



S U P P L E M E N T

TO THE

NEW SOUTH WALES

GOVERNMENT GAZETTE

OF WEDNESDAY, DECEMBER 4, 1839.

Published by Authority.

SATURDAY, DECEMBER 7, 1839.

ANNO TERTIO
VICTORIÆ REGINÆ,
No. 22.

By His Excellency SIR GEORGE GIPPS, Knight,
Captain-General and Governor-in-Chief of the
Territory of New South Wales and its Depend-
encies, and Vice Admiral of the same, with the
advice of the Legislative Council.

*"An Act to abolish the Transportation of Female
Convicts, and to provide for the more effectual
Punishment of Female Offenders within the
Colony of New South Wales."*

WHEREAS, by divers Statutes of the Im-
perial Parliament of Great Britain and
Ireland, and also by divers Acts of the Governor
and Legislative Council of New South Wales,
Transportation is authorised and directed for
various offences; And whereas it is expedient to
abolish the punishment of Transportation from this
Colony in all cases where Female Convicts, who
have been or shall be transported or removed to
New South Wales, shall be again convicted before
the Supreme Court of the said Colony, or before
any of the Courts of General Quarter Sessions
holden therein, of any offence subject or liable to
the punishment of Transportation by any of the
said Statutes or Acts of the Governor and Legis-
lative Council of New South Wales aforesaid; And
3 Gul. IV., whereas by an Act of the Governor
No. 3. and Legislative Council aforesaid,
passed in the third year of the reign of His late
Majesty King William the Fourth, it was enacted
that every Female Offender who should be com-
mitted by due course of Law to any Gaol or
Factory appointed by the Governor for the custody
of Female Offenders should be under the manage-
ment of a Matron or Superintendent, to be ap-
pointed by the Governor for the time being, and
such Matron or Superintendent should observe and
follow such rules and regulations in respect of the
care and keeping of such Female Offenders as
should be established by the Governor, with the
advice of the Executive Council; And whereas,
by the Law now in force in the said Colony,
Female Offenders under sentence of Transportation

duly convicted in a summary way, are liable to
certain punishments ordered and adjudged by one
or more of the Justices of the Peace of the said
Colony; And whereas it is expedient that measures
should be adopted and arrangements made in the
Female Gaols or Factories at Parramatta or else-
where, not only to provide for the safe custody,
but to preserve the health and improve the morals
of the Prisoners therein confined, and also to
ensure the due punishment of Female Offenders
in the said Colony: Be it therefore enacted, by His Excellency the Go-
vernor of New South Wales, with the advice of the Legislative Council
thereof, That from and after the passing of this
Act, the punishment of Transportation from this
Colony, in each and every case where a Female
Convict or Female Convicts, who shall have been
Transported or removed to New South Wales,
shall be again convicted before the Supreme Court
of the said Colony, or before any of the Courts of
General Quarter Sessions holden therein, of any
offence now punishable by Law with Transporta-
tion, shall be, and the same is hereby abolished,
anything in any Statute or Law to the contrary
notwithstanding.

*(Punishment substituted for Transportation, to be
imprisonment with labor, for any term not ex-
ceeding five years.)*

II. And be it enacted, That from and after the
passing of this Act, every Female Convict afore-
said, convicted in the Supreme Court aforesaid, or
in any Court of General Quarter Sessions afore-
said, of any offence heretofore punishable with
Transportation, or who shall be convicted before
either of the said Courts of any misdemeanor or
other offence, shall be liable, at the discretion of
such Court, to be imprisoned and put to labor, in
any Gaol or Factory duly appointed for the custody
of Female Offenders, for any term not exceeding
Five Years.

*(Solitary imprisonment in dark cells, and on bread
and water may be added, at the discretion of
the Court.)*

III. And be it enacted, that in awarding the
punishment of imprisonment for any offence punish-

able under this Act, it shall be lawful for the Court to direct that such Female Offender shall be kept in solitary confinement for any portion or portions of such imprisonment in the dark cells of any of the said Female Gaols or Factories, and on bread and water, for any period not exceeding twenty days at any one time, and not exceeding sixty days in the space of any one year, as to the Court in its discretion shall seem meet; Provided always, that no second nor other subsequent period of solitary confinement shall be imposed, until a period at least equal to the same, shall have elapsed.

(Justices in Petty Sessions may award solitary confinement in dark cells, and on bread and water, during the whole or any portion of the time for which Offenders may be sentenced to imprisonment; provided such solitary confinement shall not exceed twenty days at any one time, or sixty days in any year.)

IV. And be it enacted, that from and after the passing of this Act, it shall and may be lawful for any two or more of Her Majesty's Justices assigned to keep the Peace within and for the said Colony, in Petty Sessions assembled, before whom any Female, under sentence of transportation, shall be convicted in a summary way of any offence for which, under the laws now in force, imprisonment may be awarded, to direct that such Female Offender shall be kept in confinement in Solitary or Dark Cells, at any Female Factory or Gaol as aforesaid, for any portion or portions of such imprisonment, not exceeding twenty days at any one time, and not exceeding sixty days in any one year, as to the said Justices, in their discretion, shall seem meet: Provided always, that no second nor other subsequent period of Solitary Confinement shall be imposed until a period at least equal to the same shall have elapsed.

(Female Offenders, under sentence of Transportation, being convicted before two or more Justices in Petty Sessions a second time, or oftener, of absconding, shall be liable to be imprisoned or kept to labor in any Gaol or Factory for any time not exceeding four calendar months, or to be kept in solitary confinement on bread and water for any time not exceeding twenty days.)

V. And whereas it is expedient that further provision should be made for the punishment of Female Offenders absconding a second time, or oftener: Be it enacted that every Female Offender, under sentence of transportation, who shall be convicted before any two or more Justices of the Peace in Petty Sessions assembled, a second time, or oftener, of absconding from the service of Government, or from the service of her master or mistress, shall be liable to be imprisoned or kept to labor in any Gaol or Factory as aforesaid, for any time not exceeding four Calendar months, or to be kept in solitary confinement on bread and water for any time not exceeding twenty days, according to the degree of the offence.

(Female Convicts already under sentence of Transportation may be imprisoned in any Gaol or Factory for half the unexpired term of their sentence, provided it does not exceed four years.)

