, 640, Six hundred and forty acres, parish unnamed, near Lake George, two miles west of lot 57; bounded on the east by 640 acres applied for; and on the north, south, and west by section lines. Price 5s. per acre.

59. BATHURST, 1000, One thousand acres, more or less, parish of Anson, section No. 18, and part of section No. 23; bounded on the east by William Tom's 640 acres additional grant; on the north by a section line and a purchase of 640 acres by William Tom; on the west by a Village Reserve; and on the south by vacant land and J. Glasson's 640 acres. Price 5s. per acre.

60. BATHURST, 900, Nine hundred acres, more or less, parish of Orange, Frederick's Valley; bounded on the north by Lane's 640 acres grant, and 640 acres purchased by him; on the west by Frederick's Valley Creek; and on the south and east by section lines. Price 5s. per acre.

61. CAMDEN, 50, Fifty acres, parish unnamed, at Little Forest; bounded on the south by the Little Forest Reserve; on the west by the West Bargo Road; partly on the north by J. Kighran's 2 acres and 4 perches; and on the remainder of the north and east by lines to include the quantity. Price 5s. per acre.

62. CAMDEN, 1200, Twelve hundred acres, parish unnamed, Burragorang; bounded on the north by Patrick Carleton's purchase; on the west by the Wollondilly River; on the south by J. G. Howes' and a section line continued easterly; and on the east by a section line. Price 5s. per acre.

*This land is presently under lease, but the lease will expire on the 31st December, 1837.*

63. CUMBERLAND, 320, Three hundred and twenty acres, parish of Londonderry; bounded on the north by lot 62; on the south-east and south by Snerrard's and McAlpin's grants; and on the south, west, and north-west by lines to include the quantity. Price 5s. per acre.

64. CUMBERLAND, 320, Three hundred and twenty acres, parish of Londonderry; bounded on the north-east by Richmond new road; on the south-east by a road dividing it from Mason's 300 acres, and Norman's 40 acres; and on the south-west and north-west by lines to include the quantity. Price 5s. per acre.

65. DURHAM, 1230, Twelve hundred and thirty acres, more or less, parish unnamed, Upper Paterson's River; bounded on the south by a continuation west of the section line forming the northern boundary of J. P. Webber's 760 acres purchase; on the east by Paterson's River; and on the north and west by section lines. Price 5s. per acre.

66. ROXBURGH, 640, Six hundred and forty acres, more or less, parish unnamed, near War-rangunia, at the head of Cunningham's Creek; bounded on the south by the section line one mile north of a Village Reserve; on the west by Cunningham's Creek and a section line; and on the east and north by section lines. Price 5s. per acre.

67. ST. VINCENT, 960, Nine hundred and sixty acres, more or less, parish unnamed, near

*Tomboye*; bounded on the north by the first section line north of Middleton's 1000 acres; on the west by the Mongarlowe River; and on the east and south by section lines. Price 5s. per acre.

*This land is presently under lease, but the lease will expire on the 30th September, instant.*

*By Command of His Excellency the Governor,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 26th September, 1837.*

#### SALE OF LAND.

**A**T Eleven o'clock on Wednesday, the 8th day of November next, the Colonial Treasurer will put up to AUCTION, within the George-street Market Building, Letter C, the undermentioned PORTION OF LAND, on the conditions authorised by Government, the applicant being a newly arrived Emigrant.

Further information respecting the land may be obtained from the Surveyor General, and respecting the conditions from the Colonial Treasurer.

137. KING, 800, Eight hundred acres, more or less, parish unnamed, *Boorowa River*; bounded on the north by the section line, two miles south of the southern boundary of the Village Reserve, opposite the confluence of the Narellan Creek with the *Boorowa River*; on the west by the *Boorowa River*; and on the south and east by section lines. Price 5s. per acre.

*By Command of His Excellency the Governor,*

E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 25th September 1837.*

#### SALE OF TOWN ALLOTMENTS.

**A**T Eleven o'clock of Thursday the 9th day of November next, the Colonial Treasurer will put to AUCTION, within the George-street, Market Building, Letter C, the undermentioned TOWN ALLOTMENTS, on the conditions authorised by Government.

Further information respecting the Allotments may be obtained from the Surveyor General, respecting the conditions from the Colonial Treasurer.

21. APPIN,  $\frac{1}{2}$ , Half an acre, allotment No. 5, of section No. 1; bounded on the south by a line bearing east 10 degrees south 5 chains; on the east by a line south 10 degrees west one chain; on the south by a line west 10 degrees north 5 chains to the Appin Road; and on the west by that road one chain. Price £5 per acre.

22. APPIN,  $\frac{1}{2}$ , Half an acre, allotment No. 6, of section No. 1; bounded on the north by a line bearing east 10 degrees south 5 chains; on the east by a line south 10 degrees west one chain; on the south by a line west 10 degrees north 5 chains; and on the west by the Appin Road, bearing north 10 degrees east one chain. Price £5 per acre.

23. EMU,  $\frac{1}{2}$ , Half an acre, allotment No. 1 of section No. 6. Price £5 per acre.

24. EMU,  $\frac{1}{2}$ , Half an acre, allotment No. 2 of section No. 6. Price £5 per acre.

25. EMU,  $\frac{1}{2}$ , Half an acre allotment, No. 19 of section No. 6. Price £5 per acre.

26. EMU,  $\frac{1}{2}$ , Half an acre, allotment, No. 20 of section No. 6. Price £5 per acre.

27. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 1 of section No. 17. Price £7 per acre.

28. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 2 of section No. 17. Price £7 per acre.

29. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 3 of section No. 17. Price £7 per acre.

30. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 4 of section No. 17. Price £7 per acre.

31. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 5 of section No. 17. Price £7 per acre.

32. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 6 of section No. 17. Price £7 per acre.

33. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 8 of section No. 17. Price £7 per acre.

34. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 11 of section No. 17. Price £7 per acre.

35. MAITLAND,  $\frac{1}{2}$ , Half an acre, allotment No. 22 of section No. 17. Price £7 per acre.

*By Command of His Excellency the Governor,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 18th September, 1837.*

**T**HE GOVERNOR having been informed by Reports of certain of the Commissioners of Crown Lands, that at the Stations beyond the limits of location, Overseers and other Persons in charge of Cattle and Sheep in those remote Districts, are not unfrequently guilty of detaining by force, in their Huts, and as their companions abroad, black women of the Native Tribes resorting to their neighbourhood, an offence not only in itself of a most heinous and revolting character, but in its consequences leading to bloodshed and murder. His Excellency has been pleased to direct the Commissioners to report the names of all Persons whom they shall find in any manner concerned in so abominable and unchristian a proceeding, in order that their Licenses may be immediately cancelled, and that they may be prosecuted under the Act, as illegal occupiers of Crown Lands, or otherwise, as the Law directs.

*By His Excellency's Command,*

E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*26th September, 1837.*

**H**IS Excellency the GOVERNOR has been pleased to approve of the following alterations in the Police of the Colony, namely:—  
*Parramatta*—John Pinker, free, to be Constable, in the room of Thomas Tabor, appointed a District Constable.

*Bathurst*—George Freeston, Ticket-of-leave, to be Ordinary Constable, in the room of John Reardon, dismissed, from the 14th Instant.

*Port Macquarie*—William Peberdy, to be District Constable, in the room of Henry Lington, resigned from the 12th instant.

*By His Excellency's Command,*

E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 25th September, 1837.*

#### TICKETS-OF-LEAVE CANCELLED.

**T**HE Tickets-of-Leave granted to the following Prisoners have been cancelled for the reasons set against their respective names, viz. Balwinson Eliza, Fanny (2), disorderly conduct, Smith John, Ocean (3), ditto.

*By His Excellency's Command,*

E. DEAS THOMSON.



**T**HE TOWN ALLOTMENTS Advertised in the *Gazette* by the Notices dated 13th and 19th June, 1837, have, with the exception of Lots 1 and 2, been sold to the undermentioned Parties by Auction, on the 10th August last, and the price affixed to each respectively has been received.

| LOTS | TOWNS.           | EXTENT. |    |    | PURCHASERS.                           | PRICE. |    |    |   |
|------|------------------|---------|----|----|---------------------------------------|--------|----|----|---|
|      |                  | A.      | R. | P. |                                       | £      | s. | d. |   |
| 1    | Goulburn .....   | 0       | 2  | 0  | Not measured.                         |        |    |    |   |
| 2    | ditto .....      | 0       | 2  | 0  | ditto                                 |        |    |    |   |
| 3    | Berrima .....    | 0       | 2  | 0  | Walker Rannie Davidson.....           | 1      | 0  | 0  |   |
| 4    | ditto .....      | 0       | 2  | 11 | Deposit forfeited by John Thompson .. | 0      | 5  | 4  |   |
| 5    | Marulan .....    | 0       | 2  | 0  | Henry Jaques .....                    | 1      | 0  | 0  |   |
| 6    | ditto .....      | 0       | 2  | 0  | Samuel Benjamin and Elias Moses ....  | 2      | 0  | 0  |   |
| 7    | ditto .....      | 0       | 2  | 0  | Deposit forfeited by John Thompson .. | 0      | 2  | 0  |   |
| 8    | ditto .....      | 0       | 2  | 0  | Stephen Greenhill .....               | 1      | 0  | 0  |   |
| 9    | ditto .....      | 0       | 2  | 0  | Walker Rannie Davidson.....           | 1      | 0  | 0  |   |
| 10   | Bungonia .....   | 0       | 1  | 5  | ditto .....                           | 1      | 13 | 9  |   |
| 11   | ditto .....      | 0       | 1  | 27 | Lewis Gordon .....                    | 1      | 19 | 1  |   |
| 12   | ditto .....      | 0       | 2  | 0  | Samuel Benjamin and Elias Moses ....  | 2      | 0  | 0  |   |
| 13   | ditto .....      | 0       | 2  | 0  | ditto .....                           | 2      | 0  | 0  |   |
| 14   | ditto .....      | 0       | 2  | 0  | ditto .....                           | 2      | 0  | 0  |   |
| 15   | ditto .....      | 0       | 2  | 0  | ditto .....                           | 2      | 0  | 0  |   |
| 16   | ditto .....      | 0       | 2  | 0  | Henry Jaques .....                    | 1      | 0  | 0  |   |
| 17   | Parramatta ..... | 0       | 0  | 34 | Walker Rannie Davidson.....           | 13     | 12 | 0  |   |
| 18   | ditto .....      | 0       | 0  | 34 | Margaret Allandale .....              | 25     | 10 | 0  |   |
| 19   | ditto .....      | 0       | 0  | 34 | Bernard M'Laughlin .....              | 17     | 17 | 0  |   |
|      |                  |         |    |    |                                       | £      | 75 | 19 | 2 |

By Command of His Excellency the Governor,  
E. DEAS THOMSON.

