



PORT PHILLIP  
GOVERNMENT GAZETTE,

Published by Authority.

TUESDAY, JULY 2, 1844.

Colonial Secretary's office,  
Sydney, June 13, 1844.

PETTY SESSIONS.—PORT PHILLIP.

HIS Excellency the Governor directs it to be notified with reference to the 17th section of the Act of the Colonial Legislature, 3 William 4, No. 3, that a Court of Petty Sessions has been established at Belfast, Port Fairy, in the district of Port Phillip.

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

IT is ordered that a Criminal Sessions and General Gaol Delivery of the Supreme Court, for the district of Port Phillip, be holden at the court house, La Trobe-street, in the town of Melbourne, on Monday, the fifteenth day of July next, at which all parties concerned are requested to give their attendance.

Dated the 26th day of June, A.D., one thousand eight hundred and forty-four.  
W. JEFFCOTT, Resident Judge.

In the Supreme Court of New South Wales, for the District of Port Phillip.

ECCLESIASTICAL JURISDICTION.

In the Goods of William Frost, late of Port-land, in the District aforesaid, Intestate.

ALL parties having claims on the above Estate who have not yet proved them, are requested to do so forthwith before James Denham Pinnock, Esq., Registrar of said Court, at his office, at the Court House, Melbourne, before the 1st of August next ensuing, preparatory to a dividend being paid on them.

Dated at Melbourne, this 28th day of June, 1844.

J. D. PINNOCK,  
Registrar.

Horses Wanted for the Mounted Police.

HORSES, about four years old and not less than fifteen hands high; they must be warranted sound. Application to be made at the Treasury Office, on Monday next, the 8th instant, at twelve o'clock, when the horses will be inspected by a Board to be then assembled for that purpose.

By order of His Honor the Superintendent,  
H. ROSE,  
Serjeant Mounted Police.

Colonial Secretary's Office,  
Sydney, 11th June, 1844.

SUPREME COURT, PORT PHILLIP.

HIS Excellency the GOVERNOR directs it to be notified, that in pursuance of the provisions of the Act of the Colonial Legislature, 4th Victoria, No. 22, intituled "An Act for the more effectual administration of Justice in New South Wales and its Dependencies," the following orders of the Supreme Court of Port Phillip, have been transmitted to His Excellency, by His Honor the Resident Judge, and will be forwarded, as soon as conveniently may be, to the Right Honorable the Secretary of State for the Colonies, for Her Majesty's approval or disallowance thereof.

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

In the Supreme Court of New South Wales, for the District of Port Phillip.

Saturday, the 1st day of June, in the year of Our Lord, One thousand eight hundred and forty-four.

(PROCEEDINGS BY FOREIGN ATTACHMENT.)

1. It is this day ordered that the 104th General Rule of this Court be, and the same is hereby repealed.

(To be issued in same manner as other Process.)

2. That every Writ of Foreign Attachment shall be issued out of the Office of this Court in like manner as all other Process is required to be issued by the Rules, and that the said Writ shall be in the form prescribed in the Appendix hereunto annexed.

(That a Notice shall be annexed.)

3. That every such Writ shall have written under or annexed thereto a Notice in the form prescribed in said Appendix.

(Mode of Service.)

4. That at the time of the service of every such Writ a Copy of said Notice shall be left, together with a copy of said Writ with the party or parties to be served therewith or at his or their, then, or last usual place of abode, as the case may be.

5. That the several other forms set forth in said Appendix shall be used when required in proceedings, under the Act intituled, "An Act to consolidate and amend the Laws,

"relating to actions against persons absent from the Colony, and against persons sued as Joint Contractors."

W. JEFFCOTT,  
Resident Judge.

APPENDIX.

WRIT OF FOREIGN ATTACHMENT.

(See Act, Sections 2 and 3.)

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c.