VI. And whereas there are certain Female Convicts who have been transported to Moreton Bay, but who, by reason of the intended abandonment of that place as a penal settlement can no longer be continued there; and whereas there are

other Female Convicts, who having arrived as such in the Colony of New South Wales, have since been sentenced to transportation from the said Colony, but who, by reason of the intended abandonment of Moreton Bay as aforesaid, cannot be so transported; and whereas it is expedient to provide some other means of punishing the said Female Convicts: Be it therefore enacted, that it shall and may be lawful for the Governor of the said Colony to cause the said Female Convicts to be imprisoned and worked in any Gaol or Factory in the said Colony for half the unexpired term of their respective sentences; provided, nevertheless, that no Female Convict shall be so imprisoned for a longer period than four years.

(Matron or Superintendent may, for breach of the rules of the Factory or Gaol, put Offenders into solitary confinement in dark cells for any period not exceeding three days.)

VII. And be it enacted, that the Matron or Superintendent of any Female Factory or Gaol as aforesaid, shall have power to hear all complaints touching any of the following offences committed by a Female Convict or Female Convicts within the said Factory or Gaol, or during her or their imprisonment therein, that is to say, disobedience of any of the rules and regulations, in respect of the care and keeping of such Female Offenders, already or at any time hereafter to be established, under and by virtue of the law now in force—assaults by one Female Offender, confined in such Factory or Gaol, upon another; profane cursing or swearing; any indecent behaviour; irreverent or indecent conduct at, or absence from Divine Service; idleness or negligence in work; wilful mismanagement in work, or any damage, destruction, or improper use of the materials given in work—all of which are declared to be offences under and by virtue of this Act if committed by any description of Female Prisoners; and the said Matron or Superintendent may examine any persons touching such offences; and may determine thereupon; and may punish all such offences by ordering any offender to close confinement in the dark or solitary cells, and by keeping such offenders upon bread and water for any term not exceeding three days.

(Visiting Justice may sentence to confinement in the dark, or solitary cells, for any term not exceeding twenty-one days.)

VIII. And be it enacted, That in case any Female Offender imprisoned in any Female Factory or Gaol, shall be guilty of any repeated offence against the Rules and Regulations of the said Factory or Gaol shall be guilty of any greater offence than the Matron or Superintendent is by this Act empowered to punish, the said Matron or Superintendent shall forthwith report the same to one or more of Her Majesty's Justices of the Peace of the said Colony, and any one such Justice shall have power to enquire upon oath, and to determine, concerning any such matter so reported, and to order the offender to be punished by close confinement in the dark or solitary cells aforesaid, upon bread and water, for any term not exceeding twenty-one days.

(Punishment of persons bringing spirituous or fermented liquors into any Gaol or Factory.)

IX. And be it enacted, That if any person, in contravention of the Rules and Regulations, shall

carry or bring clandestinely, or convey or attempt, or endeavour to carry, bring, or convey into any Gaol or Factory duly appointed for the custody of Female Offenders, or the Cells thereto belonging, any Spirituous or Fermented Liquor, it shall be lawful for the Matron or Superintendent, Storekeeper, or any Turnkey, or Assistant to the said Matron, or Superintendent, or Storekeeper, to apprehend, or cause to be apprehended such offender, and to carry him or her before a Justice of the Peace, who is hereby empowered to hear and determine such offence in a summary way; And if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to any Common Gaol within the said Colony, there to be kept for any term not exceeding three months, without bail, unless such offender shall, immediately upon such conviction, pay down such sum of money not exceeding twenty pounds, and not less than ten pounds, as the Justice shall impose upon such offender, to be paid, one moiety in the discretion of the said Justice, to such person or persons as shall be aiding and assisting in such conviction, and the other moiety to the Colonial Treasurer, to be appropriated to the use of Her Majesty, Her Heirs, and Successors, for the public uses of the said Colony, and the support of the Government thereof.

“GEORGE GIPPS.”
GOVERNOR.

*Passed the Legislative Council,
this nineteenth day of November,
one thousand eight hundred
and thirty-nine.*

WM. MACPHERSON,
Clerk of Councils.

ANNO TERTIO
VICTORIÆ REGINÆ.
No. 23.

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 for the better ensuring the Registration of Marriages, Baptisms, and Burials.”

WHEREAS, by an Act of the Governor and Legislative Council of the Colony of New South Wales, passed in the Fifth year of the Reign of His late Majesty King William the Fourth, intituled, “An Act to remove doubts as to the Validity of certain Marriages had and solemnized within the Colony of New South Wales, and to regulate the Registration of certain Marriages, Baptisms, and Burials,” it was among other things provided, That Certificates of all Marriages, Baptisms, or Burials solemnized or performed by any ordained Minister of the Presbyterian Church of Scotland, or Priest or Minister of the Roman Catholic Church, shall be transmitted to the Registrar of the Supreme Court; And whereas, by an Act passed in the present year of the Reign of Her Majesty Queen Victoria, intituled “An Act to remove doubts as to the Validity of certain Marriages had and solemnized within the Colony of New South Wales, by Ministers of the Wesleyan Methodist Society, and to regulate the Registration of certain Marriages, Baptisms and Burials,”

it was among other things provided, That Certificates of all Marriages, Baptisms, or Burials solemnized or performed by any ordained Minister of the Wesleyan Methodist Society, shall be transmitted to the Registrar of the Supreme Court; And whereas, it is expedient to fix a penalty for the neglect or omission to transmit such Certificates respectively, in the manner by said Acts required: Be it enacted, That every Minister, Priest, or Clergyman, who under the said recited Acts, or either of them, is required to transmit a Certificate of Marriage, Baptism, or Burial to the Registrar of the Supreme Court, and shall neglect so to do within one Calendar month after the solemnization or performance of any such ceremony, or who being duly required to deliver any such Certificate shall refuse or neglect so to do, shall be liable for every such offence to forfeit and pay a sum not exceeding Ten Pounds, to be recovered and levied in the manner provided by an Act of the said Governor and Council, passed in the Fifth year of the Reign of His late Majesty 5 Wm. IV, No. King William the Fourth, intituled, “An Act to regulate summary proceedings before Justices of the Peace;” and the penalty or sum so received, or recovered, and levied, shall be paid to the use of Her Majesty for the public uses of said Colony, and in support of the Government thereof.

Every Minister Priest, or Clergyman to transmit Certificates of all Marriages Baptisms, or Burials to the Registrar of the Supreme Court within one month, under a penalty not exceeding £10.

(Copies of Register Books, formerly sent to Registrar of Archdeacon’s Court, to be now sent to the Bishop of Australia’s Registrar.)