Colonial Secretary's Office,  
Sydney, September 25, 1837.

**IMMIGRATION.**

**W**ITH a view to the further encouragement of the introduction into the Colony of useful and respectable Emigrants, from any part of Europe, His Excellency the GOVERNOR is pleased to revise the Government Notice of the 28th October, 1835, and directs it to be notified that a pecuniary aid to the amount, and under the Conditions hereinafter specified, will be granted to those Persons who shall be at the charge of bringing Emigrants to Sydney. The increased rates of bounty which are offered in this revised Notice, will be allowed for those Emigrants who shall leave Europe after the first day of January next.

1. The Sum of Thirty-six Pounds will be granted as a bounty towards defraying the expense of the passage of every married Man, whether Mechanic, Domestic, or Farm-servant, and his Wife, neither of whose ages shall exceed on embarkation forty years, and the sum of five pounds for each of their children between the ages of one and seven years, and of ten pounds for each of their children between the ages of seven and fifteen years, and fifteen pounds for every child above fifteen years.
2. A sum of eighteen pounds will also be allowed for every unmarried female whose age shall not be below fifteen nor above thirty years, who shall come out under the protection of the married couple, as forming part of the family and destined to remain

with it until such female be otherwise provided for.

3. A bounty of eighteen pounds will also be allowed for every unmarried male mechanic, farm or domestic servant, above the age of eighteen and not exceeding thirty years, brought out by a person, who at the same time brings out an equal number of females accompanying and attached to a family as herein-before described.
2. Before any such payments are made, the Emigrants on whose account they are claimed, will be required to present themselves before a Board appointed by the Governor to inspect persons of this description, to whom the adults are to exhibit testimonials of good character, signed by Clergymen and respectable inhabitants of note in the places of their former residence, with which testimonials it is necessary that every family and single person, for whom the bounty is claimed should be provided. If the Board shall be satisfied with these testimonials, and that the Persons presenting themselves are within the ages set forth in the foregoing paragraph, to be established, where possible, by the production of copies or extracts of the registry of their baptism, duly certified by the Parish Minister, or other proper Officer, of good bodily health and strength, and in all other respects likely to be useful members of their class in society, a certificate to such effect will be granted by the Board, which being presented at the Colonial Secretary's Office, in Sydney, a warrant will be immediately issued for the payment of the sum to which the Person bringing

the Emigrant out shall become entitled under this Notice. In the case of Foreigners brought to the Colony for the cultivation of the vine or olive, or for the manufacture of wine or oil, certificates of age but not of character will be dispensed with.

3. Any Person desiring to avail themselves of these bounties are required to transmit to the Colonial Secretary, at Sydney, a list specifying as nearly as circumstances will permit the number, condition, and calling of the Persons they propose to bring out.

4. It is to be understood, that bounties will not be allowed for any Persons brought out unless the Claimant shall have transmitted to the Colonial Secretary the list required by the foregoing paragraph, and that he shall have received in reply an intimation of its being the intention of this Government to grant a bounty on the introduction of the Persons described therein. This document the Claimant will be required to produce to the Board, and in order to guard against the inconvenience of long outstanding claims against the Government, bounties will not be allowed unless the Emigrants described in the application shall be presented to the Board within two years after the date of the notification of acceptance by the Colonial Secretary.

5. It is also to be understood that no expense whatever, attendant upon the introduction of these Emigrants, will be defrayed by Government, excepting the bounties hereinbefore mentioned; and that the wives and families of soldiers in Regiments in this Colony, or in Van Diemen's Land, and of Persons serving under sentence of transportation in either Colony, are excepted from the present regulation.

By His Excellency's Command,  
E. DEAS THOMSON.

Colonial Secretary's Office,  
Sydney, September 11, 1837.

#### CONVEYANCE OF MAILS.

CONVEYANCE being required for the Post-office Mails, from and to the undermentioned places, for one or two years, (to be decided on opening the Tenders) from the 1st January, 1838; Persons disposed to Contract for providing the same are invited to transmit their offers, in writing, to this Office, before Twelve o'clock, on Monday, the 6th of November next, endorsed—"Tender for Conveyance of Mails."

From and to Windsor, Parramatta, and Sydney, daily (Sundays excepted.)

From and to Windsor, Pitt Town, Wilberforce, Richmond, and North Richmond, three times a-week; and from and to Windsor and Wiseman's Ferry once a-week.

From and to Penrith and Parramatta, daily (Sundays excepted.)

From and to Penrith, Hassan's Walls, and Bathurst, two or three times a-week.

From and to Bathurst and O'Connell, twice a-week.

From and to Campbelltown, Liverpool, and Sydney, daily (Sundays excepted.)

From and to Wollongong, Appin, and Campbelltown, three times a-week.

From and to Campbelltown, Cawdor, and Berrima, three times a-week.

From and to Berrima, Marulan, and Goulburn, three times a-week.

From and to Bungonia and Marulan, six times a-week.

From and to Goulburn and Yass, via Mutmutbilly, twice a-week.

From and to Lake George and Mutmutbilly, once a-week.

From and to Yass and Melbourne, Port Phillip, once a fortnight.

From and to Bungonia and Queanbeyan, via Lake Bathurst and Bungandore, twice a-week.

From and to Bungonia and Braidwood, once a-week.

From and to Raymond Terrace and Sawyer's Point, twice a-week.

From and to Raymond Terrace and Dungog, twice a-week.

From and to Sparke's Inn and Maitland, as often as the steam-packets shall pass and repass Sparke's Inn.

From and to Hinton and Paterson, as often as the steam-packets shall pass and repass.

From and to the Greenhills and Maitland, as often as the steam-packets shall arrive and depart.

From and to Maitland and Darlington, three times a-week.

From and to Darlington and Invermein, via Muscle Brook, twice or three times a-week.

From and to Invermein and Murrurundi, once a-week.

From and to Darlington and Merton, via Jerry's Plains, twice a-week.

From and to Merton and Cassilis, once a-week.

It is to be understood that the Mail is invariably to start on days as now, or hereafter to be fixed, and the Contractor to carry all bags or letters which may be delivered to him under authority of the Postmaster General, or any of the Postmasters.

Each Contractor will be bound under a penalty of £5, for each and every offence (over and above the penalties provided by the Act of Council) for the receipt or conveyance of any letter or packet by himself, or by any of his servants or passengers, to the prejudice of the Post-office Revenue.

It will be optional with the Parties offering, whether for one or more of the above line of stages, to propose the mode of Conveyance; but on all roads where Mail-carriages can travel, a preference will be given to that mode of Conveyance; and the Contractors will be held strictly bound to use the Conveyance they propose, and to provide secure lockers and dry covering for the Mail-bags. Mail-carts drawn only by one horse, must not carry more than one passenger; by two horses, not more than three passengers; and by three or more horses, not more than six passengers, exclusive of the drivers, under a penalty for each offence of not less than £1 nor more than £5.

All vehicles and horses employed in the Conveyance of Mails, to be at all times subject to the inspection and approval, or rejection, of the Postmaster General, or person appointed for that purpose. The drivers and postmen to be free men, and of certified good character.

The Contractor will be liable to a fine of five shillings for every five minutes delay, after the specified time of starting.

The rate of travelling will not be less than six miles per hour, including all stoppages, under a penalty of five shillings for every ten minutes delay after the specified time of arrival.

All fines and penalties incurred under the agree-

ment to be deducted from the Post-master General from the next quarterly payment falling due to the Contractor.

It is requested that each party Tendering, or an agent for him, will attend at this Office on the appointed day for opening the Tenders; and that each Tender may specify the names of two respectable and solvent persons, willing to enter into a bond with the Contractor for the safety of the Mails and the due performance of the Contract.

The hours of starting from each Post-office, and other particulars, may be ascertained at the General Post-office, where parties proposing to Tender are invited to apply; and where also printed forms of Tender may be obtained.

N.B.—Tenders for a *three years' Contract* for Conveyance of the Mails daily (Sundays excepted)—from and to Sydney and Windsor, Parramatta and Penrith, and Sydney and Campbelltown, will be entertained, if submitted, should parties consider it advisable thus to lengthen the term of their engagement to ensure a more complete establishment of carriages and horses.

*By His Excellency's Command,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 26th September, 1837.*

#### TWENTY POUNDS REWARD.

**W**HEREAS, it has been represented to the Government, that Henry Smiley, who arrived free in the Colony, and whose description is annexed, broke out of the Gaol at Port Phillip, on the 24th July last, being then under a charge of stealing from a Vessel in the River, and is now at large: Notice is hereby given, that any person who shall cause the said Henry Smiley to be apprehended and lodged in any of His Majesty's Gaols, will be allowed a Reward of Twenty Pounds. It is supposed that he has taken with him a horse belonging to the Survey Department, and that he has made his way towards the settled District of Sydney.

#### DESCRIPTION.

Henry Smiley.  
Arrived free in Van Diemen's Land by the ship  
*Hains*, 1829.  
Age—32.  
Height—5 feet 7½ inches.  
Complexion—Dark, Swarthy.  
Hair—Black.  
Eyes—Dark.  
Trade—Seaman.  
Native Place—Waterford.  
General Remarks—Active.

#### DESCRIPTION OF THE HORSE.

Colour—Chesnut.  
Height—Nearly fifteen hands.  
Tail—Short.  
Legs—Light Colour.  
Off Eye nearly blind.  
White spots under the saddle.  
Age—About eight years.

*By His Excellency's Command,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 26th September, 1837.*

#### CUSTOM-HOUSE CUTTER.

**A** CUTTER of forty tons being required for the Department of Customs at Port Philip, No. 295. September 27, 1837.

Persons disposed to furnish the same are requested to transmit Tenders to this Office, at *Twelve o'clock on Monday, the 9th of October next*, endorsed—"Tender for Cutter."

A specification and other particulars may be obtained from the Master Attendant.

*By His Excellency's Command,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 21st September, 1837.*

**H**IS Excellency the GOVERNOR has been pleased to appoint  
WILLIAM MONTAGU MANNING, Esquire,  
to be a Magistrate of the Territory.

*By His Excellency's Command,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 21st September, 1837.*

**H**IS Excellency the GOVERNOR has been pleased to appoint WILLIAM MONTAGU MANNING, Esq., Barrister at Law, to be Chairman of the Courts of Quarter Sessions of this Colony for the present year, under the provisions of the 3rd section of the Act of the Governor and Council of 4th, William the Fourth, No. 16, intituled "*An Act to amend an Act of the Governor and Council*," intituled "*An Act for instituting Courts of General and Quarter Sessions in New South Wales*," in the room of Robert Stewart, Esquire, resigned.

