



NEW SOUTH WALES
GOVERNMENT GAZETTE,

Published by Authority.

TUESDAY, AUGUST 10, 1841.

PROCLAMATION.

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, &c., &c., &c.

WHEREAS, by a certain Act or Ordinance of the Governor and Legislative Council, passed in the Second Year of the Reign of Her Majesty Queen Victoria, intituled "*An Act for regulating the Police in the Towns of Parramatta, Windsor, Maitland, Bathurst, and other Towns respectively, and for removing and preventing Nuisances and Obstructions, and for the better alignment of Streets therein,*" it was amongst other things enacted, that whenever the Governor, or Acting Governor for the time being, should deem it expedient to extend the same to any other Town in the said Colony, it should and might be lawful for the said Governor, or Acting Governor for the time being, to declare the same by Proclamation.

Now, therefore, I, the GOVERNOR, in pursuance of the power and authority so vested in me by the said recited Act, by this my Proclamation, do hereby direct that the provisions of the said Act be extended to the Town of Geelong, in the County of Grant.

Given under my Hand and Seal, at Government House, Sydney, this Second day of August, in the Year of Our Lord, One thousand eight hundred and forty-one.

(L. s.) (Signed) "GEORGE GIPPS."

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

GOD SAVE THE QUEEN!

Colonial Secretary's Office,
 Sydney, 3rd August, 1841.

COUNCIL.

HIS Excellency the GOVERNOR is pleased to direct that the general objects of the following Bills, now under consideration of the Legislative Council, be published for general information.

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

No. 1.—"A Bill to amend the Act for the Registration of Deeds; and to provide for the Registration of Judgments in New South Wales; and for the establishment of a separate Registry for Port Phillip."

The provisions of the Act 6 GEORGE IV., No. 22, being found inconvenient, and it being expedient also to provide for the establishment of a separate Registry for the District of Port Phillip, it is proposed—That Memorials may be verified and Acknowledgments made before a Judge, or the Registrar, or (at Port Phillip,) the Deputy Registrar, or any Commissioner, of the Supreme Court.

That the original Instrument shall in all such cases be produced.

That certain Fees shall be demanded and taken for the same.

That all Instruments, &c., affecting Lands or Hereditaments at Port Phillip, shall be Enrolled or Registered in the Office of the Deputy Registrar there.

That transcripts of Memorials or Instruments, affecting Land within the District of Port Phillip, shall be transmitted for Registration to the Deputy Registrar there.

That receipts for Memorials for Registration shall be endorsed on the original Instruments, except in the case of Wills.

That one Memorial shall be sufficient where more than one Instrument shall have been, or shall be, used for perfecting the same Conveyance.

That Memorials of Judgments shall be Registered in future.

That Judgments shall be Registered anew every three years.

That an Index shall be kept of all Instruments Registered.

As to proceedings for Registering Judgments, Certificates of Satisfaction of Mortgages or Judgments, and Punishment of False Oaths.

No. 2.—"A Bill to make further Provision for the Trial of Cases in the Circuit Courts of New South Wales, and to amend, in certain respects,

the Act providing for Trial by Jury in such Courts."

The Act 4 VICTORIA, No. 28, requiring amendment, it is proposed:—That the Colony shall be divided into three or more "Circuit Districts," and the Circuit Courts therein respectively holden shall be, for such Districts respectively, "Courts of Gaol Delivery."

That such Courts shall have power, not only to try Issues in all Actions, but also to assess Damages, and all persons Convicted therein shall be liable to the same Penalties as could be inflicted by the Supreme Court.

That so much of the said recited Act as provides for the Trial by Jury in such Courts, shall be repealed; the Juries for such Courts, respectively, in future, to consist of persons resident at the places where the same may be respectively holden, or within thirty miles thereof.

That in ordinary cases the Trials in such Courts shall be before a Judge and two Assessors.

As to the summoning of, and compensation to Assessors, and penalty for non-attendance:—

Provision in cases of deficiency in lists of Special Jurors, and also in cases where Sheriff is interested.

That all crimes and offences cognizable in such Courts, may be tried therein respectively, upon information exhibited in the name of the Attorney or Solicitor General, or, in their absence, in the name of any person appointed in that behalf by the Governor.

That Sheriffs shall be annually appointed for such Courts by the Governor—their powers and duties to be the same as those of the Sheriff of New South Wales.

No. 3.—"A Bill to facilitate Proceedings by and against the Proprietors of a certain Joint Stock Company, lately carrying on business in Sydney, in the Colony of New South Wales, under the Name, Style, or Firm, of the 'Australian Auction Company,' and for other purposes therein mentioned."

It being deemed of public utility and advantage, that all outstanding claims for and against the Australian Auction Company, should be sued for by, and prosecuted against the Company in the name of some one Member thereof, in place and stead of the whole, it is proposed;—That all Actions and Suits, for or against the Company, shall be in the name of the Chairman of the Court of Directors.

