



NEW SOUTH WALES
GOVERNMENT GAZETTE,

Published by Authority.

FRIDAY, JANUARY 14, 1842.

PROCLAMATION.

By His Excellency SIR GEORGE GIPPS, Knight,
 Captain General and Governor in Chief of the
 Territory of New South Wales and its Depen-
 dencies, 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 fourth year of the Reign of Her
 Majesty Queen Victoria, intituled "An Act to
 amend an Act, intituled 'An Act to repeal an
 Act of the Governor and Council of New South
 Wales, intituled 'An Act to authorise the erection
 of Pounds, and for regulating the Impounding of
 Cattle, and to make further and other provisions
 in lieu thereof, and to extend the provisions there-
 of,'" it was, amongst other things, enacted,
 that whenever the Governor, or acting Gov-
 ernor, for the time being, should deem it ex-
 pedient and advantageous to extend the provisions
 of the said Act, passed in the fourth year of the
 Reign of His late Majesty King William the
 Fourth, so far as the same relate to any person
 suffering any Cattle belonging to him or in his
 charge, to stray or go about, or to be tethered or
 depastured in any street or public place, within
 the limits, or reputed limits, of the several towns,
 in the said Act mentioned, to such other Towns
 now erected, or hereafter to be erected or estab-
 lished, at any place within the said Colony, as
 might thereafter be deemed necessary 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 Procla-
 mation, to be published in the *Government
 Gazette*.

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 declare that so much of the provisions of
 the said Act, passed in the fourth year of the Reign
 of His late Majesty, King William the Fourth, as
 is hereinbefore particularly specified, be extended

to the Town of Portland, in the District of Port
 Phillip.

Given under my Hand and Seal, at Govern-
 ment House, Sydney, this sixth day of
 January, in the Year of Our Lord One
 thousand eight hundred and forty-two.

L.S. (Signed) GEORGE GIPPS.

By His Excellency's Command,
 E. DEAS THOMSON.
 GOD SAVE THE QUEEN !

*Colonial Secretary's Office,
 Sydney, 6th January, 1842.*

HIS Excellency the GOVERNOR has been
 pleased to appoint

HENRY FIELD GURNER, ESQUIRE,

to be Clerk of the Peace and Crown Solicitor, at
 Port Phillip, in the room of Mr. Montgomery,
 resigned.

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

*Colonial Secretary's Office,
 Sydney, 10th January, 1842.*

THE GOVERNOR has been pleased to appoint

EDWARD MEREWETHER, ESQUIRE,

to be His Excellency's Colonial Aide-de-Camp,
 in the room of Captain Tyssen, resigned.

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

*Colonial Secretary's Office,
 Sydney, 10th January, 1842.*

HIS Excellency the GOVERNOR directs it to
 be notified that the Right Honorable the
 Secretary of State has been pleased to approve of
 the appointment of

WILLIAM ELYARD, JUNIOR, ESQUIRE,

to be Chief Clerk in this Department.

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

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

HIS Excellency the GOVERNOR has been pleased to appoint

WILLIAM MACPHERSON, ESQUIRE,
to be Registrar of the Supreme Court, in the room of John Edey Manning, Esq., until the pleasure of Her Majesty shall be known.

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

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

HIS Excellency the GOVERNOR has been pleased to appoint

JOHN MAUGHAN, of the District of Wellington,
Esquire,

to be a Magistrate of the Territory and its Dependencies.

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

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

HIS Excellency the GOVERNOR has been pleased to appoint

MR. JOHN LEAHY GRIFFIN

to be Registrar of the Court of Requests, at Melbourne.

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

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

HIS Excellency the GOVERNOR is pleased to direct the re-publication, from the *London Gazette*, of the 6th August last, of the following notice, relating to Emigration.

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

*Colonial Land and Emigration Office,
9, Park-street, Westminster, 31st July, 1841.*

THE following Regulations have been sanctioned by the Secretary of State, with reference to Emigration to New South Wales, on the Colonial Bounty:—

1st. All orders for Bounty, which are to be acted upon in 1841, are to be sent to this Office before the 1st of September next.

2nd. After the 1st of September next, no Certificates of Emigrants will be received at this Office.

3rd. No Bounty will be payable in respect of any passenger who shall leave this Country after the 1st of November next.

4th. All persons who possess, and intend to make use of orders on Bounty, shall produce at this Office, on the 1st March, 1842, and in each succeeding year, the authorities under which they act, exhibiting the numbers for whom they are authorised to look for payment in the Colony.

*By Order of the Board,
S. WALCOTT,
Secretary.*

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

**REWARDS FOR THE APPREHENSION
OF RUNAWAY CONVICTS.**

HIS Excellency the GOVERNOR directs it to be notified, with reference to the Government order of 1st June, 1841, respecting the payment of rewards for the apprehension of Convicts illegally at large, that the rewards therein specified (paragraphs 1 and 3) are to be considered to apply to the case of a Ticket of Leave holder who shall have absconded, or been absent, with intent to abscond, from his District, or be charged with any Transportable offence, or be an armed Bush-ranger or capital Felon, as well as to that of any other Convict.

His Excellency further desires it to be intimated that none but the printed certificates, prescribed by the circular letter from this Office, dated 1st June, 1841, can be admitted as vouchers for the payments made, as rewards; and it is particularly requested that the Magistrates will enjoin the Clerks of their Benches to pay strict attention to the instructions which have been given for their guidance in filling up the certificates, and in all cases in which the larger reward may be ordered, to state the reasons for allowing the same. Care should also be taken to insert in the certificate the number of the paragraph under which the reward is given, and the receipts of parties who cannot write should be witnessed.

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

*Colonial Secretary's Office,
Sydney, 11th January, 1842.*

TOWNSHIP OF NARRIGA.

NOTICE is hereby given, that a Site has been fixed upon for a Township at the under-mentioned place, and that a Copy of the approved Plan may be seen at the Office of the Surveyor-General, in Sydney, or at the Police Office, Braidwood, viz:—

NARRIGA, in the County of St. Vincent, at the Bewlee Crossing Place, on the River Eadrick, and on the new line of road from Braidwood to Jervis Bay.

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

*Colonial Secretary's Office,
Sydney, 27th December, 1841.*

LAND AND IMMIGRATION DEBENTURES.

HIS Excellency the GOVERNOR directs it to be notified, that Tenders will be received at this Office, to be endorsed "*Tender for Debentures*," until noon on Friday, the 14th day of January next, for the purchase of Land and Immigration Debentures, to the extent of Ten Thousand Pounds.

Payment will be required to be made in cash, and the Tender may include the whole of the above amount, or any part thereof, being an unbroken sum of Hundreds of Pounds.

These Debentures will be issued for sums of £100 each, under the signature of His Excellency

the Governor, and on the security of the Land Revenue of the Colony. They are to be current and to pass at the Colonial Treasury, in Sydney and Melbourne, in payment for Crown Lands. They will bear interest at the rate of five pence one farthing per £100 per diem, (being, with a slight fractional difference for the convenience of calculation, at the rate of 8 per cent. per annum,) payable quarterly, at the Colonial Treasury in Sydney or Melbourne.

The principal sum will be paid off at any time after the expiration of one year, on demand by the holder, at the Colonial Treasury, in Sydney; or, if payment be not so claimed, on three months notice being given by the Colonial Treasurer, in the *New South Wales Government Gazette*, at the expiration of which, interest will cease.

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

Colonial Secretary's Office,
Sydney, 1st January, 1842.

SIGNALS AT FORT PHILLIP,

FOR

VESSELS ARRIVING IN PORT JACKSON.