To the Deputy Sheriff for the District of Port Phillip, in the Colony of New South Wales,  
Greeting:—

Whereas, A. B. hath lately in the Supreme Court of New South Wales for the District of Port Phillip, commenced an Action at Law against C. D., [or against C. D. and E. F.] and the Writ of Summons [or *Capias*] in the said Action has been returned [or has as to the said C. D. been returned] "*non est inventus*," and the said A. B. hath caused to be filed in the said Court the Affidavit required by the Act, intituled, "*An Act to consolidate and amend the Laws relating to Actions against persons absent from the Colony, and against persons sued as Joint Contractors.*" Now we command you, that you attach in the hands of G. H., [or G. H., R. M., and J. K. respectively] all and singular the lands, hereditaments, monies, securities for money, chattels, and other property which the said C. D. is possessed of, or entitled to, or otherwise beneficially interested in, and which are or is in the custody, or under the control of the said G. H., [or G. H., R. M., and J. K. respectively] at the time of your serving him or them with this Writ, and also all and every the sums and sum of money in which the said G. H. is [or the said G. H., R. M., and J. K. or either of them are or is] indebted to the said C. D. at the time of such service: And we further command you, that you summon the said G. H. [or the said G. H., R. M., and J. K., and each of them] that he [or they] be and appear before the said Court, at Melbourne, on the \_\_\_\_\_ day of \_\_\_\_\_, then and there to be examined, touching the premises, and further to do and receive what the said Court shall then consider in this behalf, and have you then and there this Writ.

Witness,—The Honorable William Jeffcott, our Resident Judge of the said Court, at Melbourne aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_ in \_\_\_\_\_ year of our Reign.

[Official seal.]

[Notice to be written under, or annexed to the preceding.]

(See Act, section 5.)

Take notice, that from the time of your being served with this Writ, all and singular the lands and hereditaments, monies and chattels, bills, bonds and other property [of whatsoever nature] in your custody, or under your control, belonging to the above-named C. D., or to or in which he is legally or equitably entitled, or otherwise beneficially interested, and whether solely, or jointly with any other person or persons; and all debts of every kind due by you to the said C. D., although the same, or part thereof, may be payable only at a future day, are [to the extent of the right, title and interest of the said C. D. therein] attached in your hands, and [subject to any *bona fide* prior claims or liens thereon] are liable to the satisfaction of debt due to the above-named A. B. in the above-mentioned Action; And if you shall, before this attachment be dissolved, sell, or otherwise knowingly dispose of, or part with any such

property, or pay over any such debt, or any part thereof, without leave of the Court, you will be liable to pay such damages to the said A. B. as the said Court shall in that behalf think fit to order.

A. B.

or L. M., Plaintiff's Attorney.

To Mr. G. H.,

or G. H., R. M., and J. K. respectively.

NOTICE OF WRIT.

(See the Act, section 4; see also, 5 Victoria, No. 9, s. 9.)

In the Supreme Court of New South Wales for the District of Port Phillip.

A. B. Plaintiff,

Between \_\_\_\_\_ and

C. D. Defendant.

Whereas an Action has been commenced in this Court at the suit of the above-named A. B., against the above-named C. D. [or C. D. and E. F.], to recover [state shortly the cause of Action in substance, and the amount sworn to, if for a sum certain]. And it being alleged that the said C. D. does not reside within the District See 5 Vic. No. of Port Phillip, New South 9, s. 8.

Wales, a Writ of Foreign Attachment has been issued, returnable on the \_\_\_\_\_ day of \_\_\_\_\_ wherein G. H. of \_\_\_\_\_ is Garnishee [or G. H. of \_\_\_\_\_ R. M. of \_\_\_\_\_ and J. K. of \_\_\_\_\_ of \_\_\_\_\_ are Garnishees]; Notice is hereby given thereof, and that if at any time before final judgment in this Action, the said C. D. [or any person on his behalf] will give the security and notice, and file the appearance or plea required by the Act, intituled [insert title], the said Attachment may be dissolved.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

A. B.

or J. M., Plaintiff's Attorney.

FORM OF BOND.

To be given on issue of Foreign Attachment.  
(See Act, section 10.)

Know all Men by these presents, that we A. B., of \_\_\_\_\_ &c., N. O. of \_\_\_\_\_ &c., and P. Q. of \_\_\_\_\_ &c., are, and each of us is jointly and severally bound unto C. D., late of \_\_\_\_\_ &c., in the penal sum of £ \_\_\_\_\_ to be paid to the said C. D., or his certain attorney, Executors, Administrators, or Assigns. For which payment to be made we jointly and severally bind ourselves, and each and every of us, and our respective Heirs, Executors, and Administrators, firmly by these presents. Sealed with our Seals \_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_, 184 \_\_\_\_\_.