That Plaintiff may join any one or more Members of the Company, with the Chairman, as Defendants in Equity.

That a Member's Share in the Company shall not be set off against any demand which the Company may have against him.

That all Prosecutions, and other Criminal Proceedings, shall be in the name of the Chairman.

That a Memorial of the name of the Chairman shall be recorded in the Supreme Court.

That no Action shall be brought until such Memorial shall be so recorded.

That the evidence of the Chairman, Members, and Officers of the Company, shall be received.

That the Company may make Contracts and Conveyances in the name of the Chairman.

That Execution may issue against any Member of the Company.

That a list of the Members of the Company shall

be recorded in the Office of the Registrar of the Supreme Court; and every person included in such list shall be considered to be a Member of the Company, until a new list be recorded, or until notice shall be given in the *Government Gazette*, of the retirement of such person from the Company.

That the Bankruptcy of any individual Member, in his private capacity, shall not be deemed to be the Bankruptcy of the Company.

That the Act shall continue in force notwithstanding any change of Members.

That Securities and Contracts may be put in suit by the Chairman.

That Plaintiff shall not be nonsuited for want of proof of the record of the Memorial.

As to the rights of HER MAJESTY, and others:—

That the proposed Act shall take effect from the time of the publication in the *Government Gazette*, of the approval thereof, by HER MAJESTY, and shall continue in force for two years thereafter, and no longer.

That the proposed Act shall be deemed a Public Act.

No. 4.—"A Bill for facilitating Proceedings by and against the 'Hunter's River Steam Navigation Company,' and for other purposes therein mentioned."

It being deemed convenient and just that persons should be enabled to sue and be sued in the name of some one Member of the "Hunter's River Steam Navigation Company," in place and stead of the whole, it is proposed;—That all Actions shall be in the name of the Secretary.

That a Memorial of the name of the Secretary shall be recorded in the Supreme Court within thirty days from and after the passing of the proposed Act.

That no Action shall be brought until such Memorial shall be so recorded.

That the Secretary and other Officers, as well as the Proprietors of the Company, shall be competent witnesses.

That Execution may issue against any Member of the Company.

That a list of the names of the existing Members of the Company shall be recorded in the Office of the Registrar of the Supreme Court.

That every person whose name shall be included in such list, shall be considered to be a Member of the Company until a new list shall be recorded, or until notice shall be given in the *Government Gazette* of such person's retirement from the Company.

That the proposed Act shall be valid at all times, notwithstanding any change of Members.

That the Company shall not be Incorporated.

That Bonds and other Securities may be put in suit in the name of the Secretary.

That Plaintiff shall not be nonsuited for want of proof of the record of the Memorial.

That if any part of the Capital of the Company be withdrawn, or any Shares cancelled, or created, after the passing of the proposed Act, all privileges and advantages thereby conferred, shall cease and determine.

As to the rights of HER MAJESTY and others, and commencement of proposed Act:—

That the proposed Act shall be deemed a Public Act.

*Colonial Secretary's Office,
Sydney, 7th August, 1841.*

HIS Excellency the GOVERNOR has been pleased to appoint the undermentioned Gentlemen to be Magistrates of the Territory, viz:—

MATTHEW HENRY MARSH, of the District of New England; and

ARCHIBALD BOYD, of the District of New England, Esquires.

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

*Colonial Secretary's Office,
Sydney, 7th August, 1841.*

HIS Excellency the GOVERNOR has been pleased to appoint the undermentioned Gentlemen to be Magistrates of the Territory, viz:—

RICHARD HANMER BUNBURY, of Mount William, in the District of Port Phillip; and

ROBERT KNOX SCONCE, of Darabin Creek, in said District, Esquires.

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

*Colonial Secretary's Office,
Sydney, 5th August, 1841.*

PASTURAGE LICENSES.

LIST of Persons who have obtained Licenses to Depasture Stock beyond the limits of location of the WESTERN PORT and PORTLAND BAY Districts, between the 1st and 30th of June, 1841, both days inclusive, on payment of the established Fee, viz:—

Cameron Angus, Cobb Thomas William, and Herbert, Cole and Langdon, Fenwick Fairfax, Grange Rochfort Burrow, Howey and Patterson, Loughman and Lynch, Melville Patrick, Ross Charles Henry, Rutherford Thomas, Swanston Charles, Scott Andrew, Thom John.

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

*Colonial Secretary's Office,
Sydney, 9th August, 1841.*

PETTY SESSIONS.

HIS Excellency the GOVERNOR directs it to be promulgated—with reference to the 17th section of the Act of the Colonial Legislature, 3rd William IV., No. 3—that a Court of Petty Sessions has been established at the Village of Camden, in the County of Camden.