IT having been deemed expedient, in consequence of the increased Commerce of the Colony, to make some additions to the List of Places from which Vessels arriving in the Port are now signalled—His Excellency the GOVERNOR directs is to be notified, that, from the 1st of February next, the arrival of Vessels from any of the following places will be indicated by the hoisting, at the Telegraph at Fort Phillip, of the numbers appropriated to the same, as specified below, viz:—

- | | | |
|---------------------------------------|--|-----------------------|
| ENGLAND. | | 21. Holland |
| No. | | 22. Germany |
| 1. London | | 23. Russia |
| 2. Portsmouth | | 24. Sweden |
| 3. Plymouth | | 25. Spain |
| 4. Bristol | | 26. Portugal |
| 5. Liverpool | | |
| 6. Hull | | AFRICA. |
| 7. Lynn | | 27. Cape of Good Hope |
| 8. Any other Port of England | | 28. Mauritius |
| | | 29. Isle of Bourbon |
| SCOTLAND. | | |
| 9. Leith | | ASIA. |
| 10. Isle of Skye | | 30. Bombay |
| 11. Isle of Mull | | 31. Ceylon |
| 12. Greenock | | 32. Madras |
| 13. Any other Port of Scotland | | 33. Calcutta |
| | | 34. China |
| | | 35. Manilla |
| | | 36. Sincapore |
| | | 37. Lombock |
| | | 38. Java |
| | | 39. Timor |
| IRELAND. | | |
| 14. Dublin | | AUSTRALASIA. |
| 15. Belfast | | 40. Port Essington |
| 16. Londonderry | | 41. Moreton Bay |
| 17. Cork | | 42. Clarence River |
| 18. Any other Port of Ireland | | 43. Port Macquarie |
| | | 44. Port Stephens |
| | | 45. Newcastle |
| | | 46. Jervis Bay |
| EUROPE, not the United Kingdom | | |
| 19. France | | |
| 20. Belgium | | |

- 47. Twofold Bay
- 48. Corner Inlet
- 49. Port Phillip
- 50. Portland Bay
- 51. South Australia
- 52. King George's Sound
- 53. Western Australia
- 54. Launceston
- 55. Hobart Town
- 56. Norfolk Island

POLYNESIA.

- 57. New Zealand
- 58. Auckland
- 59. Bay of Islands
- 60. Port Nicholson
- 61. Chatham Islands
- 62. Society Isles
- 63. Friendly Isles.

- 64. Navigator's Isles.
- 65. Sandwich Isles

SOUTH AMERICA.

- 66. East Coast
- 67. West Coast
- 68. Falkland Islands

NORTH AMERICA.

- 69. United States
- 70. New Brunswick
- 71. Canada
- 72. West Indies

MISCELLANEOUS.

- 73. Coasting Voyage
- 74. Whaling Voyage
- 75. Discovery

The place from which any Vessel may arrive is to be signalled as soon as it can be ascertained, and before she enters the Port; and the entrance of the Vessel into Port, is to be denoted by the hauling down of the Ball at the yard arm, and her anchoring by the lowering of the whole of the Flags.

An Emigrant Ship is to be denoted by the numeral Pendant, hoisted above the Pilot's report.

When Troops are on board any Vessel arriving, the numeral Pendant is to be hoisted, without the Pilot's report.

In other respects the Signals will continue as at present.

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

Colonial Secretary's Office,
Sydney, 8th January, 1842.

SUPREME COURT.

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

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

*In the Supreme Court }
of New South Wales. }*

MONDAY, the third day of January, in the year of our Lord One thousand eight hundred and forty-two,

GENERAL RULE.

It is ordered that every Writ of Execution to be issued under the Act of the Governor and Council, 5 Victoria, No. 9. sec. 43, shall be in the form hereunder written, and that every such Writ shall be under the signature of a Judge.

Signed { JAMES DOWLING, C. J.
W. W. BURTON,
ALFRED STEPHEN.

FORM.

*In the Supreme Court
of New South Wales.*

VICTORIA, by the Grace of God of the United
Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith,
To the Sheriff of New South Wales,
GREETING:—

WE command you that of the Goods and Chattels,
Monies, and Securities for Money, Land, and
Heriditaments of C. D., you cause to be levied
the sum of £ _____, which
lately by a certain *Rule* (or *Order* or *Decree*) of
our Supreme Court of New South Wales, (if "in
Equity" or "in the Ecclesiastical Jurisdiction of
the said Court" add those words) bearing date the
day of _____ 18 _____,

(or last past, or instant) was ordered to be paid by
C. D. to one A. B. as by the said *Rule* (or *Order*
or *Decree*) now in our said Court appears; and
that you have that money in our said Court, at
Sydney, with the Writ on the _____ day of _____
next ensuing, to be there then
paid to the said A. B.—Witness the Honorable
Our Chief

Justice of Our said Court, at Sydney, the
day of _____ in the _____ year
of Our Reign.

(Signature of a Judge.) L. S.

GENERAL RULE.

It is ordered that the form of Writs of Inquiry,
and Writs of Trial, under the Act of the Governor
and Council, 4 Victoria, No. 22, sec. 26, and the
practice in relation thereto under the said Act as
amended in that respect by the Act of the Governor
and Council, 5 Victoria, No. 9, sec. 20, shall be
the same as nearly as may be as are used and fol-
lowed, respectively, under the Statute 3 and 4
William 4, c. 42, sec. 17, in the case of Writs of
the like nature directed to the Sheriff, in England:
provided that every such Writ shall be under the
Signature of a Judge, and that no other authority
for the issue thereof in any case shall be necessary.

Signed, } JAMES DOWLING, C. J.
W. W. BURTON,
ALFRED STEPHEN.

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

PARDON.

HIS Excellency the GOVERNOR directs it to
be notified, that in pursuance of instruc-
tions from the Right Honorable the Secretary of
State for the Colonies, an Absolute Pardon has
been granted to

Isaac Clay, per Sesostris, 1826.

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

*Colonial Secretary's Office,
Sydney, 12th January, 1842.*

PARDONS.

HIS Excellency the GOVERNOR directs it to
be notified, that in pursuance of instruc-
tions from the Right Honorable the Secretary of

State for the Colonies, Conditional Pardons have
been granted to the undermentioned individuals,
viz:—

Richard Whiting, per Andromeda, 1833.

Frederick Ward, per Hercules.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 14th January, 1842.*

SALE OF BUILDING ALLOTMENTS.

AT Eleven o'clock of THURSDAY, the 10th
day of February next, the Colonial Treas-
urer will put up to AUCTION, at the *Colonial
Treasury*, on the terms authorised by Government,
the undermentioned BUILDING ALLOT-
MENTS, which have already been advertised in
the notice of 10th December, 1841.

Further information respecting the allotments
may be obtained from the Surveyor General, or
the Agent for Church and School Estates, and
respecting the conditions of sale from the Colonial
Treasurer.

1. 26p., Twenty-six perches, allotment No. 1,
parish of St. Lawrence; commencing at a point
bearing east 11 degrees, north 82 feet 6 inches
from the Sydney boundary stone in Parramatta-
street; bounded on the south by that street, 54
feet; on the east by allotment No. 2, 130 feet; on
the north by allotment No. 5, 54 feet; and on
the west by Bay street, 130 feet. Upset price £10
per foot of frontage to Parramatta-street.

2. 26p., Twenty-six perches, allotment No. 2;
bounded on the south by Parramatta-street, 54
feet; on the east by allotment No. 3, 130 feet; on
the north by allotment No. 5, 54 feet; and on the
west by allotment No. 1, 130 feet. Upset price £10
per foot of frontage to Parramatta-street.

3. 26p., Twenty-six perches, allotment No. 3;
bounded on the south by Parramatta-street, 54
feet; on the east by allotment No. 4, 130 feet;
on the north by allotment No. 5, 54 feet; and on
the west by allotment No. 2, 130 feet. Upset
price £10 per foot of frontage to Parramatta-street.

4. 23p., Twenty-three perches, allotment No. 4;
bounded on the south by Parramatta-street, 54
feet; on the east by Symons' land, 130 feet;
on the north by allotment No. 5, 45 feet; and on
the west by allotment No. 3, 130 feet. Upset
price £10 per foot of frontage to Parramatta-street.

5. 1r. 10p., One rood and ten perches, allot-
ment No. 5; bounded on the south by allotments
Nos. 1, 2, 3, and 4, 207 feet; on the east by
Symons' land, 66 feet; on the north by allotment
No. 6, 203 feet; and on the west by Bay-street,
66 feet. Upset price £6 per foot of frontage to
Bay-street.