Whereas an action at Law hath lately been commenced in the Supreme Court of New South Wales, for the District of Port Phillip, at the suit of the above bounden A. B., against the above-named C. D., [or C. D. and another] and a Writ of Foreign Attachment hath on the application of the said A. B., been issued therein. And whereas the said A. B., being about to proceed in the said Action, it is necessary for him to give the security required by the Act, intituled [insert title]; And the above bounden N. O. and P. Q. have agreed to become his sureties.

Now the condition of this obligation is, that if the said A. B., his Executors or Administrators, shall repay or cause to be repaid to the said C. D., his Executors or Administrators, all and every the sums and sum of money which he the said A. B. shall receive or recover in the said Action, in case the Judgment obtained therein shall be hereafter reversed, vacated or altered; And also shall pay, or cause to be paid, all and every the sums and sum of money, damages, costs and charges which by the said

Court shall at any time hereafter be adjudged, or ordered to be paid by the said A. B., his Executors or Administrators, to the said C. D., his Executors or Administrators, by reason of or in any manner relating to the said Action, and the said Attachment, or either of them, or any proceedings taken, or to be taken, in or under the same respectively, or under any Execution or Executions issued in the same Action; Then this obligation to be void, but otherwise it is to remain in full force.

[Where the Plaintiff is absent, and the Bond is entered into by a third party for him, recite those facts, and alter the above form accordingly, to correspond.]

Notice to absent Co-Partner.

(See Act, section 15 and 16.)

In the Supreme Court of New South Wales for the District of Port Phillip.

A. B., Plaintiff,  
and  
C. D. and E. F., Defendants.

Whereas an Action has been commenced in this Court at the suit of the above-named A. B., against the above-named C. D. and E. F., as Co-Partners, carrying on business under the style or firm of \_\_\_\_\_ and no appearance has been entered for the said C. D. in the said Action, and he is alleged to be absent from the Colony:—Notice is hereby given that unless the said C. D. or some person on his behalf, shall enter an appearance for the said C. D. to the said Action, on or before the \_\_\_\_\_ day of \_\_\_\_\_, the said A. B. will cause such appearance to be entered for him [in pursuance of the Act of this Colony, passed for regulating Process in Actions against persons absent from the Colony], and will proceed in the said Action as if the said C. D. resided in Melbourne, and had appeared in person to the same.—Dated this \_\_\_\_\_ day of \_\_\_\_\_ 184 .

[Signed by Plaintiff or his Attorney.]

No. 6. 30th June, 1844.  
POST OFFICE, MELBOURNE.

LIST of Letters lying in this Post Office, unclaimed, accumulated since the publication of the last List.

NOTE.—Parties applying at the Post Office for advertised Letters, are requested to state particularly the No. and date of the List, in which they may have observed the name: because such reference will materially facilitate delivery.

A  
Anketell, John Anderson, Saml.

B  
Baikie, James Blomley, George  
Baxter, John Bland, Mr.  
Barnett, Edward, 3 Bosdle, Henry  
Barnett, Arthur Brooks, Saml.  
Balfour, D. Brickwood, Mr.  
Barrett, Thos. Bullard, Thos.  
Barber, G. F. A. Butler, Mary  
Barry, Bridget Butler, W.  
Baxter, B. Buttress, Josiah, 2  
Barclay & Co., John Buttress, Joseph  
Bakewell, J. & R. Buttress, Thomas  
Berry, John Budds, W. H.  
Beale, Anthony Byrns, James.  
Bennett, Wm.

C  
Carey, Lucius Clay, F. L.  
Cadden, S. Conroy, James  
Cameron, Donald, 2 Conahin, Malaky  
Camm, Mrs. M. M. Connors, Mrs.  
Campbell, Neil Coghill, G.

Campbell, Mrs. Lyon  
Celery, Hugh  
Churaside, Thos., 3  
Christie, Robt.  
Clark, James

Davis, Henry  
Davies, T. G.  
Davis, Saml.  
Davis, Michl.  
Davidson, Mark  
Dixon, George 2  
Dixon, Jonathan

Eales, Mr.  
Edwards, Leonard  
Ellis, W.

