



NEW SOUTH WALES
GOVERNMENT GAZETTE,

Published by Authority.

TUESDAY, MAY 3, 1842.

*Government House,
 Sydney, May 2, 1842.*

LEVEE.

HIS Excellency the GOVERNOR will hold a Levee at Government House, on Tuesday, the 24th of May, at One o'clock, in honor of HER MAJESTY'S Birth-day.

Gentlemen attending the Levee are requested to bring their Cards, to be delivered to the Aide-de-Camp.

By His Excellency's Command,

EDWARD C. MEREWETHER,
A. D. C.

MEMORANDUM.—The invitations to the Birth-day Ball, to be given on the 24th instant, will not extend beyond the County of Cumberland. But Cards of invitation will be furnished to any Ladies or Gentlemen in the habit of visiting at Government House, who may happen to be in Sydney from a greater distance, provided their names (with their addresses in Sydney) be entered in the Visitors' Book, at Government House, at any time previous to the day of the Ball.

EDWARD C. MEREWETHER,
A. D. C.

*Colonial Secretary's Office,
 Sydney, 30th April, 1842.*

HIS Excellency the GOVERNOR has been pleased to appoint
GEORGE THOMAS PALMER, of Parramatta, Esq., to be a Magistrate of the Territory and its Dependencies.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
 Sydney, 2nd May, 1842.*

COUNCIL.

HIS Excellency the GOVERNOR is pleased to direct that the general objects of the following Bills, about to be brought under con-

sideration of the Legislative Council, be published for general information.

By His Excellency's Command,

E. DEAS THOMSON.

No. 1.—“ *A Bill to Incorporate the Inhabitants of the Town of SYDNEY.*”

WHEREAS, for the better protection, care, and management of the local interests of the Inhabitants of the Town of Sydney, and for the improvement of the said Town, it is deemed expedient that the Inhabitants thereof should be incorporated, it is therefore proposed :—

That the Inhabitants of the said Town and their Successors shall be incorporated, under the title of the “ **MAYOR, ALDERMEN, COUNCILLORS, AND BURGESSES OF THE TOWN OF SYDNEY,**” and under that title shall have perpetual succession, and be capable, in law, to do and suffer all acts as a Body Corporate, and shall have a common Seal, and may sue and be sued in all Courts of Law or Equity.

That the said Town shall be divided into Wards, to be called respectively the first, second, third, fourth, fifth, and sixth Ward.

That every male person of the full age of twenty-one years, who shall have occupied any house, warehouse, counting house, or shop, of the annual value of _____ pounds, within the said Town, during three whole years preceding the day of the passing of the proposed Bill, and during such occupation shall also have been an inhabitant householder within the said Town, or within seven miles thereof, shall, if duly enrolled, be a Burgess and Member of the Body Corporate.

That every male person of the age aforesaid who, on the last day of any year after the Incorporation of the said Town, shall have occupied any house, warehouse, counting house, or shop, within such Town, of the net annual value of _____ pounds, during the whole of the three years preceding, and during such occupation shall also have been an inhabitant householder within the said Town, or within seven miles thereof, shall if duly enrolled, be a Burgess and Member of the Body Corporate.

That no person shall be enrolled in any year who shall, on a certain day to be named in the proposed Bill, be in arrear for any rates payable by him, except for such as shall have become so payable within the six months next before the day so to be named.

That the premises, in respect of the occupation of which any person shall be so rated, need not be the same premises, nor in the same Ward, but may be different premises in the same Ward, or in different Wards.

That no person being an alien shall be enrolled as a Burgess in any year; nor any person who, within the twelve months preceding, shall have received eleemosynary relief, nor any person who shall have had any of his children admitted to any establishment for destitute children.

That tenants may claim to be rated, whether the landlords shall be rated or not, but in case a tenant shall make default in the payment of such rates, the landlord shall remain liable.

That in each year the Mayor shall appoint Collectors for each Ward, who shall make out an Alphabetical List, to be called the "Burgess List," of all persons entitled to be enrolled as Burgesses for each Ward, in that year, which Lists shall be signed and delivered to the Town Clerk by such Collectors—copies thereof being kept by them for public inspection; and the Town Clerk shall cause such Lists to be printed, and deliver copies thereof to persons requiring the same, on payment of not more than two shillings for each; and the Town Clerk shall also cause a copy of the Burgess List for each Ward to be fixed on some conspicuous building within such Ward, on every day during the week next preceding the first day of _____ in each year.

That Lists of the names of persons rejected from or claiming to be admitted in such Lists, shall also be kept by the Town Clerk, and be open to public inspection.

That a Commissioner and two Assessors shall be appointed by the Governor for the revision of the first Burgess Lists; and thereafter such Lists shall be revised in open Court by an Alderman and two Assessors to be chosen for every Ward.

That the revised Lists shall be kept by the Town Clerk, who shall cause them to be copied into an Alphabetical List, keeping separate the Lists for each Ward; and such Lists shall be printed, and a copy of each delivered to the Aldermen of each Ward, and to any person applying for the same, on payment of not more than two shillings and sixpence.

That the fees received for Collectors' Lists and Burgess Rolls shall be paid over to the Treasurer to the Corporation, in aid of the Town Fund.

That the expenses incurred by the Town Clerk and Collectors, in respect to such Lists, shall be paid out of the Town Fund.

That in every year there shall be elected a Mayor, Aldermen, and Councillors.

That no person shall be entitled to vote at any such election, whose name shall not be on the Burgess Roll for the time being.

That on a certain day in every year, the Burgesses enrolled in every Ward shall openly assemble and elect four qualified persons to be Councillors, or so many as shall be needed to fill the places of those then going out of office.

That after the first election, one third part of the whole number of Councillors shall go out of office on a certain day in every year, and those who shall so go out at the end of the first year, shall be the Councillors elected under the proposed Bill, by the smallest number of votes; and the Councillors who shall so go out at the end of the second year, shall be those who were elected by the next smallest number of votes, the majority of the whole Council always determining, when the votes for any two or more persons shall have been equal, who shall be the persons so to go out of office; and thereafter those who shall so go out, shall always be the Councillors who have been for the longest time in office without re-election; but any Councillor so going out shall be eligible to be re-elected, if still otherwise qualified.