6. 1r. 9p., One rood and nine perches, allotment
No. 6; bounded on the south by allotment No. 5,
203 feet; on the east by Symons' land, 66 feet;
on the north by allotment No. 7, 199 feet; and on
the west by Bay-street, 66 feet. Upset price £6
per foot of frontage to Bay-street.

7. 1r. 8p., One rood and eight perches, allot-
ment No. 7; bounded on the south by allotment
No. 6, 199 feet; on the east by Symons' land, 66
feet; on the north by allotment No. 8, 195 feet;
and on the west by Bay-street, 66 feet. Upset
price £6 per foot of frontage to Bay-street.

8. 1r. 7p., One rood and seven perches, allotment No. 8; bounded on the south by allotment No. 7, 195 feet; on the east by Symons' land, 66 feet; on the north by allotment No. 9, 191 feet; and on the west by Bay-street, 66 feet. Upset price £6 per foot of frontage to Bay-street.

9. 1r. 6p., One rood and six perches, allotment No. 9; bounded on the south by allotment No. 8, 191 feet; on the east by Symons' land, 66 feet; on the north by allotment No. 10, 186 feet; and on the west by Bay-street, 66 feet. Upset price £6 per foot of frontage to Bay-street.

10. 1r. 4p., One rood and four perches, allotment No. 10; bounded on the south by allotment No. 9, 186 feet; on the east by Symons' land, 66 feet; on the north by allotment No. 11, 180 feet 10 inches; and on the west by Bay-street, 66 feet. Upset price £6 per foot of frontage to Bay-street.

11. 1r. 3p., One rood and three perches, allotment No. 11; bounded on the north by allotment No. 10, 180 feet 10 inches; on the east by Symons' land, 66 feet; on the north by allotment No. 12, 176 feet 10 inches; and on the west by Bay-street, 66 feet. Upset price £6 per foot of frontage to Bay-street.

12. 38p., Thirty-eight perches, allotment No. 12; bounded on the south by allotment No. 11, 176 feet 10 inches; on the east by Symons' land 52 feet 9 inches; on the north by Owen's land 173 feet 6 inches; and on the west by Bay-street 66 feet. Upset price £6 per foot of frontage to Bay-street.

13. 1r. 12p., One rood and twelve perches, allotment No. 13, commencing at the north-east corner of Mr. Grose's land; bounded on the east by Bay-street 107 feet 6 inches; on the north by allotment 14, 132 feet; on the west by allotment 15, 107 feet 6 inches; and on the south by Mr. Grose's land 132 feet. Upset price £6 per foot of frontage to Bay-street.

14. 1r. 12p., One rood and twelve perches, allotment No. 14; bounded on the east by Bay-street, 107 feet 6 inches; on the north by Glebe-street 132 feet; on the west by allotment No. 15, 107 feet 6 inches; and on the south by allotment No. 13, 132 feet. Upset price £6 per foot of frontage to Bay-street.

15. 1r. 12p., One rood and twelve perches, allotment No. 15; bounded on the east by allotments 13 and 14, 215 feet; on the north by Glebe-street 66 feet; on the west by allotment No. 16, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

16. 1r. 12p., One rood and twelve perches, allotment No. 16; bounded on the east by allotment No. 15, 215 feet; on the north by Glebe-street 66 feet; on the west by allotment No. 17, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

17. 1r. 12p., One rood and twelve perches, allotment No. 17; bounded on the east by allotment No. 16, 215 feet; on the north by Glebe-street 66 feet; on the west by allotment No. 18, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

18. 1r. 12p., One rood and twelve perches, No. 4. JANUARY 14, 1842.—2

allotment No. 18; bounded on the east by allotment No. 17, 215 feet; on the north by Glebe-street 66 feet; on the west by allotment No. 19, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

19. 1r. 12p., One rood and twelve perches, allotment No. 19; bounded on the east by allotment No. 18, 215 feet; on the north by Glebe-street 66 feet; on the west by allotment No. 20, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

20. 1r. 12p., One rood and twelve perches, allotment No. 20; bounded on the east by allotment 19, 215 feet; on the north by Glebe-street 66 feet; on the west by allotment No. 21, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

21. 1r. 12p., One rood and twelve perches, allotment No. 21; bounded on the east by allotment No. 20, 215 feet; on the north by Glebe-street 66 feet; on the west by allotments Nos. 22, 23, and 24, 215 feet; and on the south by Mr. Grose's land 66 feet. Upset price £5 per foot of frontage to Glebe-street.

By His Excellency's Command,

E. DEAS THOMSON.

Colonial Secretary's Office,

Sydney, 14th January, 1842.

SALE OF ALLOTMENTS IN SYDNEY

AT Eleven o'clock of THURSDAY, the 14th day of April next, the Colonial Treasurer will put up to AUCTION, at the *Colonial Treasury*, the undermentioned TOWN ALLOTMENTS, on the terms authorised by Government.

Further information respecting the allotments may be obtained from the Surveyor General; and respecting the conditions of Sale, from the Colonial Treasurer.

1. SYDNEY, 5 $\frac{1}{4}$, Five and one quarter perches, *parish of St. Phillip, allotment No. 1, at the Soldier's Point*, in section No. 55; bounded on the east by Union-street, 45 links; on the north by allotment No. 2, 76 links; on the west by allotment No. 18, 45 links; and on the south by Slip-street, 76 links. Upset price £65.

2. SYDNEY, 5 $\frac{1}{4}$, Five and one quarter perches, *allotment No. 2, at the Soldier's Point*; bounded on the east by Union-street, 45 links; on the north by allotment No. 3, 76 links; on the west by allotments Nos. 17 and 18, 45 links; and on the south by allotment No. 1, 76 links. Upset price £65.

3. SYDNEY, 5 $\frac{1}{4}$, Five and one quarter perches, *allotment No. 3, at the Soldier's Point*; bounded on the east by Union-street, 45 links; on the north by allotment No. 4, 76 links; on the west by allotments Nos. 16 and 17, 45 links; and on the south by allotment No. 2, 76 links. Upset price £65.

4. SYDNEY, 5 $\frac{1}{4}$, Five and one quarter perches, *allotment No. 4, at the Soldier's Point*; bounded on the east by Union-street, 45 links; on the north by allotment No. 5, 76 links; on the west by allotments Nos. 15 and 16, 45 links; and on the south by allotment No. 3, 76 links. Upset price £65.

5. SYDNEY, 5 $\frac{1}{4}$, Five and one quarter perches,

allotment No. 5, at the Soldier's Point; bounded on the east by Union-street, 45 links; on the north by allotment No. 6, 76 links; on the west by allotments Nos. 14 and 15, 45 links; and on the south by allotment No. 4, 76 links. Upset price £65.

6. SYDNEY, 5½, Five and one quarter perches, *allotment No. 6, at the Soldier's Point*; bounded on the east by Union-street, 45 links; on the north by allotment No. 7, 76 links; on the west by allotments Nos. 13 and 14, 45 links; and on the south by allotment No. 4, 76 links. Upset price £65.

7. SYDNEY, 5½, Five and one quarter perches, *allotment No. 7, at the Soldier's Point*; bounded on the east by Union-street, 45 links; on the north by allotment No. 8, 76 links; on the west by allotments Nos. 12 and 13, 45 links; and on the south by allotment No. 6, 76 links. Upset price £65.

8. SYDNEY, 5½, Five and one quarter perches, *allotment No. 8, at the Soldier's Point*; bounded on the east by Union-street, 45 links; on the north by allotment No. 9, 76 links; on the west by allotments Nos. 11 and 12, 45 links; and on the south by allotment No. 7, 76 links. Upset price £65.

9. SYDNEY, 8, Eight perches, *allotment No. 9, at the Soldier's Point*; bounded on the east by Union-street, 68 links; on the north by a Government Reserve, 76 links; on the west by allotments Nos. 10 and 11, 68 links; and on the south by allotment No. 8, 76 links. Upset price £100.

By His Excellency's Command,

E. DEAS THOMSON.

Commissariat Office,

Sydney, 1st January, 1842.

ANNUAL CONTRACTS.

NOTICE is hereby given, that Tenders will be received at this Office until Tuesday, the 15th day of February, at Noon, for furnishing for the Military and Convict Service, in the several Districts, the supplies undermentioned, in such quantities as may be required, during Twelve Calendar Months, commencing the 1st April next, under the conditions hereafter specified, viz.—

PROVISION.