II. And whereas, by an Act passed in the sixth year of the Reign of His late Majesty King George the Fourth, intituled, “An Act for better regulating and preserving Parish and other Registers of Births, Baptisms, Marriages, and Burials in New South Wales and its Dependencies, including Van Diemen’s Land,” the copies of certain Register Books therein mentioned are required to be transmitted to the Registrar of the Archdeacon’s Court; and whereas the Archdeacon’s Court has been discontinued since the establishment of the Bishoprick of Australia: Be it therefore enacted, that the copies of the Register Books kept by Clergymen of the Church of England, and required by the said recited Act to be transmitted to the Registrar of the Archdeacon’s Court, shall in future be transmitted to the Registrar of the Bishop of Australia, who shall be subject to the same duties and liabilities, and entitled to the same fees, as the Registrar of the Archdeacon’s Court would be subject and entitled to under the said recited Act.

“GEORGE GIPPS.”
GOVERNOR.

*Passed the Legislative Council,
this nineteenth day of November,
one thousand eight hundred
and thirty-nine.*

WM. MACPHERSON,
Clerk of Councils.

ANNO TERTIO
VICTORIÆ REGINÆ.
No. 24.

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 for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the Year One thousand eight hundred and forty, and for further appropriating the said Revenue."

WHEREAS, by a certain Act of Parliament passed in the ninth year of the Reign of His late Majesty King George the 3^d Geo. IV. c. Fourth, intituled, "*An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other purposes relating thereto,*" it was amongst other things enacted, That all and every the powers and authorities vested by certain other Acts of Parliament therein referred to, or either of them, in the Governor of New South Wales, or the person administering the Government thereof, should thenceforth be vested in and exercised by the said Governor acting with the advice and consent of the Legislative Council of the said Colony; and that the produce of the several Duties imposed and made payable under and by virtue of the said recited Acts therein referred to, and also under and by virtue of that Act, should be applied in such manner, and to such purposes as the said Governor and Council should from time to time by any Law or Ordinance appoint: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That in addition to the sum of nineteen thousand five hundred and twenty-one pounds, thirteen shillings and eleven-pence, voted, but not required for the service of the year One thousand eight hundred and thirty-eight, there shall and may be issued and applied out of the produce of the said Duties, any sum or sums of money not exceeding eight thousand three hundred and thirty-three pounds eleven shillings and two-pence, to supply deficiencies in the amount appropriated for certain Departments for the said year.

(There shall and may be issued and applied £6806 19s. 8d. for the Supplementary Expenditure of 1839.)

II. And be it enacted, That out of the produce of the said Duties, there shall and may be issued and applied any sum or sums not exceeding six thousand eight hundred and six pounds, nineteen shillings, and eight-pence, to defray the supplementary charge for the service of the year One thousand eight hundred and thirty-nine, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding six hundred and ninety-eight pounds, two shillings, and four-pence, to defray the supplementary expense of the Department of the Councils; and any sum or sums of money not exceeding two thousand four hundred and thirty-nine pounds, one shilling, and seven-pence, to defray the supplementary

expense of the Postmaster-General's Department; and any sum or sums of money not exceeding eighteen pounds, four shillings, and eight-pence, to compensate the Registrar of the Court of Requests at Sydney, for loss sustained by him from the falling in of the roof of the Court House, on the thirty-first day of October, One thousand eight hundred and thirty-eight; and any sum or sums of money, not exceeding three hundred and fifty pounds, to defray the supplementary charge for further aid towards the expense of erecting the Church of Saint Peter in the parish of Petersham; and any sum or sums of money not exceeding one thousand pounds, to defray the supplementary charge on the Colonial Treasury, for aid towards the expense of additional Schools connected with the Church of England, on condition of sums to an equal amount being raised by private contributions; and any sum or sums of money not exceeding one hundred and seven pounds, and fifteen shillings, to defray the supplementary charge on the Colonial Treasury for aid towards the erection of a School-house at Bathurst, in connexion with the Presbyterian Church, an equal sum having been raised by private contributions; and any sum or sums of money not exceeding two hundred pounds, to defray the supplementary charge on the Colonial Treasury, for aid towards the expense of additional Schools connected with the Roman Catholic Church, on condition of sums to an equal amount being raised by private contributions; and any sum or sums of money not exceeding twenty-six pounds fifteen shillings, and seven-pence, towards defraying the supplementary charge on the Colonial Treasury, for aid towards the Wesleyan Methodist Sunday Schools, Sydney, an equal sum having been raised by private contributions; and any sum or sums of money not exceeding one hundred and twenty-four pounds eleven shillings and ten-pence, towards defraying the supplementary charge on the Colonial Treasury, for aid towards the Australian School Society, an equal sum having been raised by private contributions; and any sum or sums of money not exceeding one hundred and ninety-seven pounds, and seventeen shillings, towards defraying the supplementary charge on the Colonial Treasury, for aid towards the Sydney Dispensary, an equal sum having been raised by private contributions; and any sum or sums of money not exceeding thirty pounds towards defraying the supplementary charge on the Colonial Treasury, for aid towards the Sydney Strangers' Friend Society, an equal sum having been raised by private contributions; and any sum or sums of money not exceeding one thousand pounds, to the late Mineral Surveyor, Mr. John Busby, as a gratuity for his services in constructing the Tunnel for conducting water into the town of Sydney; and any sum or sums of money not exceeding four hundred and fifty pounds, to Mr. William Busby, by way of salary at the rate of one hundred pounds per annum, while he was discharging, without salary, the duties of Assistant Superintendent on the said Tunnel, during three years of the period from first May, One thousand eight hun-

There shall and may be issued and applied, £8333 11s. 2d. to supply deficiencies in 1838.

dred and thirty-one, to thirtieth June, One thousand eight hundred and thirty-seven, and for the keep of a horse during the said period, at the rate of fifty pounds per annum; and any sum or sums of money not exceeding one hundred and sixty-four pounds, eleven shillings, and eight-pence, to the Reverend Henry G. Gregory, in full compensation of his ministerial services as a Roman Catholic Clergyman, for the period from first June, One thousand eight hundred and thirty-seven, to first October, One thousand eight hundred and thirty-eight.

(There shall and may be issued and applied, £45,376 9s. for the Civil Establishment, for 1840.)