*By His Excellency's Command,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 27th September, 1837.*

**H**IS Excellency the GOVERNOR has been pleased to appoint  
PATRICK GRANT, Esquire,  
to be a Magistrate of the Territory.

*By His Excellency's Command,*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 27th September, 1837.*

**T**HE Right Honorable the SECRETARY OF STATE has been pleased to appoint  
PATRICK GRANT, Esquire,  
to be Police Magistrate at Maitland.

*By Command of His Excellency the Governor.*  
E. DEAS THOMSON.

*Colonial Secretary's Office,*  
*Sydney, 25th September, 1837.*

**H**IS Excellency the GOVERNOR has been pleased to appoint the undermentioned Gentlemen to be Commissioners of Crown Lands in the Colony of New South Wales, under the provisions of the Acts of the Governor and Council 4th, William IV., No. 10, and 5th, William IV., No. 12, and to execute the duties required by the 7th, William IV., No. 4, and the Regulations founded thereon, contained in the Government Order of the 1st October, 1836, viz.—

MR. JOHN ARMISTEAD, of Parramatta,  
MR. JAMES BYRNES, ditto.

*By His Excellency's Command,*  
E. DEAS THOMSON.

**L**IST of Male Convicts assigned from the  
2nd to 31st August, 1837:—  
Australian Agricultural Company, Port Stephen,  
18 laborers, 1 teacher, 1 sweep, 1 bookbinder,  
6 laborers, 4 miners, 1 clerk, 20 laborers  
Anderson M., Parramatta, 1 laborer  
Australian Agricultural Company, Newcastle, 3  
miners  
Australian Agricultural Company, Port Stephen,  
25 laborers, 1 schoolmaster, 1 steam-engine  
laborer, 1 shoemakers' boy, 1 miner, 1 errand  
boy, 1 brogue maker  
Arundell Thomas, Caddie, 1 laborer  
Arndell James, Woodlands, 2 laborers  
Arkell Thomas, Charlton 2 laborers  
Alexander Sarah, Cox's River, 2 laborers  
Allen George, Toxteth Park, 1 laborer  
Adams Captain, Sydney, 1 groom  
Alexander T. B., New Town, 1 indoor servant  
Abercrombie William, Glenmore, 1 maltster  
Blackman Samuel, jun., Campbelltown, 6 laborers,  
1 tailor  
Button John, Invermein, 2 laborers  
Barker Stephen, Paterson, 1 indoor servant  
Benham John, Liverpool-street, 1 general servant  
Besnard T. P., Yass, 1 indoor servant  
Bell Thomas, Parramatta, 1 indoor servant  
Blackett James, Elizabeth-street, 1 indoor servant  
Banfather William, Sydney, 1 indoor servant  
Bettington J. B., Hunter's River, 1 groom  
Barney Major, Sydney, 1 indoor servant  
Bowman George, Richmond, 1 laborer, 1 brick-  
makers' laborer  
Bean H. H., Merton, 1 errand boy  
Busby Alexander, Cassilis, 2 errand boys, 3 la-  
borers  
Burt John, for his farm, 2 brass founders  
Betts John, Parramatta, 1 groom  
Bradshaw William, Castlereagh-street, 1 stable  
boy  
Bell W. S., Cheshunt, 1 laborer  
Blackman Samuel, junior, Cobbetty, 1 blacksmith  
Barnes William, Goulburn-street, 1 whitesmith  
Barham, James, George-street, 1 butcher  
Brennand Thomas, King-street, 1 bookbinder  
Blaxland John junior, Newington, 1 shepherds'  
boy, 1 chair and cabinetmakers' boy  
Brennand J. R., for his farm, 1 sawyers' ap-  
prentice  
Blaxland John, sen., Newington, 2 errand boys  
and 1 laborer  
Busby William, Cassilis, 1 bricklayers' laborer, 1  
farm servant, 1 pipemaker  
Bowerman H. B., Field of Mars, 2 laborers  
Brown C. L., Williams' River, 2 labourers  
Berry Alexander, Shoalhaven, 3 laborers  
Burke John, Fairfield, 1 laborer  
Blaxland J. M., jun., 2 laborers  
Bowman William, Richmond, 1 laborer  
Biddulph Edward, Paterson, 1 laborer  
Barber George, Glenrock, 2 laborers  
Brodie Peter, Glenalvon, 1 laborer  
Busby William, Cassilis, 2 laborers  
Brown John, Hunter's River, 1 laborer  
Blaxland George, Wollum Hills, 1 laborer  
Briggs Henry, Harrowby, 1 laborer  
Brown R. H. Shoalhaven, 1 indoor servant  
Betts Sarah, Parramatta, 1 groom  
Butler John, Invermein, 1 butcher  
Bowerman W. B., Parramatta, 2 errand boys  
Carmichael Henry, 1 laborer

Chambers Charles H. Elizabeth-street, 1 indoor  
servant  
Campbell P. L., Parramatta, 1 indoor servant  
Chapman James, Prince-street, 1 butcher  
Casey Michael, Paterson, 1 tailor  
Clements Henry, Bathurst, 1 miller  
Clark William, Penrith, 1 errand boy  
Clunie J. C., Merton, 1 laborer  
Cliffe E. H., Murray, 1 laborer  
Curlewis W., Murray, 1 laborer  
Charles William, Bathurst, 1 laborer  
Cox William, junior, Wylong, 6 laborers  
Campbell Robert, M. C., Sydney, 3 laborers  
Clark E. G., Invermein, 2 laborers  
Cox William, Hobart Ville, 2 laborers  
Coghill John, Kirkham, 6 laborers  
Cahuac Henry St. John, Port Macquarie, 1 groom  
Campbell R. M., Wingello, 1 gardener  
Connor John, Castlereagh-street, 1 painter  
Campbell Robert, Maitland, 1 tin-plate worker, 1  
laborer  
Cohen M. M., George-street, 1 silversmith and  
moulder  
Cox T. B., Maitland, 1 stable boy and servant  
Corse John S., Fish River, 1 laborer  
Campbell Patrick, Paterson's River, 1 indoor  
servant and gardener, 1 laborer  
Clarke W. H., Bligh, 1 laborer  
Cordeaux William, Leppington, 3 laborers  
Campbell J. K., Maitland, 1 laborer  
Cox Edward, Mulgoa, 3 laborers  
Clerk E. G., Invermein, 1 laborer  
Coulson Thomas, Black Creek, 1 laborer  
Cox George, Winbourne, 3 laborers  
Crawford Robert, Hill End, 1 laborer, 1 black-  
smith, 2 errand boys  
Campbell J. A., George-street, 1 servant  
Carter William, jun., Parramatta-street, 1 indoor  
servant  
Carter William, sen., Parramatta-street, 1 groom  
Christopherson J. C., Invermein, 1 soldier and  
servant  
Cross William, Port Macquarie, 1 sawyer  
Cherrington Thomas, Pitt-street, 1 whitesmith  
Campbell A. E., Maitland, 2 errand boys  
Dangar Henry, Patrick's Plains, 3 laborers, 1  
errand boy, 1 slaters' boy  
Dickens Daniel, Windsor, 1 groom  
Day E. D., Maitland, 1 groom, 1 brickmaker  
Dillon R. C., Paterson, 3 laborers  
Doidge William, Hunter's River, 5 laborers, 1  
tailors' boy, 1 ladies' shoemaker  
Dillon John, Port Macquarie, 1 laborer  
Davis Hart, Invermein, 1 laborer  
Dobson James, Clarence-street, 1 groom  
Devlin James, Kissing Point, 1 laborer  
Davidson W. S., Cassilis, 1 laborer  
Delany Thomas, Penrith, 1 hawkker and servant  
Davis Richard Hart, Waverly, 1 laborer  
Doyle Andrew, junior, Merton, 4 laborers, 1 barber  
Dunston Richard, Windsor, 1 groom  
Dangar Henry, Neotsfield, 1 shoemaker, 1 flour-  
miller  
Dobson W. B., Lake George, 1 shoemaker, 1  
brickmaker  
Dale Henry F., Paterson, 3 laborers, 1 cabin-boy  
Dickson John, Nonorah, 6 laborers  
Doyle C. M., Wilberforce, 4 laborers  
Dumas A. G., New Town, 1 laborer  
Dumaresq William, St. Aubin's, 2 laborers  
Druitt Major, Mount Druitt, 2 laborers

Dunston John, Wilberforce, 1 laborer  
De Mestre P., for his farm, 1 laborer  
Edwards T. A., Lake George, 1 laborer  
Edwards & Hunter, Yass, 6 laborers  
Earl John, Patrick's Plains, 1 laborer  
Finch C. M., Bathurst, 2 laborers  
Forbes C., Wellington, 1 laborer  
Foster John, Bathurst, 1 laborer  
Field G. B. P., Burrogarang, 5 laborers  
Forster T., Brush Farm, 2 laborers, 2 errand boys  
Forsyth John, Sussex-street, 1 whitesmith  
Fitzgerald Richard, Windsor, 3 laborers  
Fraser Alexander, Penrith, 1 bricklayer  
Forbes F., Muscleebrook, 1 laborer  
Flanagan Francis, St. Vincent, 3 laborers  
Fleming Henry, M'Donald's River, 1 laborer  
Faithful W. P., Goulburn, 1 laborer  
Futter Robert, Goulburn, 1 laborer  
Fell P. L., Bathurst, 1 laborer  
Furlong Captain, Emu Plains, 1 servant  
Graham G. T., Concord, 1 laborer  
Goodsir J. T., Paterson, 6 laborers  
Ginger John, Sydney, 1 chicken-butcher  
Gueat George, Richmond, 1 errand boy  
Geary-W. H., Port Macquarie, 3 laborers, 2 errand boys  
Glasson John, Bathurst, 2 laborers  
Grove John, Pitt Town, 1 laborer  
Gorrick Isaac, Wilberforce, 1 laborer  
Green W. B. J., Maitland, 1 footman  
Gibson Andrew, Goulburn, 1 laborer  
Gray C. G., Bridge-street, 1 groom  
Gordon Charles, Pitt-street, 1 servant and groom  
Hale James, Windsor, 2 laborers  
Houson William, Sydney, 1 indoor servant and groom  
Howe William, Glenlie, 1 indoor servant  
Howell P., Castlereagh-street, 1 indoor servant  
Holdsworth J. Camden, 1 shoemaker  
Harper George, Abbotsford, 1 kitchen gardener  
Holmes Henry, Williams' River, 4 laborers, 1 flax-dresser, 1 painters' boy  
Hyland Edgar, Sydney, 1 butcher  
Holmes Thomas, William's River, 1 blacksmith  
Hall J. S., Bligh-street, 1 jeweller  
Humphries J. B., Paterson, 1 laborer  
Hyland & Co., Littleham, 1 laborer  
Hill Richard, for his farm, 1 laborer  
Hughes John Terry, for his farm, 1 laborer  
Hawkins T. J., Bathurst, 1 laborer  
Hallen Edward, Bathurst, 1 laborer  
Hector Thomas, Bathurst, 1 laborer  
Hely Georgiana, South Head Road, 1 groom  
Hoskisson John, Cornwallis, 1 laborer  
Howe, John, Windsor, 1 laborer  
Holingshead Henry, Kent-street, 1 baker  
Hazlehurst Samuel, Market-street, 1 baker  
Hogarth John, Wellington, 1 servant and groom  
Howey Henry, Goulburn, 1 seaman  
Hutchinson Richard, Bong Bong, 1 laborer  
Hillas George, Goulburn, 1 errand boy  
Hillas John, junior, Goulburn, 1 seaman  
Honna William, Murray, 1 laborer  
Harris John, Shane's Park, 1 laborer, 1 shepherd  
Hooke John, Williams' River, 1 laborer  
Hosking John, for his farm, 1 laborer  
Hall William, Black Town, 2 laborers  
Hardy William, Sydney, 1 indoor servant  
Hill Patrick, Liverpool, 1 laborer  
Hindmarsh Michael, Illawarra, 2 laborers  
Henderson Michael, Roslin, 2 laborers