1. The Military Ration being
 - 1lb. Fresh Meat
 - 1lb. Wheaten Bread
 - 1-7 of an imperial Quart of Rum
2. The Ration for Male Convicts being
 - 12 oz. Wheaten Bread
 - 14oz. Maize or Barley Bread
 - (the Contractor having the option of giving 20 oz. of Wheaten Bread for the whole.)
 - 8oz. Maize Meal
 - 1lb. Fresh Beef
 - 1oz. Brown Sugar
 - ½oz. Salt
 - ¼oz. Yellow Soap
3. The Ration for Female Convicts in the first and second classes.
 - 10oz. Wheaten Bread

10oz. Maize or Barley Bread
(the Contractor having the option of giving 16 oz. Wheaten Bread for the whole.)

- 6oz. Maize Meal
 - 12oz. Fresh Beef
 - 8oz. Vegetables
 - ½oz. Salt
 - 1½ oz. Brown Sugar
 - ½oz. Tea
 - ¼oz. Yellow Soap
4. Female Convicts in the third class.
 - 12oz. Wheaten Bread
 - 12oz. Maize Meal
 - 4oz. Fresh Beef
 - 8oz. Vegetables
 - ½oz. Salt
 - ¼oz. Yellow Soap
 5. For Children of two years and upwards.
 - 8oz. Wheaten Bread, best quality
 - 4oz. Fresh Beef
 - 4oz. Maize Meal
 - 1 Pint Milk
 - ¼oz. Yellow Soap
 6. For Children under two years
 - 8oz. Wheaten Bread, best quality
 - 4oz. Fresh Beef
 - 1 Pint Milk
 - ¼oz. Yellow Soap
 7. For Children under nine months.
 - 6 oz. Wheaten Bread, best quality
 - ½ Pint Milk
 - ¼oz. Yellow Soap
 8. For Boatmen, Sydney.
 - 1 5-16lb. 20 per cent. Flour
 - 1 2-16lb. Fresh Beef
 - 1oz. Sugar
 - ½oz. Salt
 - ¼oz. Soap

9. FORAGE.

The Ration of Forage being
8lbs. of Maize or Barley or 10lbs. Oats
4lbs. Bran
12lbs. of Oaten or cultivated Grass Hay
4lbs. Wheaten Straw

10. FUEL AND LIGHT.

Firewood, per 100lbs.
Sperm Oil } per Gallon, Imperial
Common Oil }
Mould Candles } per lb.
Dip Candles }
Cotton Wick }

11. FOR HOSPITALS, &c.

Fresh Beef
Fresh Mutton
Maize Meal
The best Wheaten Bread—Bread of 2nd and 3rd quality } per lb.
Arrowroot, Sago, Rice
Tea, Sugar, Oatmeal
Salt, Yellow Soap, Pearl Barley
Tobacco, Vegetables
Milk, per Quart
Port Wine, per Dozen
Vinegar, per Imperial Gallon
Roach Lime, per Bushel
Straw for Bedding, per 100lbs.

12. SUPPLIES FOR PENAL SETTLEMENTS.

Wheaten Meal, 20 per cent.
 Wheaten Meal, 10 per cent.
 Maize Meal, ditto
 Maize
 Biscuit
 Sugar, Tea
 Rice, Soap
 Colonial leaf Tobacco
 Rum, per Imperial Gallon
 to be packed and shipped at the expence of the Contractor.

per 100lbs.

DISTRICTS.

- | | |
|----------------------------------|---|
| 1. Sydney | 8. Penrith |
| 2. Parramatta | 9. Hartley |
| 3. Liverpool and
Campbelltown | 10. Bathurst |
| 4. Berrima | 11. Newcastle |
| 5. Illawarra | 12. Maitland, and |
| 6. Goulburn | 13. The Settlement
of
Port Macquarie. |
| 7. Windsor | |

The Limits of the Districts are the same as those adopted in the Division of the Colony into Police Districts, and a Map shewing the same may be seen at this Office.

CONDITIONS.

QUALITIES OF THE SUPPLIES.

1. All the articles shall be of the best quality of their several kinds.
2. The Bread shall be the produce of clean, sound Colonial Wheat, Barley and Maize, from which, on the Military Ration 20 per cent., and on the Convict Ration 10 per cent., has been extracted in bran and waste. The Wheaten Bread shall be made in loaves of 3lbs, and the Mixed Bread in loaves of 3½lbs. each, and baked 24 hours before being issued.
3. The Fresh Meat for the Military Ration shall be in the proportion of 5lbs. of Beef and 2lbs. of Mutton, Weekly, deliverable alternately in fore and hind quarters, when the quantity admits of it; for the Convict Rations, the Beef shall be delivered in the same manner; Salted Beef being issued only in summer to Road Parties, and when authorised.
4. The Maize Meal shall be similar in quality to the Wheaten Meal, and shall be twice ground.
5. The Vegetables for the Hospitals and other Establishments entitled thereto, shall be supplied in reasonable proportions of Potatoes, Greens, Pumpkins, Onions, &c.
- The Rum shall be West India, five per cent. under proof.

MODE OF DELIVERY.

6. No part whatever of the Supplies above specified shall be received in charge of the Commissariat, but shall all be delivered by the Contractor direct to the Parties or Establishments entitled thereto, upon the written order of the Commissariat Officer in charge of the District, or of the person authorised for that purpose.
7. At the several fixed Stations the Rations for the Troops, the Convict Establishments, and Road and other parties, shall be delivered by the Contractor at the Barracks, Establishments, or Huts, where the Parties to be supplied are stationed;

being previously to removal from the Contractor's Premises approved by a Person authorised for the purpose.

8. The Forage shall be delivered by the Contractor at the Establishments where the Horses or Cattle are stationed; and in case the whole Ration of Forage be not required or delivered, each of the species shall be reckoned as the proportion of the Ration undermentioned, viz. :—

The Maize or Barley	4-12ths.
The Hay	5-12ths.
The Bran.	2-12ths.
The Straw	1-12th.

GENERAL CONDITIONS.

9. Parties tendering may do so by either of the three following modes, at their option, viz. :—

1. The whole of the Supplies of every description, in each District, may be included in one Tender, as at present.
2. Or the Supplies may be tendered in sub-divisions, as below, by a separate Tender for each sub-division, viz. :—
 1. The Military Ration.
 2. The several Rations for Convicts are described from 2 to 8, inclusive.
 3. The Ration of Forage.
 4. The Ration of Fuel and Light.
 5. The supplies for Hospitals.
 6. The Supplies for the Penal Settlements, (Sydney).
3. Or the various articles comprising the several Rations referred to, as well as all those required for Hospitals and other purposes, may be tendered separately or singly, by weight and measure. The undersigned reserving to himself the power of accepting Tenders for supplying by any of these modes, which he may find most expedient.
10. Contractors supplying Road Parties on the Bathurst or other roads similarly situated, shall have at all times on the spot a supply for fourteen days in reserve, in the care of a competent Agent, to whom reference may be had in the Contractor's absence.
11. In the event of a difference of opinion between the Contractor and the party receiving the supplies, as to the quality, the same is to be decided by a Board of Survey, according to the practice of the Service. But in Country Districts, where a Board of Survey cannot be conveniently assembled, the Party objecting will name one person as Arbitrator, the Contractor or his Agent another, and these two will (previously to any other proceeding on their part,) concur in naming a third as umpire, who in event of the Arbitrators not agreeing in opinion, will be called upon for his decision, which shall be final.
- If the Board, Arbitrators, or Umpire, shall decide that the article is not according to the Conditions of the Contract, it must be immediately replaced by the Contractor, failing of which it will be procured, and the expense charged to his account.
12. It shall be in the power of either party to limit the duration of the Contract, by giving, in writing, a notice of three *calendar months* to the opposite Party, and to end the Contract at the expiration of that period, it being understood that such notice can be given only from the first day of

a month, and within the period for which the Contract is made, or agreed to be made; and not later than the 1st of August.

