



S U P P L E M E N T
TO THE
NEW SOUTH WALES
GOVERNMENT GAZETTE,
OF WEDNESDAY, OCTOBER 14, 1840.
Published by Authority.

SATURDAY, OCTOBER 17, 1840.

ANNO QUARTO.
VICTORIÆ REGINÆ.

No. 15.

By His Excellency Sir George Gipps, Knight, 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 to render valid certain Acts already performed, or hereafter to be performed, by One Trustee and the Accountant of the Savings' Bank of New South Wales.

WHEREAS, under and by virtue of certain Preamble. Acts of His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof, passed in the Second and Fifth years of the Reign of His late Majesty King William the Fourth, intituled, respectively, "*An Act to establish a Savings' Bank*" 2. Wm. IV. "*in New South Wales, and to pro-*"

No. 13. "*vide for the management thereof, and for the security of Deposits therein;*" and "*An Act to repeal in part, and to amend and*" 5 Wm. IV. "*extend the provisions of an Act, inti-*"

No. 16. "*tuled, 'An Act to establish a Savings' Bank in New South Wales, and to provide for the management thereof and for the security of Deposits therein,'*" certain Mortgages by demise were from time to time made to the Vice President and Trustees of the said Savings' Bank by various persons, for terms of Five hundred years, for securing the repayment of Money borrowed by the said several persons respectively, from the said Savings' Bank, and Interest for the same at and after the rate of Ten pounds for every One hundred pounds, by the year, in manner therein mentioned; And whereas several of the said Mortgages have been duly paid off and satisfied, and others as yet remain unpaid and unsatisfied; And whereas certain Surrenders or Re-assignments of the several terms comprised in such Mortgages which have been paid off, have been made, signed, and executed, by one of the said

Trustees and the Accountant of the said Savings' Bank; And whereas doubts have arisen whether One Trustee and the said Accountant are empowered by the said Acts, to make, sign, and execute, such Surrenders or Re-assignments of the Hereditaments comprised in the said terms, to the said respective Mortgagors, without the concurrence of the said Vice President and all the said Trustees; and in order to remove such doubts:

Be it enacted by his Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That all Surrenders and Re-assignments, comprised in terms created in and by any such Mortgages as aforesaid, and which have been made, signed, and executed, or which hereafter shall be made, signed, and executed, by one Trustee and the Accountant of the said Savings' Bank, shall be as

valid and effectual, to all intents and purposes whatsoever. as if the same had been duly made, signed, and executed, by the said Vice President and all the Trustees of the said Savings' Bank: Provided always, that nothing herein contained shall operate, or be deemed or construed to operate as a revival of the said last recited Act, so far as the same is repealed by an Act of His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, passed in the Third Year of the reign of Her Majesty Queen Victoria, intituled, "*An Act to consolidate and amend the laws relating to the Savings' Bank of New South Wales.*"

"GEORGE GIPPS,"

Governor.
Passed the Legislative Council,
this twenty-ninth day of Sep-
tember One thousand eight hun-
dred and forty.

WM. MACPHERSON,
Clerk of Councils.

ANNO QUARTO.
VICTORIÆ REGINÆ.
No. 16.

By His Excellency Sir George Gipps, Knight, 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 to increase the Duty on Spirits Distilled in New South Wales, and its Dependencies.

WHEREAS, by an Act of the Governor and Preamble. Legislative Council of New South Wales, passed in the third year of the Reign of Her present Majesty Queen Victoria, intituled 3 Victoria, "An Act to consolidate and amend the Laws for the Distillation of Spirits in the Colony of New South Wales, and for the issue of Licences for Distilling, Rectifying, and Compounding Spirits therein, and for repealing certain Laws relating thereto," it was amongst other things enacted, that from and after the First day of April, One thousand eight hundred and forty, there should be levied and collected upon all Spirits made or distilled in New South Wales or its Dependencies, from grain, whether grown within, or imported into the said Colony, or its Dependencies, or from any Article the produce of the said Colony or its Dependencies, a Rate or Duty of Five Shillings for every Gallon Imperial Measure of such Spirits, not exceeding the strength of Hydrometer Proof, and in the same proportion for Spirits of greater strength; And whereas, by an Act passed in the present year of the Reign of Her said Majesty, intituled, "An Act for increasing the Duties on Spirits, Wine, and other Goods and Merchandise imported into the Colony

of New South Wales and its Dependencies," the Duties on Spirits imported into the said Colony have been increased, and it is consequently expedient that the Duties to be levied upon Spirits distilled therein should also be increased: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof.

That from and after the passing of this Act, instead of the Duty directed to be levied and Collected as aforesaid under the said first recited Act, there shall be levied and collected upon all Spirits made or distilled in the said Colony of New South Wales or its Dependencies, from Grain, whether grown within, or imported into, the said Colony or its Dependencies, or from any article the produce of the said Colony or its Dependencies, a Rate or Duty of Six Shillings and Sixpence for every Gallon Imperial Measure of such Spirits, not exceeding the strength of Hydrometer Proof, and in the same proportion for Spirits of greater strength.

(Not otherwise to affect 3 Victoria, No. 9.)

II. Provided always, and be it declared and enacted, That nothing herein contained shall be deemed or construed to alter or affect the said first recited Act, except in respect of the Rate of Duty as hereinbefore provided.

GEORGE GIPPS,
Governor.

Passed the Legislative Council,
this twenty-ninth day of September, one thousand eight hundred and forty.

WM. MACPHERSON,
Clerk of Councils.