Hassan Thomas, Donogh, 1 laborer  
Howell Walter, Richmond, 1 flour-miller  
Jones John, George-street, 1 indoor servant  
Innis Joseph, Camden, 1 shoemaker  
Jones Rees, George-street, 1 tallow-chandler  
Innes William, Paterson, 14 laborers, 1 tailor, 1 groom, 1 tanner, 1 cooper  
Johnston, E., Banks Town, 1 laborer  
Irving, D. M., Bathurst, 2 laborers  
Innis, A. C., Port Macquarie, 2 laborers, 1 butcher, and 1 baker  
Iceley, Thomas, Bathurst, 3 laborers and 1 groom  
Jones, John, Turee, 1 shoemaker and 1 tanner  
Jones, Joseph, Parramatta, 1 brickmaker  
Johnston, David, George's Hall, 1 laborer  
Jamison, Sir John, Regentville, 2 laborers  
Jobbins, John, Yass, 1 laborer  
Johnston, John, Darlington, 2 laborers  
King, James, Williams' River, 1 laborer and 2 errand boys  
Kellett, Thomas, Kent-street, 1 baker  
King, William, Bathurst, 1 laborer  
Kite, Thomas, Bathurst, 1 laborer  
Kable, George, Bathurst, 1 shepherd  
King, P. P., South Creek, 3 laborers  
Kenny, Charles, Ham Common, 1 laborer  
King, A. I., Penrith, 1 laborer  
Kinghorne, Alexander, Cardross, 1 flour miller  
King, Richard, Rotherwood, 2 errand boys  
Larnack John, Rose Mount, 1 laborer  
Lugard Lieutenant, Ash Island, 1 laborer  
Lawson William, junior, Bathurst, 1 laborer  
Lawson Nelson, Bathurst, 1 blacksmith and farrier  
Leahy J. T., Illawarra, 1 groom  
Levingston Alexander, Bowthorne, 1 laborer  
Lang Andrew, Dunmore, 3 laborers  
Lane William, Bathurst, 1 laborer  
Lithgow William, for his farm, 3 laborers  
Lang Richard, Hinton, 1 laborer  
Lee William, Bathurst, 1 laborer  
Leese R. H., Lane Cove, 1 groom  
Murray J. F., Lake George, 1 laborer, 1 groom, 2 errand boys  
Moore John, Brisbane Water, 1 boot and shoemaker, 1 sawyer, 1 laborer, 1 house-carpenter  
Mann S. F., Williams' River, 1 laborer  
M'Arthur Mrs. E., Parramatta, 2 indoor servants  
Mossman, George, Williams' River, 1 indoor servant  
M'Intyre, Peter, Maitland, 4 laborers and 2 errand boys  
M'Kenzie, R. R., Port Macquarie, 2 laborers and 2 errand boys  
Murray, T. A., Lake George, 2 errand boys  
M'Kellar, Duncan, Strathallan, 1 coachman, 2 laborers, 1 tailor, and 1 errand boy  
Mowatt, Francis, Narallan, 2 laborers and 1 house joiner  
M'Quarie, Lachlan, for his farm, 1 spring knife cutter, 3 laborers, 1 shoemaker, 1 shoemakers' boy, and 1 tailor  
M'Knight, George, Sydney, 1 groom  
May, Robert, Kent-street, 1 baker and confectioner  
Morphy, J. S., Murray, 1 carpenter  
M'Intyre, Donald, Invermeiu, 1 laborer  
M'Donald, John, 1 laborer  
M'Leod, Donald, Hunter's River, 6 laborers  
Maxwell, John, Liddleton, 3 laborers  
M'Arthur, Edward, Camden, 1 laborer  
Mitchell, James, for his farm, Darlington, 3 laborers

M'Leay, George, Brownlow Hill, 3 laborers, 1  
 blacksmith's boy, and 1 errand boy  
 M'Alister, L., Argyle, 3 laborers  
 M'Kenzie, Rev. D., Sydney, 1 groom  
 M'Lean, T. S., Surry Hills, 1 groom  
 M'Cartney, M., Invermein, 1 coachman  
 M'Arthur, William, Camden, 1 coachman  
 Murphy, Roger, Bathurst, 1 shoemaker  
 Mitchell, William, York-street, 1 baker  
 Manning, J. E., for his farm, 1 laborer  
 M'Queen, T. P., Segenhoe, 1 poulterer, 1 laborer,  
 and 2 errand boys  
 M'Arthur, James, Camden, 1 laborer  
 Mossman, Archibald, Williams' River, 1 laborer  
 M'Donald, Captain, Yass, 1 laborer and 1 shoe-  
 maker  
 M'Dougall, J. K., Baulkham Hills, 1 laborer  
 M'Elheran, N., Sydney, 1 indoor servant  
 Nock, Samuel, Pitt-street, 1 laborer  
 Nicholson, John, Bathurst, 10 laborers, 1 plasterer,  
 and 1 bricklayer  
 Norton, W., Cumberland-street, 1 laborer and  
 groom  
 Nowlan, Timothy, Hunter's River, 3 laborers and  
 1 woolcomber  
 Nash, Andrew, Parramatta, 1 groom  
 North, Samuel, Windsor, 2 errand boys  
 Nicholson, John, St. Vincent, 2 laborers  
 O'Brien, Henry, Yass, 1 carpenter, joiner, and  
 2 errand boys  
 Oxley, Executors of the late, 1 laborer  
 Osborne, James, Campbelltown, 1 groom  
 Popham, Richard, Argyle, 1 laborer  
 Phillips, Henry, Camden, 5 laborers and 1 sea-  
 man  
 Parker, W. B., Goulburn, 1 indoor servant  
 Pike, John, Pickering, 1 tailor and 1 indoor  
 servant  
 Pagan, J. H., Merton, 1 carpenter  
 Pilcher, H. J., Maitland, 3 laborers  
 Portus, John, Morpeth, 2 errand boys  
 Pringle, Robert, Jerry's Plains, 2 laborers and  
 2 errand boys  
 Palmer, W. H., Cox's River, 2 errand boys  
 Proctor, W. S., Lake George, 1 groom  
 Petty, Thomas, Church Hill, 1 pastry cook and  
 confectioner  
 Potts, J. H., Liberty Plains, 1 laborer  
 Pitt, George M., Richmond, 1 laborer  
 Paterson, Alexander, Bell Trees, 1 gentleman's  
 servant  
 Plunkett, J. K., Illawarra, 1 house painter  
 Robinson, B., Merton, 1 laborer  
 Reid, James, Rose Brook, 1 groom  
 Robinson, Richard, New Town, 1 indoor servant  
 Richardson, William, Windsor, 1 baker  
 Roemer & Co., Cassilis, 1 laborer  
 Rouse, Richard, House Hill, 3 laborers  
 Richardson, T. W., Maitland, 6 laborers  
 Rankin, George, Bathurst, 6 laborers and 1 miller  
 Rusden, Rev. G. K., Maitland, 1 groom  
 Rutledge, William, Field of Mars, 1 laborer  
 Robertson, A. W., Port Macquarie, 1 groom  
 Raymond, Samuel, Sydney, 1 indoor servant  
 Stewart, George, P. M., Goulburn, 1 indoor  
 servant  
 Stubbs, Richard, Port Stephens, 1 groom  
 Stephen, George M., for his farm, 1 laborer and 1  
 tobacco twister  
 Shadforth, Henry, Penrith, 5 laborers  
 Skinner, John, Raymond Terrace, 1 errand boy

Stephen, Sydney, for his farm, St. Vincent, 1  
 errand boy and 1 bookbinder's apprentice  
 Smith, Alexander, Kent Brewery, 1 groom  
 Smith, James, Illawarra, 1 laborer  
 Smith, C. T., Illawarra, 1 stable boy  
 Scott, Robert, Glendon, 5 laborers  
 Shaugnassy, Mrs., Hunter-street, 1 groom  
 Sinclair & Boyd, King-street, 1 tallow chandler  
 Stewart, Major General, Bathurst, 2 laborers and  
 1 shoemaker  
 Scott, A. W., Ashe Island, 4 laborers  
 Shelly, William, Argyle, 1 laborer  
 Spark, Edward, Ravensworth, 2 laborers  
 Simpson, D. C., Murray, 3 laborers  
 Shepherd, Jane, Darling Nursery, 1 groom  
 Smith John, Patrick's Plains, 1 shoemaker  
 Stewart William, ditto, 1 shoemaker  
 Smith James, Eastern Creek, 1 shoemaker  
 Stacey J. E., Port Stephens, 1 shoemaker  
 Smith James, Fullerton Cove, 1 butcher  
 Smith John G., Hunter's River, 1 house carpenter  
 Stanway William, York-street, 1 French polisher  
 Therry R., Sydney, 1 indoor servant  
 Thompson Charles, junior, Penrith, 2 errand boys  
 Thornton James, Pitt-street, 1 stable boy  
 Terry John, Box Hill, 1 whitesmith's boy  
 Throsby Charles, Throsby Park, 2 laborers 1  
 brewer  
 Turner George, Pitt-street, 1 baker  
 Thompson Walter, St. Vincent, 2 laborers  
 Thompson M. P., M'Donald's River, 1 laborer  
 Thurlow William, Sydney, 1 groom  
 Tegg James, George-street, 1 bookbinder  
 Vincent Rev. John, Sutton Forest, 1 indoor servant  
 Wilson C. & F., Tocal, 3 laborers  
 Waddy Richard, 50th Regiment, 1 groom  
 Wylde Rev. Robert, Jamison-street, 1 servant  
 Windeyer Richard, Raymond Terrace, 1 shoe-  
 maker  
 Watson George, Illawarra, 1 shoemaker  
 Wills Thomas, Campbelltown, 2 laborers  
 White James, Edinglassie, 2 laborers  
 Warner Jonathan, Lake Macquarie, 1 laborer  
 Wentworth George, Greendale, 1 baker and con-  
 fectioner  
 Woods Daniel, Bathurst-street, 1 butcher  
 Wallace John, St. Vincent, 1 sawyer  
 Wood John, Lowther, 1 errand boy 1 laborer  
 Wyndham George, Dalwood, 2 errand boys  
 Warne Charles, for his farm, Bathurst, 2 errand  
 boys  
 Windeyer Charles, for his farm, William's River,  
 2 errand boys

J. M'LEAN.

Principal Superintendent of Convicts' Office,  
13th September, 1837.