13. The Contractor shall prepare his own account monthly, according to the prescribed form; and on the production thereof, with the requisite vouchers in a complete state, shall receive payment either in British silver coin, or by a Bill on Her Majesty's Treasury, at the established rate of the period, at the option of the Senior Commissariat Officer.

14. The value of all packages shall be included in the price demanded.

15. Persons wishing to Tender are requested to apply either at this Office or to the Commissariat Officers in charge at the several Stations, who will furnish them with printed Forms for the purpose, and communicate further particulars; and as adequate security will be required for the due fulfilment of the Contracts, each Tender must be accompanied by a letter from the Parties proposed as such, stating that they are willing to become bound as securities for the Contractor accordingly; and no payment will be made upon any Contracts until the bonds have been executed.

16. The amounts of the Bonds required in the several Districts are as follows, if contracted for collectively, viz:—Sydney, £5,000; Parramatta, £2,000; Liverpool and Campbelltown, £1,000; Illawarra, £500; Goulburn, £500; Windsor, £1,000; Penrith, £1,000; Hartley, £1,000; Bathurst, £1,000; Newcastle, £1,500; Maitland, £500; Port Macquarie, £1,000.

17. Tenders are to be enclosed in a separate envelope, addressed to the undersigned, marked "Supplies for 1842," and no Tender made in consequence of this Advertisement shall be withdrawn or altered, but notice of those accepted shall be given within three days of the time of opening.

18. Flour in place of bread to be given for the Military Ration, when required, in the proportion of 14 2-7th ozs. of the former, for 16 ozs. of the latter.

19. The Contractor for the District of Sydney will also be required to furnish the Government Vessels, or casual purposes, any of the supplies under the head of Hospitals.

20. The Rations and Articles particularised under the head of Provisions, No. 1 to 12, may be required not only for the purposes specified, but also for any other purpose of the Military, Naval, and Convict services, should there be occasion for it.

WILLIAM MILLER,
Dep. Com. Gen.

*Commissariat Office,
Sydney, 10th January, 1842.*

TO BE SOLD BY PUBLIC AUCTION,
by MR. BLACKMAN, at the Commissariat Stores, on TUESDAY, the 18th instant, at Eleven o'clock,

Fifty-six bales of Wool, from Moreton Bay.

W. MILLER,
Dep. Com. Gen.

*Police Office, Sydney,
10th January, 1842.*

POUND REMOVAL.

NOTICE is hereby given that the Public Pound, commonly called the Petersham Pound, on the Parramatta Road, in the District of Sydney, has been removed from its late site to its former situation, opposite the Public House known as the "Bay Horse," on the Parramatta Road, for the convenience of Public resort thereto.

By Order of the Petty Sessions,
C. DELOHERY,
Clerk of Petty Sessions.

*Agent's Office, 2, Wentworth Place,
Sydney, 11th January, 1842.*

NOTICE is hereby given, that on TUESDAY, the 15th day of March next, the following LANDS, forming a portion of the Estates belonging to the late Church and School Corporation, will be put up to Public Auction, at the rear of the Colonial Treasury, on Leases for Twenty-one years, at an annual rental; the Sale to commence at Twelve o'clock precisely.

The following is the plan upon which these Lands will be offered for Public Competition:—

Leases to be granted for Twenty-one years, with the option to the Tenant to determine it at the expiration of the first or second term of seven years, on giving six months notice of his intention to the Agent.

The biddings at the time of Auction to refer only to the rental for the first term of seven years; the rental for the second and third terms to be increased in the following ratio:—If 4d. per acre is offered for the first term of seven years, the rental for the second term will be 6d., and the third term 8d. per acre, per annum.

The Lease will not contain any clause to prevent assigning or under-letting, but the under tenants will in no way be recognised by the Government, and the original Lessee always held responsible for the due payment of the rent.

The usual reservations regarding the right of making roads, constructing bridges, &c., will be introduced, but the reservation will not extend to Timber which the Tenant will be allowed to cut.

Any Lands not bid for at the time of Auction, will be left open for the selection of future applicants; in such cases the Government will not bind themselves to accept the minimum price, but any offers made will be submitted by the Agent for approval.

The rent will be required to be paid in advance; 25 per cent. deposit on the first year's rental, to be paid to the Agent at the time of Sale, and the residue within one month.

The rent for the remainder of the term, when the amount is above £30, to be paid half-yearly, in advance; below this amount, yearly.

The biddings will be upon the rent per acre; the upset rent per acre being fixed in each case by the Government.

Lithographic Plans of the Estates in question will be forwarded to parties applying for the same, by letter, to the Agent, of whom also further particulars may be obtained.

OSWALD BLOXSOME,
Agent for Church and School Lands.

LOTS.	Lots as Num- bered on Lithographed Plan.	ACRES.	COUNTY.	PARISH.	Upset
					Rental per acre, per annum.
					s. d.
1	1	2100	Durham.....	Uffington	0 7
2	5	1140	do	Butterwick .....	..
3	7	950	do	Middlehope	1 1
4	9	140	do	do	2 10
5	10	112	do	do .....	..
6	11	116	do	do .....	..
7	16	100	Northumberland	Gosforth.....	3 4
8	17	100	do	do	2 0
9	19	100	do	do .....	..
10	20	100	do	do .....	..
11	21	100	do	do .....	..
12	22	100	do	do .....	..
13	23	100	do	do .....	..
14	24	100	do	do .....	..
15	25	100	do	do .....	..
16	26	100	do	do .....	..
17	27	100	do	do .....	..
18	28	100	do	do .....	..
19	29	100	do	do .....	..
20	30	100	do	do .....	..
21	32	95	do	do .....	..
22	2	782	Cumberland	Rooy Hill.....	2 6
23	3	1185	do	do	0 8
24	4	1496	do	do	0 4
25	1	588	St. Vincent	Bruce.....	0 3
26	2	640	do	do .....	..
27	3	568	do	do .....	..
28	9	640	do	do .....	..
29	10	637	do	do .....	..
30	11	406	do	do .....	..
31	14	640	do	do	0 4
32	16	640	do	do .....	..
33	18	640	do	do .....	..
34	20	595	do	do .....	..
35	21	1062	do	do .....	..
36	22	640	do	do .....	..
37	23	640	do	do .....	..
38	26	640	do	Percy.....	0 4
39	27	640	do	do .....	..
40	49	1164	do	Boyle.....	..
41	50	670	do	do .....	..
42	51	640	do	do .....	..
43	52	640	do	do	0 3
44	53	648	do	do	0 5
45	54	663	do	do .....	..
46	55	640	do	do .....	..
47	57	628	do	do .....	..
48	58	789	do	do	0 4
49	61	675	do	do	0 5
50	65	779	do	do .....	..
51	66	549	do	do .....	..

OSWALD BLOXSOME,
Agent for Church and School Lands.

Principal Superintendent of Convicts' Office,
Sydney, 12th January, 1842.

CERTIFICATES of Freedom have been
prepared for the undermentioned Persons,
viz :—

Ashley Thomas, Bengal Merchant 1
Atkinson Francis, Bengal Merchant 1
Akers Charles, John 3

No. 4. JANUARY 14, 1842—3

Ashby William, Westmoreland 1
Ashmore Samuel, Neva 1
Aland Isaac, Bengal Merchant 1
Bellamy John, Hooghly 4
Bryan Daniel, Westmoreland 1
Burgess George, Susan 1
Brown Thomas, Surry 7
Burnett John, Aurora
Barrett Charles, Bengal Merchant 1