That the first election of Councillors within each Ward shall be held before the Commissioners and Assessors, to be appointed as aforesaid; and all subsequent elections shall be held before an Alderman and Assessors for the time being; and the voting at every such election shall commence at nine o'clock in the forenoon, and finally close at four o'clock in the afternoon of the same day, and shall be conducted in manner following,—that is to say, every Burgess entitled to vote, may vote for any number not exceeding the number of Councillors then to be chosen, by delivering to the Commissioner or Alderman (as the case may be) and Assessors, or to the presiding Officer, a voting paper, containing the christian and surnames of the persons for whom he votes, with their respective places of abode and descriptions, and signed with his own name, and the name of the place in which his rated property is situated.

That the Mayor may cause booths to be erected, or rooms to be hired and used as booths, in one or several places in each Ward, and appoint clerks to take the poll thereat respectively; and no vote shall be received except at the booth allotted for the place where the voters' qualification shall be.

That no enquiry shall be permitted at any election, except such as is authorised by the proposed Bill, to be made by the presiding Officer, in order to identify the party offering to vote.

That the Alderman and Assessors of each Ward shall examine such voting papers, and declare to be elected so many of the persons having the greatest number of votes, as shall be equal to the number then to be chosen; and in case of an equality in the number of votes for any two or more persons, the Alderman and Assessors shall name from among them so many as shall be necessary to complete the whole number to be chosen; and such voting papers shall be kept in the Office of the Town Clerk, for six months at least after every election, and may be inspected by any Burgess, on payment of one shilling for every search; and the Alderman shall cause lists of the persons elected to be published, not later than two of the clock in the afternoon of the day next but one following the election.

That on a certain day after the first election of Councillors, under the proposed Bill, and on a certain other day in every third year thereafter, the Burgesses of each Ward shall, in manner hereinbefore directed for the election of Councillors, elect, from persons qualified to be Councillors, two Burgesses, who shall be the Assessors of such Ward; and such Assessors shall continue in Office

for three years ; but no Member of the Council, nor the Town Clerk, nor the Treasurer, shall be eligible to be elected to such Office.

That on a certain day after the said first election of Councillors, the Councillors so elected shall assemble in the division of the Market Building, in Sydney, marked A, and there, with closed doors, elect out of their own body, or from the persons qualified to be Councillors, six persons to be Aldermen of the said Town ; and of the six so elected, three shall continue in Office for six years, and the other three for three years only.

That before proceeding with the election last aforesaid, the majority of the Councillors present shall appoint one of their own body to preside at such election, and two others to be scrutineers ; and the person so chosen to preside shall first deposit in a box or urn a voting paper, signed by himself, containing the names of the persons, not being more than six in number, for whom he votes, and shall then receive from each Councillor present a similar paper, signed by the Councillor presenting it, which he shall in like manner deposit in the said box or urn ; and at the expiration of one hour from the time when he shall have so deposited his own paper, or sooner, if all the voting papers shall have been sooner delivered to him, the presiding officer and scrutineers shall examine such voting papers, and declare the names of the six persons elected to be Aldermen, the presiding officer and scrutineers, or any two of them, deciding any dispute which may arise by reason of an equality of votes, for two or more persons ; but if any Councillor shall include his own name in the voting paper so delivered in by him, it shall be struck out ; and if more than six names shall be included in any paper, such paper shall be set aside altogether ; and the Councillors present shall declare by the majority of their voices, or by ballot, if called for by any five Councillors, which of the six Aldermen so elected shall remain longest in office.

That of the six Aldermen so elected, each shall be Alderman of the Ward in which he resides, unless more than one shall reside in the same Ward, in which case the Alderman in whose favour there is a majority of votes, shall be the Alderman of the Ward wherein he resides, and the others shall be appointed to other Wards.

That on the same day, and at the same place, and the same person presiding, the Aldermen and Councillors present shall subsequently elect out of their own body, in manner aforesaid, some person to be the Mayor of the said Town—provided that each voter shall insert only one name in his voting paper, and that that name shall not be his own.

That on a certain day in every succeeding third year, one half the whole number of Aldermen of the said Town shall go out of office, the Aldermen so going out being always (except as aforesaid) those who have been Aldermen for the longest time without re-election.

That the whole Council shall, on a certain day in every third year, elect out of their own body, or from the persons qualified to be Councillors, so many as shall be required to supply the vacancies so occasioned ; provided that no Alderman, so going out of office as aforesaid, shall vote at such election.

That no Councillor elected to be an Alderman, shall cease to be a Councillor during the term of

his service as an Alderman, nor until a certain time, to be named in the proposed Bill, after he shall have ceased to be an Alderman.

That whenever any extraordinary vacancy shall occur in the office of Alderman, the Council shall, on a day to be fixed by the Mayor, within the ten days next following, elect some other person to fill such vacancy, either from the Councillors, or from the persons qualified to be Councillors ; and every person so elected shall hold office during the time the person in whose room he was elected would have held Office, and no longer ; but he shall be eligible for re-election at the expiration of such time, if then otherwise qualified.

That the Mayor, elected as aforesaid, shall continue in office for one whole year ; and on a certain day, in every succeeding year, the Council shall elect out of the Aldermen or Councillors, a fit and proper person to be Mayor, who shall continue in office for one whole year ; and in case the office of Mayor shall become vacant during any year, the Council shall, within ten days after such vacancy shall have occurred, elect, out of the Aldermen or Councillors, some person to be Mayor for the remainder of the year.

That at all elections of Mayor or Aldermen to be held subsequent to the first elections under the proposed Bill, the course of proceeding shall be the same as is directed to be followed at such first elections, except in so far as the same may be altered by any bye-law of the Council.

That the Mayor shall continue to be a member of the Council during the term of his Mayoralty ; and if he be an elected Councillor, he shall not, as such, go out by rotation earlier than a certain day next following that on which he shall cease to be Mayor ; and if he be an Alderman, he may continue during his Mayoralty to preside at elections within his own Ward.