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

*Colonial Secretary's Office,
Sydney, 2nd August, 1841.*

SUPPLY OF MAIZE.

THE offers made for the supply to the Colonial Government of Five Thousand Bushels of Maize, being considered too high (all being above the market retail prices); Notice is hereby given, that MAIZE of sound merchantable quality, to be determined by such Officer or Officers as the Government may name for the purpose, will be, between the present time and the 31st of October

next, received and paid for on delivery, in Cash, at the following prices:—

In quantities not less than Fifty Bushels, delivered to the Colonial Storekeeper, Sydney, per Bushel 3s.

In quantities not less than One Hundred Bushels, delivered at Cockatoo Island, per Bushel 3s. 2d.

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

*Colonial Secretary's Office,
Sydney, 6th August, 1841.*
POLICE.

HIS Excellency the GOVERNOR directs it to be notified, that on the unanimous recommendation of the Magistrates of the present Districts of Campbelltown and Stonequarry, especially assembled to consider the subject, the following arrangements are to be adopted in respect to the Police of those Districts, viz:—

1st.—The Court of Petty Sessions hitherto held at Cawdor, is to be transferred to the Village of Camden, and a Bench of Magistrates will sit regularly at Camden and Picton.

2nd.—The ordinary and more immediate functions of the Bench of Magistrates established at Camden, will be exercised on the west bank of the Nepean, over that portion of the present Police District at Picton, which is comprised within the following limits, viz:—a line commencing on the Nepean River at the mouth of the gully which separates D'Arietta's grant, called Morton Park, from Douglass' grant, and running along that gully upwards to the south-west corner of Morton Park, thence along the north boundary of Douglass' grant, westerly to the summit or ridge of the Boolbinwalla range, and continuing along that ridge and the ridge of Mount Pradboe and Razorback, to the south-east corner of Wild's grant of 600 acres, the eastern and northern boundaries of Wild's property to Werriberri Creek, the Werriberri to the Warragamba, that river to its junction with the Nepean, and the Nepean upwards to the mouth of the before-mentioned gully on the east bank of the Nepean, within that part of the Campbelltown Police District, lying westerly and northerly of the summit of the range of hills which abuts upon the Nepean River on Howe's Eskdale Estate, and running thence northerly forms the dividing ridge between the Cowpasture and Campbelltown roads.

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

*Colonial Secretary's Office,
Sydney, 5th August, 1841.*

**TO MASONS AND OTHERS,—
WINGS TO THE NEW COURT HOUSE,
WOOLLOOMOOLOO.**

TENDERS will be received at this Office, until noon of Monday, 6th September, from persons willing to undertake the Mason's Work required in completing the additional Offices to the New Court House, Woolloomoolloo.

Offers to be endorsed "Tender for Mason's Work, New Court House, Woolloomoolloo," and to contain the names of two responsible persons willing to become sureties for the due fulfilment of the contract.

Plan and Specification may be seen, and further particulars obtained, at the Office of the Colonial Architect, Hyde Park.

Parties tendering or their Agents, are requested to attend on the above-named day.

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

Colonial Secretary's Office,
Sydney, 26th July, 1841.

CEDAR.

TENDERS will be received at this Office, until Noon of Monday, the 30th of August next, for the supply of seasoned Cedar, of the best description, required for the New Government House, Sydney.

Offers to be endorsed "Tender for Cedar for the New Government House," to specify the price per foot, superficial, required for each description, and the place where the same can be inspected.

The dimensions of the Cedar required, and further particulars may be obtained, at the Office of the Colonial Architect, Hyde Park.

Parties tendering, or their Agents, are requested to attend at this Office on the day appointed for opening the Tenders.

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

Water Police Office,
Sydney, 6th August, 1841.

NOTICE is hereby given, that the usual Licence of Departure was this day granted to Peter Lawson, to proceed in the ship *Parkfield*, bound to Manilla, agreeably to the 10th section of the Act of Council, 4 Victoria, No. 17.

H. H. BROWNE, J. P.,
Superintendent of Water Police.

Police Office, Carcoar,
28th July, 1841.

THE undermentioned Articles, lately the property of a Prisoner of the Crown, John Tarlington, per *Nithsdale*, whose Ticket of Leave has been cancelled, will be Sold at the Police Office, on Monday, the 16th of August, viz:—

- One bellows
- One anvil
- One sledge hammer
- One shoeing hammer
- One ditto box
- Two files
- One rasp
- About two hundred weight of iron
- Two pincers
- One vice.

By order of the Police Magistrate,
JAMES MURRAY,
Chief Constable.

Police Office, Wollongong,
27th July, 1841.