Brien Richard, Blenheim
 Beare George, Hero
 Beaumont Charles, Bengal Merchant 1
 Bennett Thomas, Henry Tanner
 Bowker Michael, Royal Sovereign 1
 Brabazon Patrick, Royal Admiral 5
 Bennett Mary, Numa
 Bailey George, Surry 5
 Blacklock Joseph, Westmoreland 1
 Blaney James, Aurora
 Bunt John, Surry 7
 Baldwin Henry, John Barry 3
 Byrne Patrick, James Laing
 Bantick Daniel, Aurora
 Bradburn Charles, Prince Regent 1
 Banghurst William, Aurora
 Braggett William, Susan
 Brennin John, Surry 7
 Brooke John, Lady Kennaway 1
 Bond John, Florentia 1
 Cassidy Michael, Guildford 2
 Crabbe Janet, George Hibbert
 Calpin John, Florentia 1
 Carter Matthew, Bengal Merchant 1
 Carpenter John, alias Davey, alias Shiverham,
 Surry 7
 Chandler Thomas Emerson, Surry 7
 Cone Samuel, Marquis Huntly 4
 Corban Robert, Blenheim
 Connor John, Portland 2
 Connors John, Hero
 Cummins Eliza, alias Findland, Andromeda 3
 Carr Mary, Buffalo
 Close George, Fairlie
 Crawford William, Hive
 Callanan Lawrence, Blenheim
 Cooper Zachariah, Bengal Merchant 1
 Connors Ellen, Numa
 Cusack Michael, Blenheim
 Davis John, Florentia 1
 Daly James, Royal Admiral
 Denis Gabriel, Parmelia 2
 Daniels Robert, Georgiana
 Duffy Michael, Bussorah Merchant 2
 Drew George, Henry Porcher 2
 Deadman Thomas, alias Debnam, Bengal Mer-
 chant 1
 Edlington Henry, Surry 7
 Edwards Margaret, George Hibbert
 Fitzgerald Bridget, Andromeda 4
 Fezard William, Hooghley 4
 Fitzgerald William, Java
 Fielding Francis, alias Davis, alias Wallace, An-
 dromeda
 Foley Ellen, Andromeda 4
 Frith Charles, Bengal Merchant 1
 Field Joseph, Henry Tanner
 Flanagan Denis, Medina
 Fenney William, Hive 1
 Flood James, Surry 7
 Farrell Patrick, Royal Admiral 5
 Franklin James, Planter 1
 Flinn John, Dunvegan Castle 2
 Forrestal Elizabeth, Surry 6
 Foley Catherine, alias Falkner, Andromeda 3
 Gomer John, Mary Ann 4
 Griffiths Richard, Lord Lynedoch 1
 Geary Patrick, Blenheim 1
 Graham William, Royal Sovereign 1
 Graham John, Westmoreland 1
 Griffiths John, Henry Porcher 2
 Gamble Richard, Hercules 3
 Gleeson Bridget, Andromeda 3
 Gillon Thomas, Princess Victoria
 Greenaway Thomas, Surry 7
 Grogan Andrew, James Laing
 Hamilton James, Susan 1
 Hodges John, Bengal Merchant 1
 Hall Peter, Vittoria
 Hedley Ann, Numa
 Herron William, Fairlie
 Hannon Michael, Forth 3
 Hickox Charles, Hooghley 4
 Hand Thomas, Mary Ann 5
 Hibberd John, Planter
 Hards Sarah, George Hibbert
 Hughes Benjamin, Henry Porcher 2
 Harris John, Lloyds
 Hunter John, Henry Porcher 1
 Hobbs John Christmas, Mary Ann 4
 Hutchinson Hannah, Numa
 Hastie Elizabeth, Buffalo
 Joll George, Manlius
 Jones John, Hooghley 4
 Jones William, Hive 1
 James Astle, James Laing
 Joseph Anthony, Lady Nugent
 Jewell James, Larkins 2
 Jones Isaac, Hive 1
 King John, Susan 1
 Kinsella Thomas, Cambridge
 Kennedy John, Hero
 Keen Thomas, Henry Porcher 2
 Kearney James, Parmelia 2
 Kitson John, Marquis Huntly 1
 Kelsey alias Kelshaw James, Roslin Castle 3
 Kenny Michael, Forth 3
 Kiernan Thomas, Lloyds
 King George, Heroine
 Lindsay Martin Alfred, Mary Ann 4
 Lemon John, Mary Ann 4
 Logan Michael, Manlius
 Lyons John, Hero
 Lyons Phillip, James Laing
 Loodle alias Yoodle Henry, Westmoreland 1
 Ledeley Patrick, Royal Admiral 5
 Lock Matthew, Albion 1
 Longbottom James, Minerva 5
 Marley Ralph, Bengal Merchant 1
 Matthew Richard Duson, Surry 7
 M'Glinn Patrick, Royal Sovereign 1
 Murphy James, Parmelia 2
 M'Graw Peter, Susan
 M'Kay Alexander, Manlius
 Moores Augustus, Hooghley 4
 Murray Cornelius, Guildford 7
 Mardell John, Bengal Merchant 1
 M'Namarra John, Java
 M'Coy Michael, Royal Admiral 3
 Montgomery Robert Shaw, Bengal Merchant 1
 Miller Alexander, Lord Lynedoch
 M'Donald Sarah, Buffalo
 Mitchell James, Susan 1
 Murray Rosannah, George Hibbert
 Murphy Michael, Royal Admiral 5
 Moran Mary, Roslin Castle 4
 M'Carthy Eugene, Eliza 6
 Moss James, Parmelia 1
 May Charles, Susan 1
 March John, Surry 7
 Mulholland Thomas, Royal Admiral 5
 Nedin Richard Neville, Royal Admiral 4

Oldfield Joseph, Hive 1
 O'Man James, Hero
 Ogilby Samuel, John Barry 3
 Ogilby Henry Richard, John Barry 3
 Parker George, Bengal Merchant 1
 Pottinger Charles, Mary Ann 4
 Partridge Timothy, Lady Nugent
 Pickering John, Surry 7
 Parfitt Jesse, Bengal Merchant 1
 Plues or Pluce Matilda, Buffalo
 Pickup William, Hive 1
 Parkes William, Bengal Merchant 1
 Porter William, Houghley 4
 Ray Joseph, Surry 7
 Robertson Hugh, Mariner 3
 Richards Ann, George Hibbert
 Ripley Charles, Hercules 4
 Rallings Thomas, alias Rawlins, Neva
 Randle John, Henry Tanner
 Rafferty William, Hero
 Richardson Emanuel, Westmoreland 1
 Reed Richard, Royal Admiral 5
 Raven Thomas, Marquis Huntley 1
 Ryan Catherine, Surry 6
 Stead Samuel, Surry 7
 Smith William, Champion
 Smith William, Manlius
 Stevenson Ann, Caroline
 Sookin Thomas, Henry Porcher 2
 Sampson John, Neva
 Smith James, Royal Admiral 5
 Swan Maria, Caroline
 Sanders John, Surry 7
 Simmons George, Cambridge
 Storey Robert, Countess Harcourt 2
 Spriggs John, Bengal Merchant 1
 Smith Sarah, Princess Charlotte
 Sheffield Joseph, Henry Porcher 2
 Spencer William, Henry Porcher 2
 Smith James, Prince Regent 4
 Strong George, Dunvegan Castle 2
 Slany Ann, Fanny 2
 Scott Thomas, Heroine
 Taylor William, Henry Porcher 2
 Taylor James, Henry Porcher 2
 Tattam John, Hive 1
 Torpy Matthew, Marquis Huntley 2
 Taylor Daniel, Westmoreland 1
 Taylor William, Surry 7
 Toner Mary, Surry 6
 Verdon Mary, Andromeda 3
 White William, John Barry 3
 Wray Henry, Bengal Merchant 1
 Williams Frederick, Mary Ann 4
 Williams James alias Rogers, Fairlie
 Webster William, Heroine
 Walker George, Hero
 Wyatt William, Surry 7
 Welsh Christopherson, Bengal Merchant 1
 Wright James, Lloyds
 Wentworth Charles, Westmoreland 1
 Wilkes George, Mary 4
 Welling Joseph, Roslin Castle 4
 Walker John, Mary Ann 4
 Watts John, Manlius
 Walker Henry, Lord Lynedoch
 Wainwright Robert, Captain Cook 2
 Walker James, Henry Porcher 2
 Whinney John the elder, Bengal Merchant 1
 Weir Hugh, Florentia 1
 Wye Henry, Hero

Walsh Catherine, Caroline
 Young Thomas, Royal Admiral 5.

J. M'LEAN.

TABLE of RATES to be charged for Trespass of Cattle, and the Sustenance thereof, whilst Impounded in the Town of Portland, District of Portland, under the provisions of the Act of the Governor and Council, 4 WILLIAM IV., No. 3.