Fahy, Ellen  
Fitzgerald, Maurice  
Fleming, James

Gabb, Mr.  
Gannon, James  
Gamble, Martha  
Galwey, Henry  
Gibb, William

Haydon, Mr. H. 2  
Heigher, Mary  
Harrison, Capt.  
Harvey, J. W.  
Harper, William  
Hepburn, John  
Henessey, Elizabeth  
Hevein, James  
Hepburn, Capt.  
Henry, G.  
Hill, Thomas

I & J  
Iselin, James  
Jenkins, William  
Jackson, William

Kelly, John, 2  
Kennedy, Thomas  
Kelleher, Thomas

Lander, Mr.  
Lawford, Benjamin  
Leslie, Richard  
Lennon, J. F.  
Levein, John

M  
Main, J. P. 7  
Mathews, Peter  
Mathews, James  
Mathers, J. and D.  
Mays, F. S.  
Meldrum, Thomas  
Meek, William  
Mills, Alex.  
Miller, Alex. 2  
Morgan, Martin  
Monaghan, James  
Moore, Galbraith  
Morris, James  
Montgomery, H. A.  
Murray, John  
Murruane, John

Newman, Major  
Newman, Thomas  
Newby, Capt.

C  
Coghill, D. & G.  
Copins, Chas.  
Coleman, Solomon  
Craig, Miss E.  
Cumming, Esq. —

D  
Duckett, James  
Dunevan, Mathew  
Dunn, H. or E.  
Dunn, James  
Dunn, Patrick  
Dwier, Michl.

E  
Ellis, Charles  
Evans, George

F  
Flood, Edward  
Forbes, Esther

G  
Grant, Mr.  
Green, Maria  
Grimshaw, A.  
Greene, W. P.  
Gumbleton, Edward

H  
Hills, Mr.  
Hobbs, William  
Hogg, Edward  
Honey, William  
Horton, W. P.  
Hudson, Robert  
Hunter, Mary  
Hutchinson, W. P.  
Hughes, Patrick  
Hunter, James

I & J  
Jeffreys, H. C.  
Jones, Mrs.

K  
Kennedy, D.  
Kirby, William  
Knapp, Thomas

L  
Leckey, James  
Lowe, Daniel  
Logie, William  
Longmore, John 2  
Logan, M.

M  
Murphy, C.  
Murray, Mrs. (Elibank)  
Mullins, John  
Murray, Esq. —  
Mackey, Robert  
M'Kinnon, Colin, 2  
M'Cluskey, James  
M'Guane, Patrick  
M'Alary, David  
M'Dermott, Patrick  
M'Donald, R.  
M'Clelland, James  
M'Donald, Owen  
M'Vic, Mary  
M'Donald, A. R.  
M'Manus, William

N  
Nicholson, Catherine  
Nicholson, Mark  
Noonan, James

**O**  
 O'Connor, Terrence     Oliver, John  
 O'Callaghan, Patrick     Omand, Robert  
 Ogilvie, R. E. 2     Osmund, Thomas  
 Ogilby, George

**P**  
 Parker, Thomas     Pinkerton, James  
 Painter, Thomas

**Q**  
 Quinn, Martin

**R**  
 Ray, James     Roll, Captain  
 Randell, Ralph     Robertson, Wm.  
 Rady, John     Royes, Edward  
 Reid, Margaret     Rucker, W. F. A.  
 Reid, Jane     Ruffy, Arthur  
 Roche, Martin     Ryan, Bridget  
 Rollisson, Mrs.

**S**  
 Sanger, J. M.     Sturt, E. P. S. 3  
 Scarr, Moses     Stevens, Richard  
 Scales, Adolphus     Stevenson, Joseph  
 Shearer, J.     St. John, F. B.  
 Shewbridge, Mrs.     Steel, Robert  
 Sinclair, H. M.     Stooke, H.  
 Simpson, John     Stuart, Mr.  
 Smylie, Mary Jane     Storey, Alex.  
 Smith, John 2     Stainforth, Henry  
 Smith, Elizabeth     Sullivan, James  
 Snodgrass, Peter 5     Sweeney, Jane  
 Somerville, Rebecca     Symmons, Esq. —  
 Spencer     Sykes, W.  
 Stewart, Alex. 2     Stevenson, P.

**T**  
 Tegg, Eliza     Town, Edward  
 Thomson and Stevens, Messrs.     Treynor, John  
 Thomson, John     Turner, James  
 Thompson, Joseph     Turnbull, J. R.