NOTICE.

**F**OUND in possession of a Ticket-of-Leave  
 Holder, at O'Connell's Plains, Bathurst,  
 under suspicious circumstances, a Pony, de-  
 scribed as under, which has been detained by the  
 Police, at Bathurst, and may be inspected on  
 application to the Chief Constable.—

*Description*—Bright bay color, thirteen hands  
 high, black points, long tail, and rising three  
 years old—Entire.

JOHN KINCHELA, JUN., J.P.,  
*Police Magistrate.*

*Police-office, Bathurst, }  
 September 17, 1837. }*



**NOTICE OF HEARINGS.**

**T**HE undermentioned Cases having been postponed at the last Sitting of the Court, either for further hearing or on account of the non-attendance of the Parties interested, the Commissioners hereby give Notice of their intention to proceed in the investigation thereof on Thursday, the 28th day of September next, and following days, at eleven o'clock.

- Case No. 28. James Norton, in behalf of Mrs. Andrew Allan, and others, in opposition to William Laycock.
- " 30. Baxter and wife.
- " 64. Richard Archbold, in opposition to Arthur Devlin.
- " 83. John Moat Wright, of Parramatta.
- " 94. Edward Field, junior, of Penrith.
- " 102. George Campbell Curlewis.
- " 107. Trustees of Alfred Cox.
- " 108. John Smith, and Mary his wife, in opposition to the Trustees of Harriet Weaver.
- " 111. John Steward, or Stewart, opposed by Hunt and Barber.
- " 115. W. H. Moore, Esq., of Sydney, Solicitor.
- " 117. Executors of the late James Atkinson, of Oldbury.
- " 118. Ditto.
- " 119. Ditto.
- " 120. George Yeoman, of Hunter's River, on behalf of Arthur Rotton.
- " 121. Walter Thomson, Esq., of Bateman's Bay, Settler.
- " 122. William Cains, of Prince-street, Sydney, opposed by Kenworthy and Lord.

By direction of the Commissioners,  
**JOHN THOMPSON,**  
*Secretary.*

**TO BE SOLD BY PUBLIC AUCTION,  
BY MR. BLACKMAN,**

At the Commissariat Stores, in Sydney, on FRIDAY, the 29th Instant, at ten o'clock,

**T**HE following STORES landed from Prison Ships, namely:—

Flour, Peas, Cocoa, Wine, Vinegar, Suet, and Lime-juice, in casks  
Biscuit Dust, in bags  
Staves, Heading, old Casks, Iron Hoops  
Bedding, Clothing, and Wood Fittings.

Also, from the Penal Settlement at Moreton Bay, about

Six hundred bushels of Maize  
A quantity of Cedar, and  
One hundred Casks, in shooks.

**STOLEN OR STRAYED,**

*From Jingery, near Molonglo Plains, on or about the 1st of August,*

**A** BLACK CLYDESDALE MARE, near hind heel white, branded JD under the off mane. If stolen, a Reward of Ten Pounds will be paid by me, the undersigned, on Conviction of the Party or Parties stealing her; if strayed, Five Pounds will be paid on her recovery.

**JOSEPH DOCKER.**

*Windsor, September 4, 1837.*

No. 295. September 27, 1837.

**Sydney, 21st September, 1837.  
IN THE SUPREME COURT.**

**NORTON v. BEILB.**

**O**N the Premises of the Defendant in George-street, Sydney, opposite the General Post Office, on Saturday, the 30th day of September instant, at 12 o'clock, unless this Execution be previously satisfied, the Sheriff will cause to be Sold the Right, Title, and Interest of the Defendant of, in, and to—

A large quantity of Shop Goods, being the Stock-in-Trade of the Defendant

A quantity of Flour  
Porter, Wines, &c.

**ROBERT BLAKE,**

*Under Sheriff.*

*Sheriff's Office,  
Sydney, 25th September, 1837.*

**IN THE SUPREME COURT.**

**FALWASSER v. FITZPATRICK.**

**O**N the Premises of the Defendant, George-street (near Park-street), Sydney, on Friday next, the 29th day of September, at 12 o'clock, unless this Execution be previously satisfied, the Sheriff will cause to be Sold the Right, Title, and Interest of the Defendant, of and to—

A quantity of Household Furniture  
Some Casks, Barrels, and Kegs, such being applicable to a Public-house

**ROBERT BLAKE,**

*Under Sheriff.*

*Sheriff's Office,  
Sydney, 20th September.*

*In the Supreme Court.*

**TINGCOMBE and Another v. STEWART alias CHANDLER.**

**MELVILLE and Another v. ditto**

**TYRER v. ditto**

**O**N the Premises of the Defendant, at Parramatta, on Saturday, the 30th instant, at eleven o'clock, unless these Executions be previously satisfied, the Sheriff will cause to be sold all the Right, Title, and Interest of the Defendant of, in, and to

An extensive assortment of Shop Goods, principally consisting of a variety of Haberdashery, Slop Clothing, Ladies' Dresses, &c., and Household Furniture.

**ROBERT BLAKE,**

*Under Sheriff.*

*Sheriff's Office,  
Sydney, 25th September, 1837.*

**IN THE SUPREME COURT.**

**HUGHES & OTHERS v. MARSH.**

**A**T the "Union Inn," Parramatta, on Saturday, the 7th day of October next, at 12 o'clock, unless this Execution is previously satisfied, the Sheriff will cause to be Sold all the Estate, Right, Title, and Interest of the Defendant, of, in, and to—

"A large Allotment of Ground, in the Town of Parramatta, nearly opposite the Villa of Seville Town, and contiguous to the New Gaol; it

contains about one hundred rods, more or less, and is partly fenced in with a fine rail Fence."

ALSO,

Four other Allotments of Ground, lately the Property of Messrs. Aunt and Seville, in or near the Township of Parramatta.

ROBERT BLAKE,  
*Under Sheriff.*

#### QUARTER SESSIONS.

NOTICE is hereby given, that Courts of General Quarter Sessions of the Peace in, and for, the Colony of New South Wales, will be holden at the Court House, in Sydney, on Monday, the second day of October next; at the Court House, in Campbelltown, on Monday, the sixth day of November next; at the Court House, in Parramatta, on Monday, the thirteenth day of November next; and at the Court House, in Windsor, on Thursday, the sixteenth day of November next; at which respective times and places all Persons under recognizances to appear either as Prosecutors, Defendants, or Witnesses, or who may have Appeals to interpose or other Business to transact, are desired to give their attendance at Ten o'clock in the Forenoon.

FREDERICK GARLING,  
*Clerk of the Peace.*

*Bathurst-street East,*  
*Sydney, 23d September, 1837.*

A LIST of Unclaimed Property now in Possession of the Sydney Police; if not claimed on or before the 13th day of October, 1837, they will be sold by Public Auction, in the Police Office Yard, on that day, by order of the Police Magistrates.

GEORGE JILKS,  
*Chief Constable.*

- 2 Beds
- 4 Pair Stays
- 2 Pieces Diaper
- 1 Piece of Irish Linen
- 1 Remnant of Stuff
- 1 Piece of Lining
- 3 Remnants Print
- 1 Ditto Waistcoating
- 5 Gowns
- 1 Chemise
- 2 Petticoats
- 2 Tablecloths
- 3 Blankets
- 8 Pairs of Trousers
- 3 Ditto (unmade)
- 2 Counterpanes
- 1 Bolt of Drill
- 1 Brass Candlestick
- 4 Plates and 1 Side Dish
- 1 Teapot
- 2 Cups and Saucers
- 1 Iron Pot
- 2 Tin Pots
- 1 Large Tin Dish
- 1 Lot Quarrymens' Tools
- 20 Shirts
- 8 Jackets
- 2 Bonnets
- 5 Old Hats
- 1 Piece of Ribbon

- 5 Pairs Stockings
- 21 Bags
- 8 Aprons
- 8 Pairs Socks
- 1 Pair Corduroy Trousers
- 7 Waistcoats
- 1 Night Gown
- 1 Woman's Collar
- 2 Remnants Calico
- 1 Ditto Print
- 1 Lot Cotton Balls
- 1 Hearth Rug
- 1 Old Umbrella
- 9 Shawls
- 24 Handkerchiefs
- 1 Remnant Green Stuff
- 2 Pairs Women's Shoes
- 3 Pairs Men's Boots
- 1 Old Great Coat
- 1 Saddle
- 1 Handsaw
- 1 Plane
- 1 Augur
- 1 Tortoiseshell Comb
- 1 Pea Jacket
- 1 Piece Print
- The Broken Materials of some Condemned
- Weights and Scales
- 1 Bed Wrench
- And some Tea and Sugar

#### WATCHES.

- A Silver Watch, capped, maker's name—Hanson, London.
  - A Hunting Ditto, maker's name—Richardson.
  - A Silver Ditto, maker's name—Johnson, London.
  - A Hunting Ditto, maker's name—Spencer, Ditto.
  - A Silver Ditto, maker's name—Gibson, Ditto.
- Police Office, Sydney,*  
*16th Sept., 1837.*

NOTICE is hereby given, that at a Court of Petty Sessions, held at Windsor this day, John Moore, holding a Conditional Pardon, has been appointed Poundkeeper for the Districts of North Richmond and Kurryjong, in the room of Henry Venus, who has resigned.

And Notice is further given, that at the expiration of one month from the date of this Notice appearing in the *Government Gazette*, the Pound for the above Districts will be removed from its present situation to the land occupied by the aforesaid John Moore, on the north side of Bell's Road, nearly opposite the old Pound.