Description of Cattle &c. Trespassing.	In any forest, 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, uncut meadow, or growing crop of any kind, enclosed by a good and substantial fence.		Amount to be charged daily for sustenance whilst Impounded.	
	s.	d.	s.	d.	s.	d.	{ If paid in pound, 1 0 6	{ If depastured .. 0 6
For every Horse, Mare, Gelding, Colt, Filly, Ass, Mule, Bull, Cow, Ox, Heifer, Steer, and Calf	0	6	1	0	6	0	1 0 6	0 6
For every Ram, Ewe, Sheep, Lamb, or Goat	0	1	1	0	3	0	0 3	0 3
For every Pig	0	6	2	6	6	0	0 9	0 9

Fixed by the Justices in Petty Sessions, assembled at Portland, on the 14th day of December, 1841.

JAMES ALLISON, Clerk to the Bench.

Allowed by His Excellency the Governor.

(Signed) F. DEAS THOMSON.

Police Office, Portland,
 December 14, 1841.

PUBLIC POUND.

NOTICE is hereby given, that a Public Pound will be established in Glenelg-street, Portland, at the place commonly called the Old Fishery, on the 1st day of February next, and that Mr. George Byrne has been appointed Keeper of the said Pound, agreeably to the provisions of the Act of the Governor and Council, 4 William IV., No. 3.

By order of the Justices in Petty Sessions,
 JAMES ALLISON,
 Clerk to the Bench.

ABSTRACT of the METEOROLOGICAL JOURNAL kept at MELBOURNE, PORT PHILLIP, during the Month of NOVEMBER, 1841,—
NOVEMBER, 1841.
 130 feet above the level of the Sea.

Period, both days inclusive.	State.	Barometer.	Thermometer.		Rain Fallen.	Prevailing Winds.	GENERAL REMARKS.
			Dry.	Wet.			
1st to 7th..	Highest Lowest	29-978 29-574	79 44	67 52	0-355	1st, N. 2nd to 7th, S.	Fresh breezes and strong winds; weather generally cloudy, with frequent rain, but in inconsiderable quantities.
8th to 14th	Highest Lowest	30-108 29-778	78 43	67 56	0-085	8th and 9th N., 10th E. 10th, 12th, 14th, S., 13th W.	Fresh and strong breezes generally; fine agreeable weather.
15th to 21st	Highest Lowest	30-000 29-497	90 51	70 53	.....	15th & 20th, N. by W., 16th & 18th, S. W. 17th, 19th, and 21st, S.	Fresh and strong breezes generally, with occasional sudden and sharp squalls; fine bright weather, but very hot at times.
22nd to 30th	Highest Lowest	30-056 29-549	88 47	63 55	0-075	23rd N.; 24th E. 22nd, 25th, to 30th, S.	Light winds, fresh and strong more commonly; gale and heavy winds 27th to 29th; fine clear weather, slight rain 24th.
Mean of the Month..		29-807	61-80	59-17	0-465 (Total.)		The hottest days of the Month were the 15th and 16th. The coldest day was the 7th.
Day of the Month.		Moon's Age	Height.		Winds.		
Barometer highest..		27	30-108		E.S.E., fresh and cloudy, without rain.		
Barometer lowest..		3	29-497		S.W. by S., fresh, followed by squall; cloudy, without rain		

N. B.—The Thermometer is placed outside and in the shade.
 The wet Thermometer shows what is called the dew point.
 The difference between the wet and dry Thermometer indicates the state of dryness or humidity of the Atmosphere.

COMPARATIVE STATEMENT of the PREVALENCY of the VARIOUS WINDS.—RELATIVE RANGE of BAROMETER, &c.

Quarter of Wind.	Aggregate number of days prevalent.	General character of Winds.		Total quantity of rain during prevalence of each wind.	Relative Range of Barometer.			Total number of Days.	Maximum quantity in any one day.	Wind at the time.
		Highest. Lowest.			With Rain.	Without Rain.				
N.	4	Light and fresh breezes	..	..	29-975	29-513	6	24	0-100	S. by E.
N.E.	2	Light and fresh breezes	..	..	30-108	29-604				
E.	11	Fresh breezes and strong winds	..	..	30-056	29-519				
S.E.	3	Fresh breezes, strong winds and gales	..	..	29-940	29-497				
S.W.	3	Light airs and strong winds	..	..	29-947	29-583				
W.	2	Transient, fresh	..	..	29-907	29-682				
N.W.	..	Strong breezes	..	..	29-998	..				
Total ..				0-465						

*Police Office, Queanbeyan,
1st January, 1842.*

THE undermentioned Property, taken from Prisoners of the Crown illegally at large, and others, will be sold at this Office, on Tuesday, 25th January, 1842, if not claimed on or before that day, at Noon.

One pair new moleskin trousers, drab
Three old colored shirts
One old silk handkerchief
One pair of new white cord trousers
One pair of new black cloth ditto
One pair of old worsted cord ditto
One old blue jacket
Three old colored shirts
Two old sleeved waistcoats
One old cotton handkerchief
One pair of slippers
Two small bags.

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

*Police Office, Penrith,
11th January, 1842.*

THE undermentioned confiscated Property, found in possession of James Brooks, of Camden, holding a Ticket of Leave for Penrith, will be sold on Friday, the 21st of January, at the Court House Yard, Penrith, at Twelve o'clock, viz:—

One bay Mare, aged, 14 hands 3 inches high, black points, star and blaze on forehead, branded TJ under saddle near side, GI on near shoulder, GT

and GD under the mane off side.

One mouse coloured Mare, 4 years old, 15 hands 1 inch high, branded HJ on off shoulder, MM under mane off side, off hind foot white, white patch on off fore foot, blaze on forehead, switch tail, scar on hind quarter.

One grey Gelding, aged, 14 hands high, short square tail, branded on near shoulder y68, and Crown on off shoulder.

A set of shoemaker's tools and lasts
Two saddles and bridles, and some broken chairs and tables.

JOHN WILLIAMS,
Chief Constable.

*Police Office, Hartley,
1st January, 1842.*

NOTICE.

IF Joseph Cordingley, per *Florentia* (1), 1828, will call at this Office, he will hear of something to his advantage.

THOMAS FINN, *Chief Constable.*

*Police Office, Mudgee,
2nd January, 1842.*

NOTICE is hereby given, that the undermentioned Articles, having been found near Cherry Tree Hill, if not claimed within twenty-one days after this date, they will be Sold by Public Auction, at this Office, viz:—

Three coloured shirts
Two pair of Trousers.

By order of the Bench of Magistrates,
GEORGE FARREN, *Chief Constable.*

No. 4. JANUARY 14, 1842.—4

*Bank of Australia,
Sydney, 31st December, 1841.*

CHARLES W. ROEMER, Esq., having parted this day with all his Interest in the Joint Stock and Capital of this Company, to A. B. SPARK, Esq., the said C. W. Roemer ceases to be a partner in this Bank, of which all persons concerned are hereby required to take notice.

W. H. MACKENZIE,
Secretary and Cashier.

(802)

JOHN THOMAS WILSON'S ESTATE.

THE Creditors of this Estate, having Claims to the amount of £300, request a meeting at the Office of the undersigned, at Twelve o'clock, on Thursday, the 20th January instant, of all persons interested, (disposed in favour of the course now proposed,) to consider whether, under the provisions of the new Insolvent Act, a sum of £7000, with Interest now and for the last two years lying undisposed of, may not at once be divided amongst the Creditors, and whether, under that Act, a prompt and final settlement of these affairs cannot be thereby obtained, and to adopt such proceedings as may in consequence be determined on.—Sydney, 13th January, 1842.

JOHN DILLON,

Office, George-st., next door to Royal Hotel.
(801)

In the Estate of **SAMUEL HENRY COHEN**, late of Campbelltown, but now of Port Macquarie, Auctioneer.

THE Creditors of the above Estate are requested to meet at the Office of the undersigned, at Twelve o'clock, on Wednesday, the 19th January instant, in order to determine the proceedings to be taken under the trust deed of the 21st and 22nd days of September last, towards realizing the properties thereby transferred, and making a dividend of the same; the Deed remains for signature at Mr. Dillon's Office.—Sydney, 13th January, 1842.