III. And be it enacted, That out of the produce of the said Duties there shall and may be issued and applied any sum or sums of money not exceeding forty-five thousand three hundred and seventy-six pounds, and nine shillings, for defraying the charge of the Civil Establishment of New South Wales for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding five hundred and eighty pounds, fifteen shillings, and sixpence, to defray the expense of the establishment of His Excellency the Governor; and any sum or sums of money not exceeding one thousand one hundred and forty-one pounds, and sixpence, to defray the expense of the Department of the Executive and Legislative Councils; and any sum or sums of money not exceeding seven thousand and three pounds, seven shillings, and sixpence, to defray the expense of the Colonial Secretary's Department; and any sum or sums of money not exceeding three thousand seven hundred and twenty-six pounds, and ten shillings, to defray the expense of the Colonial Treasurer's Department; and any sum or sums of money not exceeding two thousand four hundred and eighty-six pounds, four shillings, and sixpence, to defray the expense of the Auditor Generals' Department; and any sum or sums of money not exceeding seven thousand eight hundred pounds, seven shillings, and sixpence, to defray the expense of the Customs' Department, at Sydney; and any sum or sums of money not exceeding four hundred and forty-nine pounds, three shillings, and sixpence, to defray the expense of the Customs' Department at Newcastle; and any sum or sums of money not exceeding thirteen thousand three hundred and seventy-eight pounds, three shillings, and sixpence, to defray the expense of the Post Master General's Department; and any sum or sums of money not exceeding four hundred and seven pounds, and sixpence, to defray the salaries and allowances of Inspectors of Colonial Distilleries; and any sum or sums of money not exceeding two hundred pounds, to defray the salary and allowance of the Inspector of Slaughter Houses, Sydney; and any sum or sums of money not exceeding three hundred and forty-five pounds, and fifteen shillings, to defray the expense of the Department of the Commissioner for the Assignment of Convict Servants; and any sum or

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sums of money not exceeding one thousand and four pounds, and eighteen shillings, to defray the expense of the Department of the Colonial Botanist; and any sum or sums of money not exceeding eight hundred and eighty-eight pounds, and six shillings, to defray the expense of the Government Domain, Parramatta; and any sum or sums of money not exceeding two hundred pounds, to defray the expense of the Australian Museum; and any sum or sums of money not exceeding one thousand five hundred and fifty-nine pounds, ten shillings, and sixpence, to defray the expense of the Colonial Storekeeper's Department; and any sum or sums of money not exceeding one thousand seven hundred and six pounds, three shillings, and sixpence, to defray the expense of the Harbour Master's Department, at Sydney; and any sum or sums of money not exceeding one hundred and forty-four pounds, to defray the expense of the master and men of the Quarantine Schooner *Ariel*; and any sum or sums of money not exceeding four hundred and five pounds, and nineteen shillings, to defray the expense of the Light House at the South Head of Port Jackson; and any sum or sums of money not exceeding four hundred and sixty-eight pounds, and thirteen shillings, to defray the expense of the Floating-light Vessel, near the entrance of Port Jackson; and any sum or sums of money not exceeding three hundred and three pounds, and eight shillings, to defray the expense of the Harbour-Master's Department at Newcastle; and any sum or sums of money not exceeding two hundred and fifty pounds, and eight shillings, to defray the expense of the Department of the Harbour Master at Port Macquarie; and any sum or sums of money not exceeding three hundred and seventy-six pounds, and fifteen shillings, to defray the expense of the Telegraph Stations; and any sum or sums of money not exceeding three hundred pounds, to defray the salary of the Health Officer, Port Jackson; and any sum or sums of money not exceeding two hundred and fifty pounds, to defray the salary of the Colonial Agent-General.

(There shall and may be issued and applied £19,343 3s. 6d. for the Surveyor-General's Department for the year 1840.)

IV. And be it enacted, That out of the produce of the said Duties, there shall and may be issued and applied, any sum or sums of money not exceeding nineteen thousand three hundred and forty-three pounds, three shillings, and sixpence, for defraying the charge of the Surveyor-General's Department in the said Colony, for the year One thousand eight hundred and forty.

(There shall and may be issued and applied £86,927 18s. for the Department of Public Works and Buildings, for the year 1840.)

V. And be it enacted, That out of the produce of the said Duties, there shall and may be issued and applied any sum or sums of money not exceeding eighty-six thousand nine hundred and twenty-seven pounds, and eighteen shillings, for defraying the charge of the Department of Public Works and Buildings in the

said Colony, for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding twenty-two thousand five hundred and forty-one pounds, three shillings, and sixpence, to defray the expense of the Colonial Engineer's Department; and any sum or sums of money not exceeding twenty-eight thousand one hundred pounds, to defray the expense of Public Works; and any sum or sums of money not exceeding one thousand seven hundred and ten pounds, nineteen shillings, and sixpence, to defray the expense of the Department of the Colonial Architect and Surveyor of Buildings; and any sum or sums of money not exceeding thirty thousand five hundred and seventy-five pounds, and fifteen shillings, to defray the expense of Public Buildings; and any sum or sums of money not exceeding four thousand pounds, to defray the expense of the Town Surveyor's Department, Sydney.

(There shall and may be issued and applied £24,298 8s. 8d. for the Judicial Establishment for the year 1840.)

VI. And be it enacted, That out of the produce of the said Duties, there shall and may be issued and applied any sum or sums of money not exceeding twenty-four thousand two hundred and ninety-eight pounds, eight shillings, and eightpence, for defraying the charge of the Judicial Establishment of the said Colony, for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding seven thousand three hundred and thirty-six pounds, and ten shillings, to defray the expense of the Supreme Court; and any sum or sums of money not exceeding four thousand two hundred and thirty-nine pounds, and sixteen shillings, to defray the expense of the Law Officers of the Crown, inclusive of the sum of five hundred pounds to defray the salary of a second Crown Solicitor, temporarily appointed, to enable the arrear of business in the Civil Branch of that Department to be brought up; and any sum or sums of money not exceeding two thousand nine hundred and thirty-six pounds, five shillings, and twopence, to defray the expense of Courts of Requests; and any sum or sums of money not exceeding four thousand seven hundred and seventy-six pounds, to defray the expense of Courts of Quarter Sessions; and any sum or sums of money not exceeding three thousand one hundred and ninety-five pounds, sixteen shillings, and six pence to defray the expense of the Sheriff's Department; and any sum or sums of money not exceeding one thousand eight hundred and fourteen pounds, and one shilling, to defray the Salaries of Coroners and the expense of Inquests.

(There shall and may be issued and applied £94,823 15s. 9d. for the Police and Goal Establishments for 1840.)