That no person being in Holy Orders, or a regular Minister of any Congregation shall be qualified to be a Councillor or an Alderman ; nor any person who shall not be entitled to be on the Burgess Roll ; nor any person who shall not be possessed of real or personal estate, or both, to the amount of two thousand pounds, or be rated upon the annual value of not less than fifty pounds ; nor any person who shall then hold any office other than that of Mayor, in the gift or disposal of the Council—nor any person who shall be directly or indirectly interested in any contract with the Council ; provided that no person shall be disqualified by reason of being a shareholder in any Company which shall contract with the Council for light, supplying with water, or insuring any part of the said Town ; nor shall any person who shall have been elected an Assessor for any Ward ; nor any Judge or Chairman ; nor any officer or clerk of any Court of Justice ; nor any Ministerial Officer of the Crown, be capable of being elected an Alderman or Councillor under the proposed Bill.

That if any Burgess shall be rated to the full amount in more Wards than one, he shall be entitled to vote in each Ward.

That if any person shall be elected to the office of Councillor or Assessor in more Wards than one, he shall, within three days after notice thereof, choose, or the Mayor shall declare, for which Ward he shall serve.

That if any extraordinary vacancy shall occur

in the office of Councillor or Assessor, in any Ward, the persons entitled to vote shall, within fourteen days, and in manner before prescribed for the election of Councillors, elect from those qualified to be Councillors, another Burgess to supply such vacancy; and the person so elected shall hold office during the time the person in whose stead he shall have been elected would have continued in Office, and no longer; but he shall be eligible for re-election at the expiration of such time, if then otherwise qualified; provided that after the full number of Councillors shall have been elected for any year, no new election shall be made by reason of any such vacancy, unless the number of the whole Council, including the Mayor and Aldermen remaining after such vacancy, shall be less than twenty.

That on some day, not later than the 10th of January, in every year, two persons, qualified to be, but not actually being, of the Council, shall be elected by the Council to be the Auditors of the said Town, and shall hold office for one year only, but shall be eligible to be immediately re-elected if then otherwise qualified.

That no person elected Mayor, Alderman, Councillor, Auditor, or Assessor, shall be capable of acting as such, except in administering the declaration hereinafter mentioned, until he shall have taken the Oath of Allegiance, and made and subscribed the declaration as to his acceptance of, and qualification for office, contained in the proposed Bill.

That every person elected to the office of Mayor, Alderman, Councillor, Auditor, or Assessor, shall accept the office, or pay to the Corporate Body a fine of £50, except in the case of a Mayor, who shall pay a fine of £100; but no person who shall be under any of the disabilities enumerated in the proposed Bill shall be liable to such fine; nor shall any person in the Civil Service of the Colonial Government, or in Her Majesty's, or the Hon. East India Company's Military or Naval Service, be compelled to accept any office or duty whatsoever under the said Corporation.

That if any Mayor, Alderman, or Assessor, shall neglect or refuse to perform any duty assigned to him, under the proposed Bill, he shall forfeit £100; and if any Collector or Town Clerk shall neglect to perform any duty so assigned to him, he shall forfeit £50;—to be recovered, respectively, in the Supreme Court, within three calendar months after such neglect or refusal—one moiety thereof going to the party suing, and the other to the Treasurer, to be applied in aid of the Town fund.

That the bankruptcy or insolvency of a Mayor, Alderman, Councillor, Auditor, or Assessor, or the absence from Town of any Mayor, for more than two, or of any Alderman, Councillor, Auditor, or Assessor, for more than six consecutive calendar months, shall immediately disqualify him for office; but on obtaining his certificate, or payment of his debts in full, or on his return to Town, as the case may be, every such person shall be eligible for re-election, if then otherwise qualified.

That if any person shall act as Mayor, Alderman, Councillor, Auditor, or Assessor, without having made the declaration hereinbefore mentioned, or after he shall have ceased to be qualified, he shall forfeit £50, to be recovered in the Supreme Court by any Burgess suing for the same, and to be appropriated as aforesaid.

That if any Burgess be convicted of bribery, he shall forfeit £50, to be recovered in the Supreme Court, by any person suing for the same, and he shall, thereafter, for ever be incapable of voting at any election, or holding office under the Corporation; provided, that if any person so offending shall, within the twelve months next following the commission of such offence, discover any other offender, he shall be discharged from all the penalties and disabilities so incurred; provided further, that no person shall continue liable to any such penalty or disability if two years shall have elapsed without his being prosecuted for the same.

That the Mayor shall be, *ex officio*, a Justice of the Peace for the Town.

That the Justices for the Territory shall cease to have jurisdiction in the Town of Sydney; but the Governor may appoint Justices for the Town, as well as for the adjoining county, or for any more extensive jurisdiction.

That a Town Clerk, a Treasurer, and a Surveyor shall be appointed by the Council, and also such other officers as may be necessary, who shall give security for the due discharge of their respective duties; provided, that no person being a member of the Town Council, shall be appointed to any such office, and such officers shall hold office during pleasure only.

That the Council may assign and order payment of allowances or salaries, as well to the Mayor as to the officers aforesaid.

That the rents of all lands and houses, and all market dues, tolls, &c., vested in the Corporation, and all monies arising to, or levied by them, and all fines and penalties, under the proposed Bill, shall be paid to the Treasurer, and be by him carried to an account to be called the "Town Fund;" and such fund shall be applied towards the payment of the said allowances or salaries, and towards defraying such other necessary expenses not otherwise provided for, as shall be incurred under the proposed Bill.

That in order to assist the said fund, the Council shall, from time to time, as occasion may require, order a Town rate to be levied; and for such purpose shall previously direct an assessment to be made of every building within the limits of the Town, according to its fair average annual value, clear of all outgoings; and in case of non-payment of such rates, the Council may levy the same by distress and sale of the goods and chattels of the persons so in default, within three days after seizure thereof.

That the Treasurer shall pay no money on account of the Corporation, except in the cases authorised by the proposed Bill, or upon a written order, signed by three or more Members of the Council, and counter-signed by the Town Clerk.

That in the month of October, in every year, any two or more Justices of the Peace, having jurisdiction within the Town, shall, by precept in writing, under their hands, appoint so many of the inhabitants of such Town, not being legally disqualified, to act as special constables, whensoever they shall be required so to do, by the warrant of any Justice, but not otherwise; and every person so appointed shall take the oath in the proposed Bill contained.