**U**  
 Unett, Mr.

**W**  
 Warner, William     Wells, Mr.  
 Walls, Mathew     Weeks, W. R.  
 Walpole, Mrs.     White, Col. Henry  
 Waters, Edmund     Wills, Mr.  
 Warnell, Robert     Wise, Geo. Gordon  
 Watson, Elizabeth     Williams, William  
 Warrell, Robert     Wiggins, Eliza  
 Wall, Thomas     Wilsmore, Thomas 2  
 Wells, Henry     Wooly, Mr.  
 Weston, Robert     Ward, W.  
 Welsh, Alexander     Wroe, Daniel

**Y**  
 Young and Kilpatrick

**HENRY D. KEMP,**  
 Postmaster.

**POST OFFICE.**

**L**IST of letters detained at this office for sea postage, due under the Act of the Governor and Council 2, Vic. No. 17, and to be paid before the letters can be forwarded.

Casey, Miss, Dublin, Ireland  
 Griffiths, Captain, Hobart Town, V.D.L.  
 Orr, Alexander, Hobart Town, V.D.L.  
 Postmaster General, Hobart Town, V.D.L.  
 Pamer, William, Clerkenwell, London  
 Ruffy, W. J., Macquarie River, V.D.L.  
 Stewart, Mr., Launceston, V.D.L.

**HENRY D. KEMP,**  
 Postmaster.

Melbourne, 30th June, 1844.

**I**MPOUNDED at the South Yarra Pound, on the 19th June, 1844, and if not released on or before the 13th July, will be sold at the pound-yards—

One red and white or roan young bull, about 15 months old; no brand visible  
 One light red and white cow, piece out behind off ear, blotch brand off side near back, within a circle  $\gamma$  behind off shoulder, DR off

rump, 2 off thigh  
 One small light red cow, MS off hip, R  $\gamma$  near rump, and red yearling bull calf

One brindle bullock, large horns, supposed K near ribs, —N off rump, J off thigh, 2 off ribs, tip out each ear, lower part of tail white  
 One red heifer, no brand visible, about 18 months or 2 years old

One red steer, white head, also on shoulders, rump, belly, and tail, a supposed brand on near rump, but illegible.

W. M. ATKINSON,

7s. 3d.] Poundkeeper.

**I**MPOUNDED at Melbourne, on June 15th 1844:—

One dark bay gelding, black points, short tail, saddle marked, stands about fourteen hands high, branded near shoulder THP conjoined, off side on the neck TW with a half circle underneath conjoined.

If not claimed and expenses paid on or before the 16th day of July, to be sold at the pound yard according to the act of council.

G. SCARBOROUGH,

4s. 6d.] Poundkeeper.

**I**MPOUNDED at Melbourne, on June 21st, 1844:—

One dark red yearling bull, a notch in the back of the right ear, off rump J.

If not claimed and expenses paid on or before the 9th day of July, to be sold at the pound yard, according to the act of council.

G. SCARBOROUGH,

3s. 9d.] Poundkeeper.

**I**MPOUNDED at the Deep Creek, 15th June, 1844—

One light brindled bullock, white belly and tail, notched in both ears, branded CK or GK off ribs, supposed IR or IK off rump.

If not claimed and released on or before the ninth day of July next ensuing, will be sold at this Pound-yard at twelve o'clock at noon, according to Act of Council.

J. C. HEMINSLEY,

4s. 3d.] Poundkeeper.

**I**MPOUNDED at the Deep Creek, 21st June, 1844.—

One mouse-coloured poley cow, branded  $\epsilon$  off rump, supposed K off ribs

One strawberry steer, branded T near and off rump, nothed in near ear

One red cow, branded A L off rump, blotched brand off side,  $\Pi$  near rump

One strawberry-sided cow, branded S off ribs, supposed figure 8 near ribs

One red cow, white streak on back, notched off ear, branded R. F. near rump.

If not released on or before the 15th July next, will be sold at the above pound yard, according to Act of Council.

J. C. HEMINSLEY,

5s. 9d.] Poundkeeper.

Printed at the PORT PHILLIP HERALD Office, Little Collins-street, Melbourne, by WILLIAM CLARKE, Government Printer