VII. And be it enacted, That out of the produce of the said Duties there shall and may be issued and applied, any sum or sums of money not exceeding ninety-four thousand eight hun-

dred and twenty-three pounds, fifteen shillings, and ninepence, to defray the charge of the Police and Gaol Establishments of New South Wales, for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding One thousand three hundred and thirty-one pounds, eighteen shillings, and ninepence, to defray the expense of the Department of the General Superintendent of Police; and any sum or sums of money not exceeding Thirteen thousand three hundred and sixty-two pounds, nineteen shillings, and sevenpence, to defray the expense of Police for the Town of Sydney; and any sum or sums of money not exceeding Thirty-six thousand eight hundred and twenty-eight pounds, to defray the expense of Police for the Country Districts; and any sum or sums of money not exceeding Eighteen thousand two hundred and forty-eight pounds, nine shillings and sevenpence, to defray the expense of the Mounted Police; and any sum or sums of money not exceeding Thirteen thousand pounds, to defray the expense of the Border Police; and any sum or sums of money not exceeding Five thousand three hundred and ten pounds, and fourteen shillings, to defray the expense of the Sydney Gaol; and any sum or sums of money not exceeding seven hundred and fifty pounds, nine shillings, and tenpence, to defray the expense of the Debtor's Prison, Sydney; and any sum or sums of money not exceeding five thousand nine hundred and ninety-one pounds, and four shillings, to defray the expense of the Gaols in the Country Districts.

(There shall and may be issued and applied £34,066 15s. for the Church Establishments for the year 1840.)

VIII. And be it enacted, That out of the produce of the said Duties, there shall and may be issued and applied, any sum or sums of money not exceeding thirty-four thousand and sixty-six pounds, and fifteen shillings, for defraying the charge of the Church Establishments of the said Colony, for the year One thousand eight hundred and forty, as hereinafter more particularly expressed, that is to say, any sum or sums of money not exceeding eighteen thousand two hundred and sixty-six pounds, and fifteen shillings, to defray the expense of the establishment of the United Church of England and Ireland; and any sum or sums of money not exceeding six thousand three hundred and fifty pounds, to defray the expense of the Establishment of the Presbyterian Church, in connexion with the Established Church of Scotland; and any sum or sums of money not exceeding three thousand three hundred and fifty pounds, to defray the expense of the Wesleyan Mission; and any sum or sums of money not exceeding six thousand one hundred pounds, to defray the expense of the Establishment of the Roman Catholic Church.

(There shall and may be issued and applied £15,113 for the School Establishments for the year 1840.)

IX. And be it enacted, That out of the pro-

duce of the said Duties there shall and may be issued and applied any sum or sums of money not exceeding fifteen thousand one hundred and thirteen pounds, for defraying the charge of the School Establishments of the said Colony, for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding three thousand two hundred and eighteen pounds, to defray the expense of the Male Orphan School; and any sum or sums of money not exceeding two thousand nine hundred and ninety-five pounds, to defray the expense of the Female Orphan School; and any sum or sums of money not exceeding one thousand five hundred pounds, towards the support of Orphan Schools for destitute Roman Catholic Children; and any sum or sums of money not exceeding six hundred pounds, to defray the salaries and allowances of Schoolmasters who have already arrived, and of others who are expected to arrive during the said year; and any sum or sums of money not exceeding three thousand nine hundred and fifty pounds, to defray the expense of Schools of the Church of England; and any sum or sums of money not exceeding one thousand five hundred pounds, to defray the expense of Presbyterian Schools; and any sum or sums of money not exceeding two hundred and fifty pounds, to defray the expense of Wesleyan Methodist Schools; and any sum or sums of money not exceeding one thousand one hundred pounds, to defray the expense of Roman Catholic Schools.

(There shall and may be issued and applied £1400 for Pensions for the year 1840.)

X. And be it enacted, That out of the produce of the said Duties there shall and may be issued and applied any sum or sums of money not exceeding one thousand four hundred pounds, for defraying the charge of Pensions payable by the said Colony for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two hundred and eighty pounds, to defray the expense of Pensions payable in England; and any sum or sums of money not exceeding one thousand one hundred and twenty pounds, to defray the expense of Pensions payable in the said Colony.

(There shall and may be issued and applied £15,075 for Miscellaneous Services for the year 1840.)

XI. And be it enacted, That out of the produce of the said Duties there shall and may be issued and applied any sum or sums of money not exceeding fifteen thousand and seventy-five pounds, for defraying the charge for Miscellaneous Services of the said Colony for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding two hundred pounds, to defray the rent, for six months of the said year, of the house in Macquarie-place, Sydney, occupied as Public Offices; and any sum or sums of money not exceeding nine hundred and fifty pounds, to

defray the expense of the Commission for hearing and determining on Claims to Grants of Land; and any sum or sums of money not exceeding three hundred and seventy pounds, to defray the expense of the management of the Church and School Estates; and any sum or sums of money not exceeding two hundred pounds, towards the support of the Sydney School of Arts; and any sum or sums of money not exceeding three hundred pounds, in aid of the Mechanics' Institution at Newcastle; and any sum or sums of money not exceeding four thousand pounds, to defray the expense of Stationery, Printing, Bookbinding, Gazettes and Almanacks, for the several Colonial Departments; and any sum or sums of money not exceeding six hundred pounds, to defray the expense of Furniture for Government Houses and Public Offices; and any sum or sums of money not exceeding four hundred and fifty pounds, to defray the expense of Fuel and Light for the several Colonial Departments; and any sum or sums of money not exceeding four hundred pounds, to defray the expense of Lighting the Public Lamps in Sydney; and any sum or sums of money not exceeding one hundred and five pounds, to defray the expense of training Firemen to work the Engines in Sydney when required; and any sum or sums of money not exceeding three thousand pounds, to defray the expense of supporting free paupers in the Colonial Hospitals; and any sum or sums of money not exceeding five hundred pounds, to defray the expense of supporting free paupers in the Lunatic Asylum; and any sum or sums of money not exceeding four thousand pounds, to meet unforeseen expenses on occasions of emergency, to be hereafter accounted for.

(There shall and may be issued and applied £39,974 7s. 1d. for the Establishment at Port Phillip for the year 1840.)