That for the payment of the necessary Police and Police Establishments in the said Town, a half-yearly Town rate shall be levied, in manner

aforesaid, to be called the "Police Rate," which, when collected and paid to the Treasurer, in manner aforesaid, shall, by him, be kept in a separate account, to be called the "Police Fund," and shall be paid for police purposes, in such sums as shall be directed by warrant under the hand of the Mayor, countersigned by the Town Clerk:—Provided, that such police rate shall in no one year exceed the sum of _____ in the pound sterling, on the fair annual value of all rateable property within the Town.

That the Town Council shall have the same powers, in respect to Markets, as are given to the Commissioners under the Act 3 Victoria, No. 19.

That the Corporation may accept, and have veated in them any property, in trust, for charitable purposes.

That the Town Council may levy an annual "lighting rate," not exceeding _____ pence in the pound, computed on the annual value of all property which shall be situated in such portions of the town as shall be lighted at the expense of the Corporation.

That all lands or buildings, the property of Her Majesty, and used for public purposes, and all buildings hired by Government, and used for public purposes, and all buildings used exclusively for charitable purposes, and all buildings used exclusively as places for public worship, and all buildings exclusively used as schools of a public character, if inhabited only by the master or mistress of the school, shall be exempt from every rate whatsoever to be levied under the proposed Bill.

That it shall be lawful for the Corporation to do all things necessary for lighting all or any of the streets, market places, or other public ways or places within the town; and any person in any way destroying, damaging, or extinguishing any lamp, shall be liable to a penalty of not more than £10, and to make good the damage done, or be committed to gaol for six months.

That it shall be lawful for the Corporation to do all things necessary for the formation or repair of streets, roads, &c.; and any person in any way wilfully damaging the same, shall be subject to the same penalties and liabilities as for damaging lamps, &c.

That it shall be lawful for the Corporation to construct common sewers, drains, and water-courses, and keep them in repair; and any person who shall damage the same shall be subject to the same penalties and liabilities as for injuring lamps or streets, &c.

That it shall be lawful for the Corporation to hold, construct, and maintain such water-works as may be necessary for supplying the town with water, provided that no garden, yard, or inclosed ground planted as an ornament or shelter to any house, or as a nursery for trees, shall be used for such purposes, without the written consent of the owner or occupier.

That the rent to be paid to the Corporation for the supply of water, shall be regulated in proportion to the value of the house supplied; but it shall not be compulsory on the inhabitant of any house to be supplied with water by the Corporation; and any inhabitant may contract with the Corporation for such supply as he shall require; and any person injuring any such water-works

shall be liable to all the pains and penalties inflicted in cases of simple larceny.

That the Council may make bye laws for better regulating elections; for the suppression of nuisances; for regulating the sale of bread and butchers' meat; for regulating bathing; for the suppression of disorderly houses; for prohibiting forestalling and regrating; for regulating carters, porters, and drivers; for regulating slaughter-houses; for restraining offensive trades; for suppressing gambling of every description; for preventing obstructions in or upon the streets, wharfs, and waters of the town; for regulating the flagging, paving, and repairing of streets and roads; and generally for preserving the good order and government of the town; and to appoint, by such bye-laws, such fines (not exceeding £10) as they shall deem necessary for the prevention or suppression of such offences, and for enforcing such regulations; but no such bye law shall be in force until it shall have been approved by the Governor, and made public, by being affixed to the door of the Town Hall, and inserted in the *Government Gazette* for at least one week previously.

That all acts authorised to be done under the proposed Bill, save the making of bye laws, and all questions of adjournment or others, may be done and decided by the majority of the members of the Council present at any meeting held under the proposed Bill; and the Mayor, or in his absence, the Alderman, or in case no Alderman shall be present, the Councillor, whom the members of the Council then present shall choose in that behalf, shall preside at such meeting; and the Mayor may call a meeting of the Council whenever he shall think proper, on fixing a notice thereof, signed by him, on the outer door of the Town Hall; and in case the Mayor shall, at any time, refuse to call a meeting, on the written requisition of not less than eight members of the Council, it shall be lawful for such eight members to call a meeting, on three days notice as aforesaid, signed by such members; and in every case a summons shall be sent to each member, and no business shall be transacted at any such meeting but such as shall be specified in such notice and summons: Provided always, that there shall be four quarterly meetings of the Council, in every year, for the transaction of general business, and no notice of the business to be presented thereat shall be necessary.

That the Council may appoint Committees, out of their own body, for adjustment of any matters which they may consider would be better arranged by such Committees; provided that the acts of such Committees shall always be submitted to the Council for approval.

That the Treasurer shall keep true accounts of all monies received and paid by him, which shall at all times be open for the inspection of the Mayor, Aldermen, or Councillors; and such accounts, with the vouchers relating thereto, shall be examined and audited by the Auditors, and such member of the Council as the Mayor may appoint, and shall be signed by them on being found correct; and the Treasurer shall make out a full abstract thereof in each year, and cause the same to be printed; and copies thereof shall be delivered to all rate payers applying for the same, on payment of such reasonable sum as shall be fixed by the Council.

That the Town Clerk, Treasurer, Collectors, and all other officers of the Corporation shall, during the time they shall hold office, and for two months after they shall have ceased to hold office, account to the Council, or any person by them authorised in that behalf, for all matters committed to their charge—stating the names of all persons who shall not have paid the monies due by them under the proposed Bill, and specifying the amount due for each; and every such Officer shall pay over to the Treasurer, or other person appointed by the Council to receive the same, the balance due by him, and deliver up all such accounts, with the vouchers relating thereto, or in default thereof, such balance may be levied by distress and sale of such officer's goods and chattels, and the party be committed to gaol until he shall deliver up such accounts and vouchers, or satisfactorily account for the same.

That the Council may remove from office any Town Clerk, Treasurer, or Collector, or such other Ministerial and Executive Officer of the Body Corporate as shall have been elected or appointed by them; and such officers, respectively, shall deliver up all such monies, accounts, and vouchers as shall belong to the Corporation, or be subject to the penalties aforesaid.

That the Council may borrow money on the credit of the Corporation, by mortgage or otherwise, provided the sum borrowed shall not exceed three years average revenue of the Corporation; and that no sum be so borrowed, which would, if added to the previous debts of the Corporation, make the aggregate of their debts to exceed the amount of three years, average revenue.