At a Meeting of the Proprietors of Land in the vicinity of Kiama, and Gerringong, through which it is intended to run a Parish Road, held the 23rd day of July, 1841, pursuant to the order of the Bench of Magistrates, of Wollongong, dated 19th June, 1841, John Gunn Collins, Esq., J. P., presiding at said Meeting, and Michael Hindmarsh, and Mr. J. Mackey Gray, acting as

Assessors, it hath been certified to us, Patrick Plunkett, and Henry Osborne, Esquires, the Justices in Petty Sessions Assembled, at Wollongong, this 26th day of July, 1841, by the said presiding Magistrate and Assessors; that at said Meeting, it was unanimously agreed, and deemed expedient, that Trustees should be appointed for said Parish Road, we, the said Justices, decide and determine, that Five Trustees shall be appointed for said Parish Road, and do appoint Friday, the 13th day of August, 1841, for the Election of said Trustees, at a Meeting of said Landed Proprietors, to be held at Mr. David Smith's Inn, Kiama, on that day. John Gunn Collins, Esq., J. P., to preside at said Meeting, and Mr. Michael Hindmarsh, and Mr. J. Mackey Gray, to act as Assessors.

P. PLUNKETT, J. P.
HENRY OSBORNE, J. P.

TABLE of RATES to be charged for Trespass of Cattle, and the sustenance thereof, while Impounded in the District of Scone and Murrumbidgee, under the Provisions of the Act of the Governor and Council, 4th WILLIAM IV., No. 3.

Description of Cattle, &c., &c., Trespassing.	Amount to be charged daily for sustenance.		In any garden or meadow, or growing crops of any kind, enclosed by a good and substantial fence.	In any Paddock of grass enclosed by a good and substantial fence.	In any forest, or open pasture land, open stubble, after-grass, or other enclosed lands.
	Per Head. 6d.	Per Head. 6d.			
Horses and Cattle	6d.	6d.	6s.	1s.	2d.
Ditto under ten	1d.	1d.	6s.	1s. 3d.	3d.
Sheep under twenty	1d.	1d.	2s.	3d.	1½d.
Ditto above twenty	2d.	2d.	2s.	2d.	½d.
Goats	4d.	4d.	3s.	6d.	½d.
Swine	4d.	4d.	6s.	1s. 6d.	3d.

Fixed by the Justices in Petty Sessions, assembled at Scone, on the 26th day of July, 1841.
HUGH OVENS,
Clerk of Petty Sessions.
Approved by His Excellency the Governor,
E. DEAS THOMSON.

QUARTER SESSIONS.

NOTICE is hereby given, that a Court of General Quarter Sessions of the Peace, in and for the Colony of New South Wales, will be holden at the Court House, Maitland, on Tuesday, the 24th August next, at which time, all persons under Recognizance 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 10 o'clock in the forenoon.

J. W. CURDY,
Clerk of the Peace.

Maitland, 24th July, 1841.

**IN THE ESTATE OF PHILIP HENRY
MAGRANE.**

NOTICE is hereby given, that by Indenture of Conveyance and Assignment, bearing date the 29th day of July, instant, Philip Henry Magrane, of East Maitland, in the County of Northumberland, and Colony of New South Wales, Storekeeper, conveyed and assigned the whole of his Estate and Effects to Patrick Walsh Mallon, of Morpeth, in the County and Colony aforesaid, Esq., and Robert Bourne, and Co., of Sydney, in the county of Cumberland, in said Colony, Merchants, in Trust, for the general benefit of all his Creditors. All persons having Claims on the Estate are requested to call at my Office and execute a Trust Deed.

WILLIAM GRACE,
Solicitor.

*West Maitland, }
29th July, 1841. }*

IN THE ESTATE OF GEORGE RAINY.

NOTICE is hereby given, that by Indenture of Assignment, bearing date the 6th day of August, 1841, George Rainy, of Brickfield Hill, Sydney, in the Colony of New South Wales, Hay and Corn Dealer, hath assigned all and singular his personal Estate and Effects, whatsoever and wheresoever, unto William Hutchinson, of Sydney, aforesaid, Gent., in Trust, for the equal benefit of all his Creditors.

JOHN SMITH,
Solicitor, O'Connell-street.
(385)

NOTICE is hereby given, that the Partnership heretofore subsisting between the subscribers, under the Firm of "Arden and Strode," as Proprietors of the *Port Phillip Gazette*, and general printers, is this day dissolved by mutual consent.

The *Gazette* and general printing business will in future be conducted by Mr. George Arden. All debts due to the Firm are to be paid to Mr. Thomas Strode, to whom application for payment of debts due by the Firm is to be made. Dated this first day of July, 1841.

GEORGE ARDEN.
THOMAS STRODE.

Present—**JAMES MONTGOMERY.** (379)

*Sydney:—Printed by WILLIAM JOHN ROW,
Government Printer, and Published by him at
the Government Printing Office, Bent-street.—
August 10, 1841.*