FRANCIS WALSH SMALL,  
*Chief Clerk of Petty Sessions.*

*Court-house, Windsor,*  
*September 12, 1837.*

NOTICE is hereby given, that the Justices assembled in Petty Sessions have appointed Benjamin Robinson to be Pound-keeper at Berrima, a new Pound having been established there, according to the Regulations contained in the Act of Council, 4th Gul., No. 3, July 1833.

*By Order of the Bench of Magistrates.*

W. SMEATHMAN,  
*Clerk of the Petty Sessions.*

*Police-office, Berrima,*  
*September 18, 1833.*

**T**HE Cattle described below, formerly the Property of Dennis Connor, a Prisoner of the Crown, whose Ticket-of-Leave has been cancelled, will be Sold by Public Auction, at the Patrick's Plains Pound, on Monday, the 1st day of October next, for the benefit of His Majesty's Government.

- One red Bullock, branded DC off rump and J off shoulder
- One white Heifer, DC off thigh and J off shoulder
- One brindle and white Bull, DC off thigh
- One brindle and white Cow, DC off rump, J off shoulder, has a Bull Calf by her side
- One brindle and white poley Cow, DC off thigh, J off shoulder, a Bull Calf by her side, branded DC off thigh
- One brown-sided Cow, DC off thigh, J off shoulder, a Heifer Calf by her side, branded DC off thigh.

J. WRAY FINCH, J.P.  
*Police-office, Patrick's Plains, }*  
*September 7, 1837. }*

**NOTICE.**

**W**HEREAS, on the evening of Tuesday, the 22nd day of August, one John Glasson, in the hired service of George Wentworth, Esq., of Greendale, in the District of Penrith, did feloniously fire a loaded pistol at one William Brown, an assigned servant of Mr. J. S. Strange, Publican, Emu Plains, and immediately thereafter effected his escape, all Constables and others are hereby authorised and empowered to apprehend and lodge the said John Glasson in safe custody, and any person harbouring him after this notice will be prosecuted.

Description of the said John Glasson :—

- Ship—Mangles (1), his first arrival in the Colony, having returned to England at the expiration of this sentence, and was subsequently transported a second time, and who is now free.
- Height—5 feet 8 inches.
- Native Place—County Cork.
- Complexion—Sallow.
- Hair—Dark Brown.
- Eyes—Hazel.
- General Remarks—Sandy whiskers; had on a dark brown great coat, black velvet collar, a cabbage tree hat, and a dark pair of fustian trousers.

By Order of the Bench,  
**JOHN PROCTOR,**  
*Chief Constable.*

*Court House, Penrith, }*  
*30th August, 1837. }*

*Invermein, September 15, 1837.*

**I**N Possession of the Police at Invermein, a Bullock of the following description, supposed to be stolen :—

- One black-sided Bullock, white back, belly, and tail, white hind legs, grey under the eyes, branded off rump and thigh P T

If the above described Bullock is not claimed on or before the 8th day of October, it will be sold to defray expenses.

By Order of the Magistrates,  
**TIMOTHY TERRY,**  
*Chief Constable.*

*Police-office, Parramatta,  
 22nd September, 1837.*

**A** DARK brown Mare, thirteen and a half hands high, about six years old, appears to be in foal, a little white on each of her feet, a small blaze down her face, of the Clydesdale breed, branded with an inverted letter J on the near shoulder, H. D. under the Saddle on the off side, short squared tail, does not appear to have been docked, and a Saddle and Bridle, are in possession of the Police at this place, taken from a Person who is supposed to have stolen them.

WILLIAM HUNT.  
*Chief Constable.*

**S**TATE of the Female Factory, Parramatta, on the 23rd day of September, 1837.

|                                       |     |
|---------------------------------------|-----|
| Under Colonial Sentence .....         | 368 |
| In Solitary Confinement .....         | 1   |
| Confined by Order of the Keeper ..... | 0   |
| Nursing Children .....                | 37  |
| Number Assignable .....               | 16  |
| Number not Assignable .....           | 48  |
| In Hospital .....                     | 34  |
| <hr/>                                 |     |
| Total number of Women .....           | 499 |
| <hr/>                                 |     |
| Children under One Year .....         | 63  |
| Ditto under Three Years .....         | 9   |
| <hr/>                                 |     |
| Total number of Children .....        | 72  |

**THOMAS BELL, KEEPER.**

*Principal Superintendent of Convicts' Office,  
 September 26, 1837.*

**T**HE undermentioned Prisoners having absconded from the individuals and employments set against their respective names, and some of them being at large with stolen Certificates and Tickets of Leave, all Constables and others are hereby required and commanded to use their utmost exertion in apprehending and lodging them in safe custody. Any person harbouring or employing any of the said Absentees, will be prosecuted as the law directs.

J. M'LEAN,  
*Principal Superintendent of Convicts.*

Taylor Thomas, alias Henley Thomas, Minerva (5), 30, Newcastle-upon-Tyne, writing master, 5 feet 7½ inches, sallow comp., brown hair, grey eyes, charged with forgery, from No. 7 Road Party, since February 27, 1833.

Christian Henry, alias Stephens John, Isabella (2), 29, Dublin, shoemaker, 5 feet 3¼ inches, fair comp., brown hair, grey eyes, from Moreton Bay, since June 30, 1832.

Bishop Benjamin, Malabar, (1), 35, London, upholsterer, 5 feet 11¼ inches, ruddy comp., brown hair, dark eyes, from Moreton Bay, since November 5, 1830.

Morrissey Edward, Borodino, 28-1105, 33, Kilkenny, clerk, 5 feet 7½ inches, sallow comp., brown hair, hazel eyes, at large with a Pass from the Police Magistrate, Bathurst, since July 1834.

Cunningham Arthur, Ann Emelia, and Alligator, county Tyrone, farm labourer, 5 feet 5¼ inches, florid comp., reddish brown hair, hazel eyes, supposed to have escaped in the *Nimrod* Whaler, under the assumed name of Kelly, in September 1835, from Hobart Town.

Glossop James, alias Glossop, Dunvegan Castle (1), 30-419, 31, Leicester, hairdresser, 5 feet ½ inch, ruddy comp., brown hair, grey eyes, crucifixion on upper part, man, woman, anchor and other marks lower part of right arm, crucifixion upper part of left, woman, flowerpot and letters, lower part of left arm, from the custody of a constable on his way to the House of Correction, Sydney, since March 16, 1836.

Crisp Amos, Ocean (1), 25, Suffolk, gardener, 5 feet 5½ inches, florid comp., brown hair, hazel eyes, charged with cattle-stealing, from Hyde Park Barracks, since March 6, 1836.

**Jefferys George, Hive (1), 34-758, 35, Devonshire, seaman and farm labourer, 5 feet 3½ inches, dark sallow comp., brown to grey hair, hazel eyes, nose inclining a little to the left side, scar betwixt the eyebrows, blue ring left little finger, left fourth and little fingers contracted, PJME cocoa-nut tree and H N inside lower left arm, anchor back of ball of left thumb, scar back of left forefinger, from Goat Island, since July 17, 1836.**

**Johnson Samuel, Hive, 34-889, 24, Chelsea, plasterer, 5 feet 1½ inch, ruddy comp, brown hair, grey eyes, nose large and inclining a little to the right side, small mole under right ear, anchor inside lower right arm, SH inside lower left arm from Goat Island, since July 17, 1836.**

**Brown Henry, Henry Tanner, 34-2057, 31, London, seaman, 5 feet 1½ inch, dark sallow and pockpitted comp., brown hair, hazel eyes, scar over inner corner of right eyebrow, whiskers meeting under the chin, breast hairy, from Goat Island, since July 17, 1836.**

**Percy Henry, Roslin Castle (3), 34-1937, 24, Glasgow, stonemason, 5 feet 3½ inches, sallow comp., brown hair, hazel eyes, lost one front upper tooth, slight scar on left cheek, scar on left thumb, from Goat Island, since July 17, 1836.**

**Thorp Charles, Georgiana, 37, Nottingham, warehouseman, 5 feet 8½ inches, florid comp., brown hair, grey eyes, red whiskers, visage long, forehead wide and perpendicular, from His Majesty's Hulk Phoenix, since November 11, 1836, while under sentence of transportation for life.**

**Jackson James, Prince Regent, 36, Shropshire, farmer, 5 feet 7½ inches, fair sallow comp., light brown hair, hazel eyes, from Hyde Park Barracks, since May, 1837, second time of absconding.**

**Hoffman John, Bengal Merchant (1), 35-656, 26, Surry, boat builder, 5 feet 3½ inches, dark ruddy comp., brown hair, brown eyes, mouth small, nose thick, ship, woman and spear lower right arm, top of right fourth and little fingers crooked, blue ring right middle finger, man, woman, tree, 1830, heart and two darts, two birds, from Woolloomooloo Ironed Gang, since June 7.**

**Brown alias Jones alias Anderson William, James Pattison, 30-78, 50, Beverly, Yorkshire, seaman, 4 feet 3½ inches, ruddy and freckled comp., sandy to light brown hair, hazel eyes, scar over right eyebrow and top of left knee-joint, from Hyde Park Barracks, since July 9.**

**Ambrose David, Hooghly (4), 34-2472, 19, Essex, farmer's boy, 5 feet 3½ inches, fair comp., flaxen hair, blue eyes, small dark mole inner corner of left eyebrow, W N D H inside lower right arm, anchor B H M 2 anchor inside lower left arm, large star and several back of left hand, blue ring fore and middle fingers of same, round scar back of right hand, scar right instep, from G. Mossman, Williams' River, since September 8.**

**Allen William, Princess Royal, 51, Berkshire, house-carpenter, 5 feet 9 inches, dark sallow comp., black hair, light hazel eyes, from A. Lowe, Gravesend, since September 19.**

**Ambrose Francis, Bussorah Merchant (1), 28-1608, 23, Bandon, laborer, 5 feet 8½ inches, fair ruddy and much pockpitted comp., dark red hair, hazel eyes, scar centre of forehead, nose flat and cocked, J A on left arm, scar on left thumb inside, wart on knuckle of middle finger of left hand, a burn on left arm, from House of Correction, Sydney, since September 25.**

**Hall Jane, Burrell (2), 32-228, 44, County Londonderry, allwork and laundress, 4 feet 9 inches, sallow and freckled comp., black hair, dark chestnut eyes, scar under left side of chin, scar back of right hand, from J. Toel, Sydney, since September 25.**

**Carey John, Backwell, 35-2266, 42, County Galway, shepherd, 5 feet 4½ inches, dark sallow comp., brown mixed with grey hair, dark hazel eyes, breast and arms hairy, scar ball of left thumb, from J. Morris, Eling Forest, since September 18.**

**Carrol James, John Barry (3), 36-269, 18, London, hairdresser's boy, 5 feet 0½ inch, ruddy and freckled comp, brown hair, hazel eyes, scar each side of forehead, mermaid on W J W T C T M C E R J C A C H C lower right arm, J H anchor J C L J J R and improper mark lower left arm, scar left thumb, from E. Hardy, Upper Paterson, since September 14.**