That the charters, deeds, muniments, and records of the Corporation, or relating to the property thereof, shall be kept where the Council shall appoint, and shall be in the custody of the Town Clerk for the time being.

That such portion of all fines and penalties which shall be incurred within the limits of the Town, under any Act of Ordinance now in force, as shall thereby be directed to be applied for the public uses of the Colony, shall, after the passing of the proposed Bill, be appropriated towards the local improvement and for the general benefit of the Town, and shall be paid over to the Treasurer, and be by him kept in a separate account; but the Governor may still remit the whole or any part of any such fine or penalty.

That the Governor may appoint presiding and other necessary officers to conduct the first elections under the proposed Bill.

No. 2.—“ *A Bill to Incorporate the Inhabitants of the Town of MELBOURNE.*”

It is proposed by this Bill to Incorporate the Inhabitants of the Town of Melbourne, in like manner as those of the Town of Sydney; the only difference of consequence in the provisions of the two Bills being, that Melbourne is to be divided into four wards only, with an Alderman for each; and that after the full number of Councillors, to be regularly elected in any year, shall have declared their acceptance of Office, no new election shall be made in such year, by reason of any extraordinary vacancy, unless the number of the whole Council, including the Mayor

and Aldermen, shall then be less than *twelve*, in which case the full number of Councillors for each ward shall be completed.

*Colloquial Secretary's Office,
Sydney, 18th April, 1842.*

ONE HUNDRED POUNDS REWARD;

OR,

A FREE PARDON AND PASSAGE TO ENGLAND.

WHEREAS it has been represented to the Government, that on the night of the 23rd of February last, a party of six or more Europeans surprised a number of Aboriginal natives, sleeping in a tea-tree scrub, in the immediate vicinity of the station of Messrs. Smith & Osbrey, in the Portland Bay District, and then and there barbarously murdered three Aboriginal females and one male child, by gun or pistol shots, besides wounding a fourth female;—His Excellency the GOVERNOR directs it to be notified that a Reward of One Hundred Pounds will be paid to any Free person or persons (except the actual perpetrator) who shall give such information as shall lead to the conviction of the parties guilty of the above crime; and if the party giving such information be a Prisoner of the Crown, application will be made to Her Majesty for the allowance of a Free Pardon and a Passage to England to such Prisoner of the Crown.

By His Excellency's Command,

F. DEAS THOMSON.

*Water Police Office,
Sydney, 2nd May, 1842.*

NOTICE is hereby given, that the usual License of Departure was this day granted to William M'Donald, to proceed in the *Royal George*, bound to India, agreeably to the 10th section of the Act of Council, 4 Victoria, No. 17.

H. H. BROWNE, J. P.,

(1449) *Superintendent of Water Police.*

*Water Police Office,
Sydney, 2nd May, 1842.*

NOTICE is hereby given, that the usual Licenses of Departure were this day granted to the following persons, viz:—Alfred Newman and Matthew Murphy, to proceed in the brig *Agnes*, bound to Valparaiso; and William Allingham, to proceed in the brig *Maguashar*, bound to Hobart Town, agreeably to the 10th section of the Act of Council, 4 Victoria, No. 17.

H. H. BROWNE, J. P.,

(1450) *Superintendent of Water Police.*

*Water Police Office,
Sydney, 2nd May, 1842.*

NOTICE is hereby given, that the usual License of Departure was this day granted to William Harper, to proceed in the brig *Maguashar*, bound to Hobart Town, agreeably to the 10th section of the Act of Council, 4 Victoria, No. 17.

H. H. BROWNE, J. P.,

(1453) *Superintendent of Water Police.*

Colonial Secretary's Office,
Sydney, 29th April, 1842.

BANK OF AUSTRALASIA.

THE following Half Yearly average of the Weekly Liabilities and Assets of the Bank of Australasia, within the Colony of New South Wales, from the 12th October last, to the 11th Instant inclusive, having been transmitted to the GOVERNOR, His Excellency has directed the publication of the same, for general information, in conformity with the Charter of the Bank.

By His Excellency's Command,

E. DEAS THOMSON.

A RETURN of the Half-Yearly Average of the Weekly LIABILITIES and ASSETS of the BANK of AUSTRALASIA, within the Colony of New South Wales, from the 12th October, 1841, to 11th April, 1842, inclusive.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Notes in Circulation, not bearing Interest	50137 3 0	Gold, Silver, and other Metals ..	116625 0 1
Bills in Circulation, not bearing Interest	36386 16 5	Landed Property	13771 5 4
Bills and Notes in Circulation, bearing Interest.		Bills of other Banks.	
Balances due to other Banks.		Balances due from other Banks.	
Cash deposited, not bearing Interest.		Debts due to the Bank, including	
Cash deposited, bearing Interest	243553 15 5	Notes, Bills, &c., &c. . . .	627260 12 8
Total Liabilities within the Colony	£330077 14 10	Total Assets within the Colony.	£757656 18 1

CHARLES FALCONER, *Manager.*
J. M. SAUNDERS, *Accountant.*

*Police Office, Singleton,
23rd April, 1842.*

WHEREAS Owen Moriarty, free by servitude, whose description is annexed, stands charged, on oath, with Forgery and uttering Forged Orders; a Reward of Two Pounds will be paid by the undersigned on his being apprehended and placed in the custody of the Police, a warrant being out against him.

S. H. HORNE,
Chief Constable.

DESCRIPTION.

The said Owen Moriarty is a pale, small sized, emaciated man, by trade a tailor, with a broad Irish accent, hair thin on the top of his head, and was well known in the Ironed and Road Gangs at Parramatta.

*Police Office, Queanbeyan,
Sydney, 27th April, 1842.*

NOTICE is hereby given, that such portion of the undermentioned Property, taken from William Billingsley, per ship *Phœnix*, lately holding a Ticket of Leave, will be Sold by Auction, at the Pound, Queanbeyan, on Saturday, the 28th day of May next, at Twelve o'clock at noon, as may be sufficient to meet the claims of such of the Creditors of the said William Billings-

ley, as shall prove the same before the Police Magistrate, before the day of Sale, viz:—

- Thirty-seven head of cattle
- Two horses
- About two hundred and fifty bushels of wheat
- A small portion of hay
- One cart
- One pig
- Twelve fowls
- Dairy and kitchen utensils
- One shaft bullock

By order of the Police Magistrate,
ALFRED WITTS,
Chief Constable.