XII. And be it enacted, That out of the produce of the said Duties, there shall and may be issued and applied any sum or sums of money not exceeding thirty-nine thousand nine hundred and seventy-four pounds seven shillings and one penny, for defraying the charge of the Establishment at Port Phillip, for the year One thousand eight hundred and forty, as hereinafter more particularly expressed; that is to say, any sum or sums of money not exceeding one thousand and twenty-five pounds, to defray the expense of the Establishment of His Honor the Superintendent of the District of Port Phillip; and any sum or sums of money not exceeding fifty pounds, to defray the salary of the Sub-Treasurer; and any sum or sums of money not exceeding ninety-one pounds and ten shillings, to defray the salary of the Agent for Superintending the supplies of Rations of Provisions, Forage, Fuel and Light; and any sum or sums of money not exceeding three thousand one hundred and six pounds fourteen shillings and sixpence, to defray the expense of the Customs' Department; and any sum or sums of money not exceeding three thousand four hundred and fifty-eight pounds and twelve shillings, to defray the expense of the Surveyor-General's Department; to

and any sum or sums of money not exceeding one thousand three hundred and fifty pounds, to defray the expense of Courts of Requests and Quarter Sessions, inclusive of four hundred pounds, by way of salary to the Clerk of the Crown; and any sum or sums of money not exceeding one thousand three hundred and nine pounds two shillings and sixpence, to defray the expense of the Sheriff's Department at Melbourne; and any sum or sums of money not exceeding one thousand six hundred and ninety-four pounds three shillings and ninepence, to defray the expense of the Police for Melbourne; and any sum or sums of money not exceeding seven hundred and thirty-eight pounds, seven shillings and sixpence to defray the expense of the Police for Geelong; and any sum or sums of money not exceeding seven hundred and thirty-eight pounds seven shillings and sixpence, to defray the expense of the Police for Portland Bay; and any sum or sums of money not exceeding three thousand eight hundred and seventy-eight pounds thirteen shillings and fourpence, to defray the Port Phillip portion of the expense of Mounted Police; and any sum or sums of money not exceeding two thousand pounds, to defray the Port Phillip portion of the expense of the Border Police; and any sum or sums of money not exceeding nine hundred and ninety-three pounds and fifteen shillings, to defray the expense of the Native Police, Port Phillip; and any sum or sums of money not exceeding two thousand one hundred and fifty pounds, to defray the expense of the Ecclesiastical Department, inclusive of one thousand five hundred pounds, towards erecting Churches and Ministers' Dwellings, on condition of sums to an equal amount being raised by private contributions; and any sum or sums of money not exceeding five hundred pounds, to defray the expense of aid towards the Establishment, and in support of Schools, on condition of sums to an equal amount being raised by private contributions; and any sum or sums of money not exceeding three hundred and forty-seven pounds and five shillings, to defray the expense of the Medical Establishment; and any sum or sums of money not exceeding three thousand two hundred and ninety-two pounds and sixteen shillings, to defray the expense of the Department of Public Works; and any sum or sums of money not exceeding three thousand pounds, towards defraying the expense of erecting a Gaol at Melbourne; and any sum or sums of money not exceeding one thousand pounds, towards defraying the expense of erecting a Custom House at Melbourne; and any sum or sums of money not exceeding two thousand pounds, towards defraying the expense of erecting a new and permanent Court House at Melbourne; and any sum or sums of money not exceeding two thousand two hundred and fifty pounds, towards defraying the expense of building three Watch-houses, situated respectively, one at Melbourne, one at North Geelong, and one at South Geelong; and any sum or sums of money not exceeding five thousand pounds, towards defraying the expense of erecting other Police or Public Buildings in the District of Port Phillip.

(Treasurer to pay the above at such times as the Governor by Warrant shall order.)

XIII. And be it enacted, That the Treasurer of the said Colony shall issue and pay the said

several sums to such persons for the purposes hereinbefore mentioned, upon such days and in such proportions, as the Governor for the time-being, by any warrant, or order in writing, to be signed by him, shall from time to time order and direct; and that the payments so to be made, shall be charged upon and payable out of the Revenues of the said Colony.

(And to receive credit in his accounts for the payments made in pursuance thereof.)

XIV. And be it enacted, That the said Treasurer shall, in his accounts, from time to time, be allowed credit for any sum or sums of money paid by him in pursuance of such warrant, or order in writing as aforesaid; and that the receipt or receipts of the respective persons to whom the same shall be so paid, shall be a full and valid discharge to the said Treasurer, in passing his said accounts, for any such sum or sums as shall be therein mentioned; and that he shall and do receive credit for the same accordingly.

"GEORGE GIPPS,"

Passed the Legislative Council } GOVERNOR.
this nineteenth day of November, }
One thousand eight hundred }
and thirty-nine. }

WM. MACPHERSON,
Clerk of Councils.

ANNO TERTIO.

VICTORIÆ REGINÆ.

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 enable the Proprietors of a certain Banking Company, carried on in the Town of Bathurst, in the Colony of New South Wales, under the Name, Style, and Firm of "The Bathurst Bank," to sue and be sued in the name of the President of the said Company, for the time being, and for other purposes therein mentioned."

WHEREAS several persons have formed themselves into a Company or Society, established at Bathurst under the name, style, or firm of "The Bathurst Bank," as well for the purpose of discounting and issuing of Promissory Notes and Bills of Exchange, and lending monies on securities and cash accounts, as also for receiving monies on deposit accounts, and for the safe custody of monies and securities for monies for the general public accommodation and benefit; And also, For transacting and negotiating all such other matters and things as are usually done and performed in relation to or connection with the ordinary business of banking; And whereas, The said Bank is now being carried on in Bathurst, and is under the care, management, and superintendence of seven directors, one of whom is president of the said Bank; And whereas, Difficulties may arise in recovering debts due to the said Banking Company, and in maintaining actions or proceedings for damages done to their property, and also in prosecuting persons who may steal or embezzle the bills, notes, bonds, mortgages, monies, goods, chattels