**Coates Isaac, Mary (4), 33-131, 22, Birmingham, woodturner, 5 feet 3½ inches, ruddy and freckled comp.,**

**brown hair, hazel eyes, J C on upper, H H A B heart and two darts in a wreath on lower right arm, J on upper left arm, blue ring on left middle finger, scar small of right leg, from J. F. Barrett, Sydney, since September 23.**

**Cornish George, Neva, 33-3143, 56, Cornwall, farrier and cattle doctor, 5 feet 4 inches, sallow comp, brown to grey hair, hazel grey eyes, lost one front tooth right side of upper jaw, from Stockade, Berrima, since September 22.**

**Danby Phillip, Eudora and Blenheim, 37-2073, 26, London, tailor (good), 5 feet 7½ inches, brown comp., brown hair, brown eyes, scar over left eyebrow, horizontal scar under chin, dark caroty whiskers, anchor inside lower left arm, two scars back of left thumb, from Hyde Park Barracks, since September 23.**

**Davis Susannah, Pyramus (1), 32-15, 26, Essex, dairymaid and allwork, 5 feet 1½ inch, ruddy comp., dark brown hair, hazel eyes, scar on back of left hand, from T. Foster, Sydney, since September 25.**

**Graham Catherine, Thomas Harrison, 36-324, 20, Kilkenny, nursemaid and kitchenmaid, 5 feet 4 inches, ruddy and freckled comp., brown hair, grey eyes, bell of left ear split, from G. T. Davidson, Upper Paterson, since September 2.**

**Harrison Caroline, Mary (5), 35-172, 22, Derby, housemaid and allwork, 5 feet 11 inches, ruddy comp., sandy hair, brown eyes, small round scar left jaw, bells of ears split, from W. Wright, Sydney, since September 24.**

**Jaffray alias M'Carrol Helen, Earl Liverpool, 31-175, 22, Aberdeen, kitchenmaid and washerwoman, 5 feet 2½ inches, sallow and freckled comp., brown hair, hazel eyes, diagonal scar at top of forehead, horizontal scar over right eyebrow, from M. Best, Sydney, since September 25.**

**Kenny Catherine, Margaret, 37-144, 23, County Down, kitchenmaid, 5 feet 2 inches, dark ruddy comp., brown hair, grey eyes, small round scar right side of mouth, mark of a burn below right arm, from J. Weatherall, Sydney, since September 24.**

**Long Thomas, Guildford (4), 39, Bridgewater, baker, 6 feet 0½ inch, fair ruddy comp., light brown hair, dark eyes, from F. Girard, Sydney, since September 24.**

**Morris John, John (2), 29-1862, 34, Preston, tailor, 5 feet 5½ inches, ruddy comp., brown hair, brown eyes, small scar on nose and over left eye, wants point of left thumb, from Hyde Park Barracks, since September 22.**

**Moony Thomas, Hive (2), 35-3255, 36, Dublin, indoor servant, 5 feet 4½ inches, ruddy comp., brown mixed with grey hair, hazel eyes, arms and breast hairy, from W. Webb, Sydney, since September 24.**

**Morrow George, Countess Harcourt (2), 51, Fermanagh, dragoon, 5 feet 9 inches, brown comp., brown hair, light grey eyes, from M. Tate, Sydney, since September 16.**

**Reason Ann, Elizabeth (5), 36-495, 25, Wiltshire, housemaid, dairymaid, and needlewoman, 5 feet 3½ inches, ruddy and freckled comp., brown hair, hazel eyes, small mole under left eye, scar inside top of middle finger of right hand, scar back of forefinger of left hand near the knuckle, mole lower part of right side of neck, from E. Underwood, Ashfield Park, since September 17.**

**Reed William, Lady Kennaway (2), 36-2158, 26, Yorkshire, blacksmith, 5 feet 2½ inches, ruddy comp., light hair, blue eyes, small scar upper part of nose, scar top of little finger of right hand, from Hyde Park Barracks, since September 22.**

**Still Charles, Camden (2), 33-472, 22, London, tailor boy, 4 feet 9½ inches, dark ruddy and little pockpitted comp., dark brown hair, dark grey eyes, crucifix on upper, heart encircled in a laurel and S R inside lower right arm, blue ring right middle finger, C D E B R B J W on upper, C B W W T W W W T W A B H on lower left arm, from D. Perrier, Bathurst, since September 9.**

**Sullivan Hannah, Henry Wellesley, 36-99, 31, Conny Kerry, laundrymaid, 5 feet 1½ inch, ruddy comp., brown hair, hazel grey eyes, lost a front upper tooth, small blue scar left temple, large scar back of right hand, from F. Stevens, Sydney, since September 24.**

**Siblebottom Catherine, George Hibbert, 34-324, 33, County Meath, allwork, 5 feet 1 inch, pale and freckled comp., brown hair, hazel eyes, scar right side of forehead, nail of right forefinger disfigured, scar left side of neck, from J. Pritchard, Sydney, since September 25.**

**Simcol William, Hooghly (4), 34-2684, 25, Lancashire,**

comaker, 5 feet 8½ inches, ruddy and freckled comp., brown hair, chestnut eyes, hairy mole under left jaw, scar under right eyebrow, purple mark on breast, mole inside right elbow, scars back of left thumb, mole upper left arm, scar on right shin, from J. Henderson, Sydney, since September 24.

Wright Ann, George Hibbert, 34-381, 24, London, nursemaid, 4 feet 8½ inches, fair ruddy comp., brown hair, grey eyes, scar left side top of forehead, from J. F. Barrett, Sydney, since September 23.

THOMAS RYAN, Chief Clerk.

**LIST OF RUNAWAYS APPREHENDED DURING THE LAST WEEK.**

Broad William, Parmelia (1), from W. Howie, Campbelltown  
Bron Sheik, Asia (4), Hyde Park Barracks  
Brian James, Eliza (5), J. Dwyer, Appin  
Davis Jonathan, Royal Sovereign, M. Mahoney, Pitt-town  
Delaney William, Parmelia (2), Australian Agricultural Company, Williams' River  
Forbes William, Henry Tanner, Chief Justice Forbes, Merton  
Ford John, City of Edinburgh (2), Chief Justice Forbes, Merton  
Hauley Judith, Margaret, A. Kennedy, Sydney  
Johnson alias Helsby alias Elsby William, Captain Cook (1), James Oatley, Sydney  
Lonya, Eden, Australian Agricultural Company, Williams' River  
Moyler alias Moylan John, Surry (8), J. Hillier, Williams' River  
Mara Patrick, Sir Godfrey Webster, T. B. Wilson, Braidwood  
Milner George, Recovery (3), T. Holmes, Williams' River  
Magee Henry, Royal Sovereign (1), C. Purcell, Penrith  
Murphy Catherine, Andromeda (4), J. Ludwig, Maitland  
Ogden John, Lady Harewood, T. P. Macqueen, Maitland  
Sandells James, Westmoreland, R. Crawford, Hillend  
Telford Alexander, Warrior, Chief Justice Forbes, Merton  
Wilson Edward, Lord Melville (3), J. Urquhart, Sydney.

THOMAS RYAN, Chief Clerk.

**I**MPOUNDED at Emu Ferry Pound, Penrith, the following Cattle, viz.—

One black and white Cow, branded apparently B 2 off hip and shoulder, and an illegible brand on the near hip.

One black poley Heifer, branded on the off hip rather illegibly, but apparently KS.

One light brindle and white working Bullock, branded on the near and off hind thigh apparently 3 A.

If not released in twenty-one days from the date hereof, they will be sold at the above Pound, agreeable to the Act of Council.

JOHN PURCELL, Poundkeeper.

Penrith Pound, September 25, 1837. [10s. 9d.]

**I**MPOUNDED from off the Estate of Robert Crawford, Esq., Hillend;—

A red Bull, white tail, branded ID on the rump off side. There has been Five Pounds Damages laid on this Bull.

If not claimed and released within twenty-one days from this date, he will be sold at the Pound to defray all expenses.

SAMUEL HAINES, Poundkeeper.

Prospect, September 18, 1837. Postage 4d. [9s. 6d.]

**I**MPOUNDED at Bungonia—

One chestnut Horse, silver mane and tail, white spots under the saddle, white face and small white spot on the hip, white fetlocks, branded on the near side under the saddle WP.

One black Horse, star on the forehead, one white fetlock, marked under the saddle on the near side, apparently a brand but not legible.

If not released in twenty-one days from the date of this advertisement and expenses paid, they will be sold.

N. MANDELSON, Poundkeeper.

Bungonia, September 27, 1837. [10s.]

No. 295. September 27, 1837.

**I**MPOUNDED at Bungonia—

One dark brown Bullock, short tail tipped with white, a little white on the belly, one down horn on the near side, branded illegibly rump off side.

One dark brown Bullock, with large cocked horns, branded with a star on the rump off side, an illegible brand on the rump near side.

If the above Cattle are not released and expenses paid within twenty-one days from this date, they will be sold to defray expenses.

N. MANDELSON, Poundkeeper.

September 21, 1837. [10s.]

**I**MPOUNDED at Maitland, the following Cattle;—

One dark brown Bullock, white spot on tip of rump, two hind legs white, straight horns, branded B H ribs near side.

One black Bullock, small cocked horns, bit off near ear, brown between the horns tip of forehead, branded apparently IC off rump.

One black Bullock, white back, belly, and tail, star on forehead, piece broken off near horn, no brand.

One red poley Bullock, branded y in a circle on the rump and thigh off side, R off shoulder.

One red Cow, white belly, white spot on tip of rump, branded M off rump, hole in the off ear, with a red Bull Calf by her side, about twelve months old.

One red Cow, cocked horns, white back and belly, branded EL off rump.

One magpie-colored Steer, about twelve months old.

One black Cow, back, belly, and tail white, speckled head, branded apparently C near hip.

One black Cow, back and tail white, branded DG near rump, DG under on hip, a white Bull Calf by her side, about a fortnight old.

One red Bull Calf, about twelve months old, white belly, tail, and forehead, no brand.

If the above Cattle are not released in twenty-one days from this date, they will be sold at the Pound to defray expenses, agreeable to the Act of Council.

DENIS COLLINS, Poundkeeper.

Maitland, September 27, 1837. [14s. 6d.]

**I**MPOUNDED at Goulburn—

One brindle Bullock, branded IH off rump.

One red Bullock, white back, belly, and tail, branded R near rump, ear slit.

One red strawberry Cow, an illegible brand off rump, a Calf with her.

One dark brown Bullock, branded AS off rump.