In the Insolvent Estate of BENJAMIN SINGLETON.

NOTICE TO CREDITORS.

TAKE NOTICE, that on the second day of June next ensuing, the above named Insolvent intends to apply to the Honorable the Supreme Court for the allowance of his certificate, in pursuance of the provisions of the Act of the Governor and Council of New South Wales, passed in the fifth year of the Reign of Her Majesty Queen Victoria, No. 17.

GEORGE C. STEWART,
Trustee.

Colonial Treasury,

Sydney, 28th April, 1842.

SALE OF OCCUPATION LICENSES.

At Eleven o'clock, on THURSDAY, the 16th day of June next, the Colonial Treasurer will put up to AUCTION, at the Colonial Treasury, the Licenses to occupy, under the Regulations of the 21st August, 1841, for one Year, from 1st July next, the undermentioned Portions of Land, which are at present under Lease to the respective parties hereunder mentioned, but the Leases of which will expire on the 30th of June next. The upset price of each License will be £5 per section.

Lots for which Licenses will now be sold.	Lots in Original Notice	COUNTY.	PARISH OR SITUATION.	ACRES.	PRESENT LESSEE.
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ORIGINAL NOTICE, DATED 20th APRIL, 1841.

Let on 20th May, 1841.

1	8	Westmoreland	Near Coolung	640	John Wild
2	9	Camden	Near Bullio	750	do
3	10	Macquarie	Wilson's River	640	Joseph Wilson
4	21	Murray	Kurraducbidgee	700	Edward Bassingthwaight
5	27	Georgiana	Near Jeremy	640	Frederick W. Perry
6	31	Argyle	Nerrimunga Creek	800	John Durkin

Lots as re-let June 17, 1841.

ORIGINAL NOTICE, DATED 28th MARCH, 1840.

Re-let 17th June, 1841, by Notice dated 17th May, 1841.

7	24	Georgiana	Near Butmaro	640	Robert C. Lethbridge
8	26	do	do	1050	do
9	30	do	Near Tyrll Tyrll	640	John Hillas
10	31	do	do	640	do
11	33	do	do	640	do
12	35	do	do	640	do
13	37	do	do	640	do
14	38	do	do	640	do
15	40	do	do	640	do
16	45	St. Vincent	Near Pergoga	750	John M'Lean
17	46	do	do	950	do
18	47	do	do	700	do

ORIGINAL NOTICE, DATED 23rd FEBRUARY, 1839.

Re-let 17th June, 1841, by Notice, dated 17th May, 1841.

19	55	St. Vincent	Corang River	640	Edward Shipley
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ORIGINAL NOTICE, DATED 30th MARCH, 1839.

Re-let 17th June, 1841, by Notice dated 17th May, 1841.

20	56	Georgiana	Abercrombie River	640	Samuel Blackman
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ORIGINAL NOTICE, DATED 11th MAY, 1839.

Re-let 17th June, 1841, by Notice dated 17th May, 1841.

21	70	Murray	On Nerriga Creek	640	Thomas B. Wilson
22	75	Bathurst	Parish of Galbraith	640	William Stewart
23	76	do	do	640	do
24	77	do	do	640	do
25	78	do	do	640	do
26	79	do	do	640	do

Lots for which Licenses will now be sold.

Lots in original notice.

COUNTY.	PARISH OR SITUATION.	ACRES.	PRESENT LESSEE.
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ORIGINAL NOTICE, DATED 19TH MAY, 1841.

Let on 17th June, 1841.

27	102	Argyle	Wollondilly River	640	William Symonds
28	113	Gloucester	Mount Tallowall	640	Rev. Henry Carmichail
29	114	do ..	do ..	700	do
30	124	Westmoreland ..	Fish River Creek	550	William Hodges
31	125	do ..	do ..	640	do
32	128	Camden	Kangaroo Ground	900	A. B. M'Donald
23	129	Macquarie	Wilson's River	640	Henry Allan

C. C. RIDDELL.

Agent's Office, 2, Wentworth Place,
Sydney, 27th April, 1842.

WITH reference to the Notice of Sale of Leases of Church and School Lands, advertized in the *Gazette* of 22nd March last, to take place on the 14th June, it is to be observed that the following additional regulations have been made.

The deposit on the rental, to be paid down at the time of Auction, is raised from 25 to 50 per

cent. Those Lots also, on which deposits have been forfeited, to be open to selection to the first applicant (if approved) at the forfeited price.

The Agent is empowered to receive Tenders for Lands that have been submitted once to public Auction, and allowed to conclude private bargains.

No offer will be entertained less than the minimum upset price.

In addition to the Sale of Leases already advertized for the 14th June next, the following will likewise be submitted.

Lots.	Numbered on Lithographed Plan.	Acres.	County.	Parish.	Upset Rental, per acre per annum.
37	3	640	Bathurst	Apsley .....	..
38	4	841	do	do .....	..
39	5, 6, 7	1740	do	do	4d.
40	14, 13, 12	2003	do	do .....	..
41	20, 21, 22	2025	do	do	4d.
42	23, 24, 25	1883	do	do	3d. }
43	{ 32, 33, 34 35, 36, 37 }	4072	do	Oakley	..
44	31, 38	1280	do	do .....	..
45	50, 62, 76	1920	do	do .....	..
46	51, 61, 77	1920	do	do	4d.
47	52, 53, 54, 55	2442	do	do	3d.
48	{ 56, 57, 58, } { 59, 60, }	3319	do	do	3d.
49	78, 79, 80, 81,	2579	do	do .....	..
50	{ 26, 27, 28, } { 29, 30, }	3203	do	Ponsonby	..
51	{ 39, 40, 41, } { 42, 43, }	3042	do	do .....	..
52	{ 48, 49, 63, } { 64, 74, 75, }	3840	do	do .....	..
53	{ 46, 47, 65, } { 66, 72, 73, }	3840	do	do .....	..
54	45, 67, 71,	1920	do	do .....	..
55	44, 68, 69, 70	2326	do	do .....	..

OSWALD BLOXSOME,

Agent for Church and School Lands.