or effects of the said Bank ; And whereas, It would be convenient and just that persons having demands against the said Bank should be entitled to sue some member thereof, in place and stead of the whole ; And whereas, It is also deemed expedient and necessary that the names, residences, and descriptions of all the members of the said Company should be recorded for public information ; but as these purposes cannot be effected without the aid and authority of the Legislature : 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, all actions and suits, and all proceedings at law, or in equity, to be commenced, instituted, and prosecuted or carried on by or on behalf of the said Bank ; or wherein the said Bank is or shall be in any way concerned, against any person or persons, body or bodies politic or corporate, whether a Member or Members of the said Bank or otherwise, shall and may be lawfully commenced, instituted, and prosecuted or carried on in the name of the person who shall be President of the said Bank, at the time any such action, suit, or proceeding shall be commenced or instituted, as the nominal plaintiff, complainant, or petitioner for and on behalf of the said Bank ; and that all actions, suits, or proceedings aforesaid, to be commenced, instituted, or prosecuted against the said Bank, shall be commenced, instituted, and prosecuted against the President for the time being of the said Bank, as the nominal defendant, for and on behalf of the said Bank ; and that all prosecutions to be brought, instituted, or carried on by or on behalf of the said Bank, for fraud upon or against the Bank, or for embezzlement, robbery, or stealing the bills, notes, bonds, monies, goods, chattels, effects or property of the said Bank, or for any other offence against the said Bank, shall or may be so brought or instituted and carried on in the name of such President for the time being of the said Bank ; and in all indictments and informations it shall be lawful to state the property of the said Bank to be the property of such President for the time being of the said Bank ; and any offence committed with intent to injure or defraud the said Bank shall, and lawfully may, in any prosecution for the same, be stated or laid to have been committed with intent to injure or defraud such President for the time being of the said Bank ; and any offender or offenders may thereupon be lawfully convicted of any such offence ; and in all other allegations or indictments, informations or other proceedings, it shall and may be lawful and sufficient from and after the passing of this Act, to state the name of such President, and the death, resignation or removal, or other act of such President shall not abate any such action, suit, or prosecution, but the same may be continued where it left off, prosecuted and carried on in the name of any person who may be or become President of the said Bank for the time being.

No. 473. December 7, 1839.

(Memorial of the name of the President to be recorded in the Supreme Court of New South Wales, and renewed when any new President shall be elected.)

11. And be it enacted, That a memorial of the name of the President of the said Bank, in the form or to the effect for that purpose set forth in the schedule hereunto annexed, signed by the said President, and by a majority of the Directors of the said Bank shall be recorded upon oath, in the Supreme Court of New South Wales, within thirty days after the passing of this Act, and when and as often as any Director of the said Bank shall be newly-elected President thereof, a memorial of the name of such newly-elected President, in the same form or to the same effect as the above-mentioned memorial, signed by such newly-elected President and a majority of the persons who shall be Directors of the said Bank, at the time of the election of such new President, shall in like manner be recorded upon oath, in the said Supreme Court, within thirty days next after such President shall be elected.

(No action to be brought until memorial recorded.)

III. Provided always, and be it enacted, That until such memorial as hereinbefore first mentioned, be recorded in the manner herein directed, no action, suit, or other proceeding shall be brought by the said Bank in the name of the President of the said Bank as aforesaid, under the authority of this Act.

(The President's name being used as Plaintiff, not to prevent his being a witness.)

IV. Provided always, and be it enacted, That the President being the plaintiff, complainant, petitioner or defendant in any such action, suit, petition or other proceeding as aforesaid, on behalf of the said Bank, shall not prevent or affect the competency of any such President, so as to prevent him from being a witness in any such action, suit, petition or other proceeding, in the same manner as he might have been if his name had not been made use of as such plaintiff, complainant, petitioner or defendant, in any such action, suit, petition, or other proceeding.

(Power to lend money on the security of real or chattel estates.)

V. And be it enacted, That it shall be lawful for the said Company to lend and advance money, at interest, to any person or persons, upon the security of real or chattel Estates, by mortgage or otherwise.

(On payment of mortgage money, premises to be vested in the Directors of the said Company.)

VI. And be it enacted, That upon payment of the money so agreed to be lent and advanced on mortgage, all the estate, right, title, interest, use, trust, property, claim and demand, in law or in equity, of the party or parties, or person or persons, respectively, to whom or to whose use the same shall be paid of, in, to, or out of any messuages, lands, tenements, and hereditaments so agreed to be mortgaged shall, according to such terms as may be agreed upon, vest in the Directors of the said Company for the time being, and their respective

successors, for effecting the uses and purposes of this Act.

(Company may sell land, &c.)

VII. And be it enacted, That all agreements, conveyances, leases, releases, assignments, surrenders, covenants, receipts for money, and other documents to be made, given, or granted by the said Company, relating to any lands, tenements, or hereditaments which may be or become vested in the said Company, or in the President thereof, shall be made and executed by such President for the time being of the said Company, and the same shall be binding upon the said Company, and the capital stock thereof, and pass the estate of the said Company, or the President and Directors thereof, in whom such estate may have been vested, as effectually as if the same instrument or instruments had been made and executed by the person or persons in whom the estate in the premises had been originally vested for the said Company.

(The monies arising from sale of lands to be applied by the Directors for the purposes of the Company.)

VIII. And be it enacted, That the monies arising from the sale of such mortgaged lands, tenements, and hereditaments shall be applied and disposed of by the said Directors, for the purposes of the said Company.

(Execution upon any Judgment may be issued against any member of the Bank, who shall have his remedy against the other members, &c.)

IX. Provided always, and be it enacted, That execution upon any decree or judgment in any such action, suit, petition, or other proceeding obtained against the President for the time being of the said Bank, whether he be plaintiff or defendant therein, may be issued against and levied upon the goods and chattels, lands and tenements of any member or members whomsoever, of the said Bank for the time being, in like manner, and not otherwise, than as if such decree or judgment had been obtained against such member or members personally: Provided always, That every such President in whose name any such action, suit, petition, or other proceeding shall be commenced, prosecuted, carried on or defended, and every such member or members against whose goods and chattels, lands and tenements, execution upon any judgment or decree shall be issued or levied as aforesaid, shall always be reimbursed and paid out of the funds of the said Bank, all such damages, due expenses, costs and charges, as by the event of any such proceedings, such President or member or members shall or may be put unto or become chargeable with, and all such remedies shall be allowed, as between the several members of the said Bank for the time being, as if this Act had not been passed.

(Act to beat all times valid notwithstanding change of members of the Bank.)

X. And be it enacted, That the provisions in this Act contained, shall extend and be construed, deemed, and taken to extend to the said Bank, at all times during the continuance of the same, whether the said Bank be now or hereafter composed of some, all, or any of the persons who were the original or are the present members thereof, or of all or some of those persons, together with some other person or persons,

ar shall be composed altogether of persons who were not original, nor are now members of the same.

(Bank not incorporated by this Act.)