No—2

If the above Cattle are not released previous to the 16th October, at noon, they will be sold at the Pound to defray expenses.

JAMES MARSDEN, Poundkeeper.

Goulburn, September 20, 1837. [10s. 3d.]

**I**MPOUNDED at Maitland the following Cattle, viz—

One red and white Bull, horns turned down, growing in towards both cheeks, near ear split, off ear piece cut off, branded H near rump, and RL conjoined off rump.

One white Cow, red ears, branded H near shoulder, with a yearling female Calf by her side, strawberry colour, no brand.

One strawberry Bull, about two years old, a bit broken off the off horn, no brand.

One dark brindle Cow, near horn bent down, branded RL conjoined off rump, with a female Calf by her side, about nine months old, brindle and white, no brand.

One black and white Bullock, branded B near rump.

One red Bullock, white belly and part of the tail, spot of white on tip of rump, branded CC rump off side.

One strawberry Bullock, white back, belly and tail, white face, short small horns, appears to have had his jaw broken, branded PS near rump.

One dark brown Bullock, white back, belly, and tail, branded C within a diamond with a letter not legible.

If the above Cattle are not released within twenty-one days from this date, they will be sold at the Pound to defray expenses, agreeable to the Act of Council.

DENIS COLLINS, Poundkeeper.

Maitland, September 1, 1837. [13s. 9d.]

**IMPOUNDED at Goulburn—****One red-sided Heifer, white back and belly, brand IR off hip, J H near hip.****One Cow, black sides, white tail and belly, the letter preceding H illegible off hip, G T P off rump.****One brindle Bullock, brand near rump illegible.****One yellow Bullock, brand near rump L****One yellow Bullock, white tail, near ear slit, brand FB off thigh.****One red Bullock, white belly and tail, brand near rump J C, off rump I V, off eye blind.**

WS

**One red Steer, white face flank and thighs, brand off rump illegible.****One red strawberry Heifer, white tail and hind legs, brand C M off rump.****One light red-sided Steer, white back, belly and tail, brand S off rump.****One light strawberry Heifer, brand J H near ribs****One red and white spotted Steer, brand C M off rump.****One brindle Heifer, white on back and tail, brand C M off rump.****One red poley Cow, an illegible brand off rump, and J M off thigh, near ear cropped.****One black Cow, white tail and belly, the letter preceding H illegible off hip, a bull calf with her, no brand.****One red snail-horned Bull, white on the rump and belly, brand on off rump I x F****One dark brindle and white Bull, ear marked, brand on the near rump O**

33

Five pounds damage on each of the Bulls.

If the above Cattle are not released previous to the 10th of October, at noon, they will be sold at the Pound to defray expenses, according to the Act.

JAMES MARSDEN, Poundkeeper,  
Goulburn, September 13, 1837. [17s. 3d.]**IMPOUNDED at Parramatta, September 11, 1837—****One large bay Mare, aged, black legs, long tail, a few white spots on the back, appears to be heavy in foal, is very quiet, no brand legible.****One black Filly, white star on the forehead, long tail, about three years old, not broken in, appears to be the foal of the above mare, no brand legible.****One light grey Filly, about three years old, black legs, mane, and tail, two hind feet white, not broken in, is very wild, no brand legible.****One chestnut entire Colt, long tail, light coloured mane, white star on the forehead, and branded on the off shoulder C or G, about two years old. Damages on this entire Colt Five Pounds.**

If these Cattle are not claimed or released in twenty-one days from this date, they will be sold at the Pound to defray expenses, agreeable to the Act of Council.

JOHN WALKER, Poundkeeper.  
Parramatta, September 13, 1837. [11s. 9d.]**IMPOUNDED at Maitland the following Cattle, viz.****One red and white, branded [1] off rump, No. 21 ribs off side.****One red and white Bullock, star on forehead, brand TN near rump.****One strawberry Bullock, white back, belly, tail, and face, branded ML near rump.****One snail-horned working Bullock, white back, belly, and tail, brand S4S shoulder off side, and No. 92.****One brown poley Cow, white back, belly, and tail, split ears, brand H off rump.****One red Bullock, star on forehead, no brand.****One spotted poley Cow, white back, belly, and tail, brand DH off rump, 2 rump near side, and No. 114 hip near side, with a female calf by her side, strawberry colour and white tail.****One black Cow, piece off both ears, brand LR off rump, with a brown bull calf by her side about nine months old.**

If the above Cattle are not released in twenty-one days from this date, they will be sold at the Pound to defray expenses, agreeable to the Act of Council.

DENIS COLLINS, Poundkeeper.  
Maitland, September 20, 1837. [13s. 3d.]**IMPOUNDED at Redbank, Invercargill—One red-****sided Bullock, white belly, branded on off rump RL conjoined.****One red-sided Bullock, white back and belly, branded on off rump RL conjoined.****One red-sided Bullock, white spotted back, white belly, branded on off rump RL conjoined.****One red and white spotted Steer, branded on off rump RL conjoined.****One dark brindle Bullock, branded on off rump RL conjoined.****One red-sided Bullock, white back, belly, and face, branded on off rump RL conjoined.****One light red-sided Bullock, white speckled back and belly, snail-horned, branded near thigh AE, on off thigh AML, the two last letters conjoined. He has lately been worked.**

If not released within twenty-one days from this date, they will be sold at the Pound to defray expenses.

JOHN MURRAY, Poundkeeper.  
Redbank, September 8, 1837. [12s. 3d.]**IMPOUNDED at the Cowpasture Bridge Pound, on the 11th September—****One brown and white Cow, branded EH near ribs, illegible off rump, with a red and white bull calf by her side.****One light red and white spotted Bullock, brand illegible off rump.****One poley brindle Cow, white rump, belly, and tail, brand apparently OXL or CXL off ribs, and apparently branded on off shoulder but illegible, with a light red bull calf by her side.****One red and white spotted Cow, wide horns, brand**

apparently KR off rump, and apparently EH near ribs.

**One black Cow, white back, belly, and tail, brand apparently ST off rump, with a dark brown or black male calf by her side.**

If the above are not released by the 5th October, they will be sold at the Pound to defray expenses.

J. G. PETINGALE, Poundkeeper.  
[12s.]**IMPOUNDED at Patrick's Plains, August 30, 1837,**the following Cattle, viz.—  
**One red Bullock, branded T off rump, and MD con-**

joined on the ribs same side, top of right ear slit.

**One yellow Steer, branded T off rump, and MD conjoined on ribs same side.****One red working Bullock, branded off rump CT, one small spot of white in the forehead, and one small spot of white on the rump, one horn pointing down, off shoulder apparently 72.****One red and white working Bullock, branded near rump DOD, branded illegibly same thigh.****One yellow sided Cow, white back and belly, branded g2 near thigh, with a Bull Calf by her side.****One red and white Steer, branded apparently S8 near ribs, underneath illegibly.****One yellow and white poley Cow, branded on the ribs near side 39, underneath illegibly, JB in a circle near thigh.****One brown and white Cow, a piece cut off the back of both ears, branded C on both ribs, illegible brand off rump.****One dark brindle Bullock, top of right ear cut off, branded SC off rump, illegible brand near shoulder.****One black and white poley Cow, with a female Calf by her side, branded off shoulder illegibly, a piece cut off both ears and tail cut off.**

If not released on or before the 26th of September, they will be sold agreeable to the Act of Council.

JOHN LUMLEY, Poundkeeper.  
Patrick's Plains, September 1. Postage 10d. [15s. 6d.]**IMPOUNDED at Stonequarry, September 12, 1837—****One brown-sided Bullock, little white on the back, face, and belly, legs white, piece off the tail, the rump cut, no brand to be seen.**

If the above Bullock is not released before the 11th of October, he will be sold at the Pound to defray expenses.

ARTHUR WALKER, Poundkeeper.  
September 18, 1837. Postage 7d. [9s. 3d.]



**IMPOUNDED at Liverpool—**

One Bullock, dark brindle or red, down horns, branded AM No. 31 off thigh, very poor.

One Bullock, red, off horn down, near horn turns upward, star on the forehead, branded AM No. 31 off thigh. Both workers.

**ALSO,**

One Bullock, dark red sides, white back, belly, and head, red ears, wide horns, branded on the ribs off side M in a circle. Damages, 10s.

If not claimed and expenses liquidated before the 6th of October next, they will be sold at the Pound here, at twelve o'clock, to defray the same.

**WALTER SHUTT, Poundkeeper.**

Liverpool, September 12, 1837. [11s. 3d.]

**IMPOUNDED at Hillend, district of Merton—**

One red Bullock, branded on the off hip V, and on the near thigh PP. Damages laid at ten shillings.

If not claimed on or before the 28th day of September, it will be sold on that day to defray expenses.

Signed for Mr. William Vivers, Poundkeeper,  
**HENRY GRACE.**

Hillend, September 4, 1837. [9s.]

**IMPOUNDED from off the Estate of Robert Crawford, Esq., Hillend—**

A red Bull, with a white tail, branded ID on the rump off side. There has been Five Pounds damages laid on this Bull.

If not claimed and released within twenty-one days from this date, he will be sold at the Pound to defray expenses.

**SAMUEL KAINES, Poundkeeper.**

Prospect, September 13, 1837. [9s. 6d.]

**IMPOUNDED at Muscleebrook, on the 6th instant;—**

One white and brindle Calf, branded IC off hip.

7

One dark brindle Calf, branded as above.

One light brindle Calf, branded as above.

One red sided Calf, branded as above.

One black Calf, branded as above.

One yellow Calf, branded as above.

One white and brindle Calf, branded as above.

One red Calf, branded as above.

If not claimed and released on or before Saturday, the 30th of September, they will be sold at the Pound to defray expenses.

**CHARLES RIDGWAY, Poundkeeper.**

Muscleebrook, September 7, 1837. [10s. 9d.]

**IMPOUNDED at Patrick's Plains, the following Cattle, viz.—**

One brown yearling Heifer, brand on off shoulder illegible.

One yellow Bullock, branded off thigh G7.

One strawberry Bullock, branded off thigh G7.

One bay Colt, little white on forehead, long mane and tail, light muzzle, branded near shoulder W'R.

If not released on or before the 5th October next, they will be sold agreeable to the Act of Council.

**JOHN LUMLEY, Poundkeeper.**

Patrick's Plains, September 11, 1837. [10s.]

**IMPOUNDED at Petersham—**

One red Cow, branded on the hip RC, on the other —C conjoined, on the shoulder □.

One black Cow, with a few white spots, branded on the hip CS, on the other apparently SR.

If not released in twenty-one days from this date, they will be sold at the Pound to defray expenses.

**WILLIAM TAVERNER, Poundkeeper.**

Petersham, September 13, 1837. [9s. 3d.]

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