TABLE OF RATES to be charged for Trespass of Cattle, and the Sustenance thereof, whilst Impounded in the District of Maitland, under the provisions of the Act of the Governor and Council, 4th William IV., No. 3, and 4th Victoria, No. 1.

Description of Cattle, &c., Trespassing.	In any Forest, or open Pasture Land, open Stubble, after Grass, or other unenclosed Land.	In any Paddock of Grass, enclosed by a good and substantial Fence.	In any Garden, ancient Meadow, or growing Crop of any kind, enclosed by a good and substantial fence.	s. d. 1 0 0 4 0 0½ 0 6
	s. d. 0 6 0 6 0 0½ 0 3	s. d. 2 6 2 6 1 0 5 0	s. d. 5 0 5 0 1 0 5 0	
For every Horse, Mare, Gelding, Colt, Filly, Ass				
For every Mule, Bull, Cow, Ox, Heifer, Steer, Calf				
For every Ram, Ewe, Sheep, Lamb, or Goat				
For every Pig				

Fixed by the Justices in Petty Sessions assembled, at Maitland, on the 19th day of April, 1842.

Allowed by His Excellency the Governor,
E. DEAS THOMSON.

By order of the Justices,
J. W. M'CURDY,
Clerk of Petty Sessions.

In the Insolvent Estate of HENRY SCOPE.
(Under Act of Council, 5 Victoria, No. 17.)
W. CURREY, Accountant, having been confirmed Trustee in the above Estate, this is to give notice that all Debts due to the same are to be paid to him; and a third General Meeting of the Creditors will be held before me, at the Supreme Court House, Sydney, on Monday, the 30th day of May, 1842, at the hour of Ten in the Forenoon, there and then to receive further proof of Debts, and to receive the report of said Trustees as to the condition of said Estate, also to give him directions as to the future management of the same.—Sydney, 30th April, 1842.
WILLIAM H. KERR,
Chief Commissioner.
(1447)

In the Insolvent Estate of SAMUEL CLARKE, Innkeeper, Parramatta.
(Under Act of Council, 5 Victoria, No. 17.)
GEOERGE CHARLES STEWART, Accountant, having been confirmed Trustee to the above Estate, this is to give notice that all Debts due to it are to be paid to him forthwith.—Sydney, 29th April, 1842.
WILLIAM H. KERR,
Chief Commissioner.
(1444)

In the Insolvent Estate of JAMES HAFORD, Surgeon.
(Under Act of Council, 5 Victoria, No. 17.)
GEOERGE CHARLES STEWART, Accountant, having been confirmed Trustee to the above Estate, this is to give notice that all Debts due to it are to be paid to him forthwith.—Sydney, 29th April, 1842.
WILLIAM H. KERR,
Chief Commissioner.
(1443)

In the Insolvent Estate of J. B. RUBIE, Clerk, Woolloomooloo.
(Under Act of Council, 5 Victoria, No. 17.)
GEOERGE CHARLES STEWART, Accountant, having been confirmed Trustee to the above Estate, this is to give notice that all Debts due to it are to be paid to him forthwith.—Sydney, 29th April, 1842.
WILLIAM H. KERR,
Chief Commissioner.
(1442)

In the Insolvent Estate of S. JENNER, Horse Dealer, of Maitland.
(Under Act of Council, 5 Victoria, No. 17.)
GEOERGE CHARLES STEWART, Accountant, having been confirmed Trustee to the above Estate, this is to give notice that all Debts due to it are to be paid to him forthwith.—Sydney, 29th April, 1842.
WILLIAM H. KERR,
Chief Commissioner.
(1445)

In the Insolvent Estate of DANIEL CALLAGHAN, of Sydney, Carpenter.
(Under Act of Council, 5 Victoria, No. 17.)
GEOERGE C. STEWART, Accountant, having been confirmed Trustee to the above Estate, this is to give notice that all Debts due to the same are to be paid to him; and that a third General Meeting of the Creditors will be held before me at the Supreme Court House, Sydney, on Thursday, the 26th day of May, 1842, at the hour of Ten o'clock in the Forenoon, then and there to receive further proof of Debts, and to receive the report of said Trustee as to the condition of said Estate, and also to give him directions as to the future management of the same.—Sydney, 28th April, 1842.
WILLIAM H. KERR,
Chief Commissioner.
(1439)

In the Insolvent Estate of J. TURNBULL, Farmer, of Portland Head.
(Under Act of Council, 5 Victoria, No. 17.)
GEOERGE C. STEWART, Accountant, having been confirmed Trustee to the above Estate, this is to give notice that all Debts due to

the same are to be paid to him; and that a third General Meeting of the Creditors will be held before me at the Supreme Court House, Sydney, on Wednesday, the 1st day of June, 1842, at the hour of Ten in the Forenoon, then and there to receive further proof of Debts, and to receive the report of said Trustee as to the condition of said Estate, also to give him directions as to the future management of the same.—Sydney, 2nd May, 1842.

WILLIAM H. KERR,

(1440) *Chief Commissioner.*

In the Insolvent Estate of SAMUEL CLARK, of Parramatta, Innkeeper.

TAKE Notice, that on the 12th day of June next ensuing, the above-named Insolvent intends to apply to the Honorable the Supreme Court, for the allowance of his Certificate, in pursuance of the Act of the Governor and Council, 5 Victoria, No. 17.

G. C. STEWART,

Trustee.

(1441)

In the Insolvent Estate of J. VERCOE, Coffee House Keeper, Pitt-street, Sydney.

(Under Act of Council, 5 Victoria, No. 17.)

ON Thursday, the 12th instant, will be sold by Public Auction, on the Premises, all the Household Furniture and other Effects of the above-named Insolvent, consisting of—

Four lamps
Two large sets dining tables
Five Pembroke and other tables
Three dozen mahogany and other chairs
Five bedsteads and mattresses
Two chests drawers
Two looking glasses
Five wash-stands and ware
Eleven stretchers and mattresses
One Brussels carpet
One grate, fender, and fire-irons
One night-commode
One writing desk
One dial
Carpenter's bench, wheel-barrow, and tools.

A large assortment of kitchen requisites, crockery, glass, &c., with the whole of the fixtures, gas-fittings, and unexpired Lease of the premises

WILLIAM CURREY,

Sole Trustee.