XI. Provided always, and be it enacted, That nothing herein contained shall extend, or be deemed, taken or construed to extend to incorporate the members or proprietors of the said Bank, or to relieve or discharge them or any of them from any responsibility, duties, contracts, or obligations whatsoever, which by law they now are or at any time hereafter shall be subject or liable to, either between the said Bank and others, or between the individual Members of the said Bank, or any of them and others, or among themselves, or in any other manner whatsoever, except so far as the same is affected by the provisions of this Act, and the true intent and meaning of the same.

(Bonds, mortgages and other securities may be put in suit, &c., in the name of the President for the time being; though not named in such security.)

XII. And be it enacted, That all bonds, mortgages, warrants of attorney and other securities, not being assignable in law, which have been, or which shall or may at any time hereafter, be taken in the name of any person as President of the said Bank, for and on account of the said Bank, shall and may be put in suit, and be sued, prosecuted upon at law or in equity, in the name of the President, in whose name the same may have been taken, or in the name of any person who shall or may succeed to that office, and be the President of the said Bank at the time such proceeding or proceedings shall be instituted, notwithstanding the name of any such succeeding President be not inserted in such bond, mortgage, warrant of attorney or other such security, as an obligee, mortgagee, assignee, or payee of the sum or sums of money therein mentioned, and the death, resignation, removal, or other act of any such President of the said Bank for the time being, in whose name any such bond, mortgage, warrant of attorney, or other security as aforesaid shall be so put in suit, shall not abate any action, suit, or other proceeding had thereon, but the same may be continued where it left off, and be prosecuted and carried on in the name of any person who may succeed to that office, or be or become the President of the said Bank for the time being, and the legal estate in all lands and tenements belonging or mortgaged to the said Bank, for all legal rights and capacities in respect of the said Bank, shall become vested in such new President as aforesaid, to all intents and purposes, immediately upon the recording of the memorial of the name of such new President in the said Supreme Court, and so on *toties quoties* whensoever any new appointment or election of a Chairman for the time being of the said Bank shall take place, and such new memorial thereof shall be enrolled as aforesaid.

(Plaintiff not to be nonsuited for want of proof of the record of the memorial.)

XIII. And be it enacted, That in any action to be brought by any President of the said Bank, by virtue of this Act, the plaintiff therein shall not be nonsuited, nor shall a verdict be given against the plaintiff for want of proof of the record of such memorial or memorials as hereinbefore

mentioned, but in case the defendant in any such action shall make it appear on such trial that no such memorial or memorials have been recorded, then a nonsuit shall be entered in such action.

(President to cause a list of the names of all members to be recorded on oath in the office of the Registrar of the Supreme Court.)

XIV. And be it enacted, That the President of the said Bank shall, within fifteen days from the first day of January in each year, cause a true list of the names of all the then-existing members of such Company, with their respective places of abode and description to be recorded on oath, in the office of the Registrar of the Supreme Court, and that the same shall be open for inspection at all reasonable times, by any person requiring the same, on payment of a fee of one shilling; and if any President of the said Bank shall fail to cause such list to be recorded, in manner as aforesaid, he shall be liable to a penalty of one hundred pounds, to be recovered by action of debt, in the said Supreme Court, by any person or persons suing for the same.

(Persons whose names are so recorded, to be considered members of the Company until new list made out or notice given in the Government Gazette.)

XV. And be it enacted, That every person whose name shall be so recorded, shall be considered a member of the said Bank or Company, and be liable to be sued as such until a new list of the members' names shall be recorded as aforesaid, or until he shall have given notice of his retirement in the New South Wales Government Gazette.

(Nothing in this act contained to affect or apply to any right, &c., of Her Majesty, or any bodies politic or corporate.)

XVI. Provided always, and be it enacted, That nothing in this Act contained, shall be deemed to affect or apply to any right, title, or interest of Her Majesty, her heirs and successors, or of any body or bodies, politic or corporate, or of any other person or persons, excepting such as are mentioned therein, or of those claiming by or under him or them.

(This Act not to take effect until the same shall receive the Royal approbation.)

XVII. And be it enacted, That this Act shall not commence or take effect until the same shall have received the Royal approbation, and the notification of such approbation shall have been made by His Excellency the Governor, in the New South Wales Government Gazette.

(This Act to be deemed a Public Act)

XVIII. And be it enacted, That when and as soon as this Act shall have received the Royal approbation, and the notification of such approbation shall have been made as aforesaid, by His Excellency the Governor, in the New South Wales Government Gazette, this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by the Judges of the Supreme Court of New South Wales and its Dependencies, without being specially pleaded. "GEORGE GIPPS.

Passed the Legislative Council this nineteenth day of November, One thousand eight hundred and thirty-nine.

WM. MACPHERSON,
Clerk of Councils.

SCHEDULE REFERRED TO.

Memorial of the name of the President of "The Bathurst Bank," to be recorded in the Supreme Court of New South Wales, pursuant to an Act of the Governor and Council, passed in the third Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to enable the Proprietors of a certain Banking Company, carried on in the Town of Bathurst, in the Colony of New South Wales, under the Name, Style, and Firm of 'The Bathurst Bank,' to sue and be sued in the name of the President of the said Company for the time being, and for other purposes therein mentioned."

A. B., President.

C. D.	} Directors,	} I. K.	
E. F.			L. M.
G. H.			N. O.

P. Q., of Bathurst, Gentleman of the above-named Bank, maketh oath and saith that he was present and did see the foregoing Memorial signed by the above-named President and Directors respectively, whose names appear thereto.

Sworn this day of 18 }

Colonial Secretary's Office,
Sydney, December 6, 1839.

TWENTY-FIVE POUNDS REWARD,
OR
A CONDITIONAL PARDON.

WHEREAS it has been represented to His Excellency the GOVERNOR that Mrs. Luck was on Friday, the 30th ultimo, barbarously murdered by some person or persons unknown, at the residence of Mr. George Luck, a Licensed Publican, at Guyong, on the Wellington Road, about twenty-three miles from Bathurst, Notice is hereby given that a Reward of Twenty-five Pounds will be given to any Free Person or Persons (except the actual perpetrator) who shall give such information as may lead to the conviction of the parties by whom the said murder was committed; or if a Prisoner of the Crown, that application will be made to Her Majesty for the allowance to him of a Conditional Pardon.

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

And, as a further inducement for the guilty parties being brought to justice, an additional Reward of One Hundred Guineas will be paid by the Inhabitants of Bathurst to any person or persons who may give such information as shall lead to the apprehension and conviction of the offenders.

(Signed) J. T. MORISSET,
Police Magistrate.