(1441)

NOTICE is hereby given, under the 60th and 77th Sections of the Insolvent Act, of the Sequestration of the Estate of John Lee Gill, and of the appointment of the undersigned as Trustee, also, that the Chief Commissioner has directed the third Meeting of the Creditors to take place at his Office, on the 11th day of May next, at 11 o'clock, for the purpose of receiving proof of debts, the report of the Trustee, and for directing the Trustee in the Management of the said Estate.—Melbourne, 18th April, 1842.

JOHN PASCOE FAWKNER.

(1446)

In the Supreme Court of }
New South Wales.

IN CHANCERY.

DANIEL COOPER, Plaintiff,

AND

JOHN PATRICK, HUGH WATT, and CHARLOTTE his wife, MARY PATRICK, EMMA PATRICK, CATHERINE PATRICK, JOHN BRAY, and JOSEPH WARD, Defendants.

TAKE notice, that unless you appear in this Honorable Court, and clear your contempt, and put in your answer to the Plaintiff's Bill, filed against you in this Cause, on or before the thirty-first day of this present month, I shall proceed to a decree *ex parte*.—Dated this 2nd day of May, 1842.

Your's, &c.,

JAMES NORTON,

Plaintiff's Solicitor.

To Catherine Patrick, the }
above-named Defendant. } (1452)

In the Supreme Court.

Sheriff's Office, Sydney,

2nd May, 1842.

NEWTON v. MITCHELL.

ON MONDAY, the 6th day of June next, at noon, at the Royal Hotel, Sydney, the Sheriff will cause to be sold by Public Auction, under and by virtue of the authority to him in that behalf given, by an Act of Council, 5 Victoria, No. 9, all the right, title, interest and estate of the above-named defendant, in and to the equity of redemption of all those Two Acres of Land, situate at Mundarlo Flat, on the Murrumbidgee, with the buildings thereon, known by the name of the *Travellers' Rest Inn*. This Inn possesses excellent accommodations, and is now leased to Mr. Isaac Vincent, who carries on the business of a Publican, unless this execution is previously satisfied.

CORNELIUS PROUT,

(1451)

Under Sheriff.

In the Supreme Court.

Sheriff's Office,

Sydney, 22nd April, 1842.

CAMPBELL v. LYNCH.

SHAW v. Same.

GOULD v. Same.

ON Wednesday, the 25th day of May next, at Noon, at the Royal Hotel, Sydney, the Sheriff will cause to be Sold by Public Auction, under and by virtue of the authority to him in that behalf given, by an Act of Council, 5 VICTORIA, No. 9, all the right, title, interest, and estate, of the above Defendant, in and to the Equity of Redemption of all those two roods of Land situate in the township of Bungonia, parish of Bungonia, county of Argyle, allotment No. 12 of section 3; bounded on the north by allotment No. 11, west 5 chains; on the west by King-street south, 1 chain; on the south by allotment No. 13, east 5 chains; and on the east by part of allotment No. 1, north 1 chain; being the allotment sold as lot No. 6, in pursuance of the Advertisement of the 13th day of October, 1835.

And also, all those two roods of Land in the

town and parish of Bungonia aforesaid, being allotment No. 13 of section 3; bounded on the north by allotment No. 12, 5 chains; on the west by King-street south, 1 chain; on the south by allotment No. 14, east 5 chains; and on the east by part of allotment No. 1, north 1 chain; being the allotment sold as lot No. 7, in pursuance of the Advertisement of the 13th day of October, 1835.

And also, all those two roods, in the town and parish aforesaid, allotment No. 14 of section 3; bounded on the north by allotment No. 13, west 5 chains; on the west by King-street south, 1 chain; on the south by allotment No. 15, east 5 chains; and on the east by part of allotment No. 1, 1 chain; being the lot sold as No. 8, in pursuance of the Advertisement of the 13th day of October, 1835.

And also, all those two roods of Land, in the town and parish of Bungonia, being allotment No. 15 of section 3; bounded on the north by allotment No. 14, west 5 chains; on the west by King-street south, 1 chain; on the south by a Church reserve, west 5 chains; and on the east by part of allotment No. 1, north 1 chain; being the allotment sold as lot No. 9, in pursuance of the Advertisement of the 13th day of October, 1835.

And also, all those two allotments of Land, containing one acre, being lots 5 and 6 of section No. 2, in the town and parish of Bungonia, county of Argyle aforesaid; bounded on the west by King-street, 2 chains; on the north by allotment No. 4, 5 chains; on the east by part of a reserve and part of allotment No. 11, 2 chains; and on the south by allotment No. 7, 5 chains; being in lieu of and in compensation for an allotment promised to one William Jones, by Governor Darling, in the Old Township of Bungonia.

And also, all that parcel of Land, containing by admeasurement, two roods, more or less, in the township of Bungonia, being allotment No. 11 of section 3; bounded on the north by Gooderich-street east, 500 links; on the east by allotment No. 1,

south 100 links; on the south by allotment No. 12, west 500 links; and on the west by King-street north, 100 links, unless these Executions are previously satisfied.

CORNELIUS PROUT,

(1395)

Under Sheriff.

In the Supreme Court.

Sheriff's Office,

Sydney, 2nd May, 1832.

WALFORD v. CUMMINGS.

OTHERS v. SAME.

ON Monday, the 6th day of June next, at Noon, at the Royal Hotel, Sydney, the Sheriff will cause to be Sold by Public Auction, under and by virtue of the authority to him in that behalf given, by an Act of Council, 5 Victoria, No. 9, all the right, title, interest, and estate, of the above Defendant, in and to the Equity of Redemption of all the following messuages and Dwelling Houses in the Town of Sydney:—

All that Dwelling House, situate in Phillip-street, now occupied by Defendant's wife, and known as the Lemon Tree Public House.

All that Dwelling House, situate in Phillip-street, and now in the occupation of Mr. Kinchela.

Also, all that Dwelling House, situate in Liverpool-street East, and for some time past in the occupation of Mr. Lewis, the Colonial Architect, together with the vacant Land adjoining, unless those Executions are previously satisfied.

CORNELIUS PROUT.

(1454)

Under Sheriff.

Sydney:—Printed by WILLIAM JOHN ROW, Government Printer, and Published by him at the Government Printing Office, Bent-street.—May 3, 1842.