JOHN DILLON,

Office, George-st., next door to Royal Hotel.
(800)

*In the Supreme Court of
New South Wales. }*

ECCLESIASTICAL JURISDICTION.

NOTICE TO CREDITORS—IN THE GOODS OF THE LATE

EDWARD HODGSON, Emigrant by Ship *Margaret*.

TIMOTHY LEYDON, of Wollongong, Labourer.

DUNCAN SINCLAIR, of William's River, Settler.

WILLIAM WILTON, of Newcastle, and of New Zealand, Esquire.

JAMES WINTER, of Windsor, Blacksmith.

JOHN DOYLE, of Pitt Water, Farmer; all deceased, Intestate.

PURSUANT to the Rule of this Honorable Court, the Creditors of the above-named deceased persons are, on or before the 17th day of January next, to come in and prove their Debts before John Edey Manning, Esq., the Registrar

of the Supreme Court, at his Office, Court House, King-street, Sydney, or, in default thereof, they will be peremptorily excluded from all benefit arising from the said Estates.

J. E. MANNING, Registrar.

Supreme Court, 17th November, 1841. (599)

PURSUANT to a decree of the Supreme Court of New South Wales, in Equity, made in a cause Macarthur and another v. Campbell and others, the Creditors of the Rev. Richard Hill, late of Sydney, in the Colony of New South Wales, Clerk, deceased, who died in or about the year 1836, are, by their Solicitors, on or before the first day of March next, to come in and prove their Debts before William Carter, Esq., Master in Equity of the said Court, at his Office, Court House, King-street, Sydney, or in default thereof they will be peremptorily excluded the benefit of the said decree.

WILLIAM CARTER,
Master.

JAMES NORTON, Solicitor for the Plaintiffs,
Elizabeth-street, Sydney.

6th January, 1842. (793)

In the Supreme Court.

Sheriff's Office,
Sydney, 3rd January, 1842.

STUART v. SHEPHERD.

CHAPMAN v. SAME.

ON MONDAY, the 7th February next, at noon, at the Royal Hotel, Sydney, the Sheriff will Sell 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 that piece or parcel of Land, situate, lying, and being on the shore of Cockle Bay, in the Town of Sydney, containing one hundred and eight rods or thereabouts, be the same more or less, and bounded on the north-west by land in the occupation of James Mann, north twenty-three and one quarter degrees east two hundred and eighty links; on the north-east by the public road, leading to the Miller's Point two chains, on the south-east by a line to the water of Cockle Bay; unless these Executions are previously satisfied.

CORNELIUS PROUT,

(757) Under Sheriff.

In the Supreme Court.

Sheriff's Office, Sydney,
4th January, 1842.

HUNTLEY AND ANOTHER v. HUNTLEY.

ON WEDNESDAY, the 9th day of February 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 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 that piece or parcel of Land, containing, by admeasurement, 2560 acres of Land, be the same more or less, situate, lying, and being, in the county

of Murray, and parish of ———, at Tinbro, Upper Shoalhaven, in the Territory of New South Wales, commencing at the Shoalhaven River, at the north-east corner of Major Elrington's 2560 acres, and bounded on the south by that grant, being a line west 141 chains; on the west by a line north 131 chains and 50 links; on the north by a line east 214 chains to the Shoalhaven River; and on the east by that river to the north-east corner of Major Elrington's 2560 acres primary grant aforesaid, being the Land promised to George Miller, on or before the 13th October, 1836, and of which he was authorised to take possession on 23rd November, 1836, as a primary grant, being also the Land advertised as No. 167 in the Government Notice, dated 8th May, 1838, in favour of the said Robert Huntley, at the request of the promisee. Granted by Sir George Gipps, 9th October, 1838. Unless this execution be previously satisfied.

CORNELIUS PROUT,

(771) Under Sheriff.

In the Supreme Court.

Sheriff's Office, Sydney,
5th January, 1842.

HAYWARD v. HOWELL.

LA BOUCHE v. SAME.

ON WEDNESDAY, the 9th day of February 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 all that piece or parcel of Land, situate at the Nepean, in the county of Cumberland, containing about half an acre, together with a Water Mill, and other buildings thereon erected, being a portion of Bartholomew's farm; unless these executions are previously satisfied.

CORNELIUS PROUT,

(781) Under Sheriff.

In the Supreme Court.

Sheriff's Office, Sydney,
5th January, 1842.

RODD v. HEWITT.

MANSFIELD v. SAME.

ON THURSDAY, the 10th day of February 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 All those forty acres of Land, situated in the county of Northumberland, at Wollombi, near the Yellow Rock, commencing at the western extreme boundary line, Walker's twelve-hundred acres grant; on the north by forty one chains of that boundary line east to the high north road; on the east by the high road; southerly on the south by a west line of twenty-seven chains and twenty links to the Wollombi Brook; and on the south-west by the Wollombi Brook, to the commencing point, together with the appurtenances thereto belonging; also, All that half an acre, situate, lying, and being in the county of Northumberland, parish of Maitland,

at West Maitland, in the Colony of New South Wales, commencing on the west boundary line of Rotton's five acres allotment, at the south-east corner of T. P. Macqueen's three acre allotment; bounded on the east by a south line by compass of three chains and seventy-three links to the north-east corner of Turner's allotment; on the south by one chain and thirty links of Turner's north boundary, a west line by compass; on the west by a north line by compass of four chains and thirty links to the high road; and on the north by the road; unless these executions are previously satisfied.

CORNELIUS PROUT,
Under Sheriff.

(782)

In the Supreme Court.

Deputy Sheriff's Office,
Melbourne, 27th December, 1841.

WELSH v. SMITH.
NAPIER v. SAME.
WILLIAMSON v. SAME.
WILLIAMS v. SAME.
OCOCK v. SAME.
STRACHAN & Co., v. SAME.
MASON v. SAME.

ON Monday, the 14th day of February next, at noon, in the Market Square, Melbourne, I will cause to be Sold by Public Auction, under and by virtue of the authority to me 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 that piece or parcel of Land, situate on the Yarra Yarra, in the parish of Jika Jika, and near to Melbourne, containing about 25 acres, in portion No. 61, unless these executions be previously satisfied.

S. RAYMOND,

Deputy Sheriff for the District of Port Phillip.
(784)

In the Supreme Court.

Deputy Sheriff's Office,
Melbourne, 24th December, 1841.

WORSLEY & ANOTHER, v. WILLIS & ANOTHER.

ON Monday, the 14th day of February next, in the Market Square, Melbourne, at noon, I will cause to be Sold by Public Auction, under and by virtue of the authority to me in that behalf given, by an Act of Council, 5 Victoria, No. 9, all the right, title, interest, and estate, of the above Defendants, in and to the Equity of Redemption of all that piece or parcel of Land, situate in the parish of Morang, county of Bourke, and containing about 411 acres; also, a good house with 9 rooms, kitchen, and servants' room detached, wash-house, scullery, stable, stock-yards, &c., on the ground, let as a public house; also, a cottage detached, with 2 rooms, farm cottage of 2 rooms, men's hut, barn, and stable, and about 40 acres under cultivation, and all fenced in with a good post and rail-fence, unless this execution be previously satisfied.

S. RAYMOND,

Deputy Sheriff for the District of Port Phillip.
(786)

In the Supreme Court.

Deputy Sheriff's Office,
Melbourne, 27th December, 1841.

HARPER v. ARNOLD.

GARDINER v. SAME.

ON Wednesday, the 16th day of February next, at Two o'clock in the afternoon, on the premises, in Melbourne, I will cause to be Sold by Public Auction, under and by virtue of the authority to me 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 that piece or parcel of Land, situate in Queen-street, Melbourne, block 14, section 9, together with the messuage or tenements, erections, and buildings thereon standing, unless these executions be previously satisfied.

S. RAYMOND,

Deputy Sheriff for the District of Port Phillip.
(783)

In the Supreme Court.

Deputy Sheriff's Office,
Melbourne, 27th December, 1841.

ALLEN v. MOORE.

ON Wednesday, the 16th day of February next, on the premises, in Bourke-street, Melbourne, at Twelve o'clock, I will cause to be Sold by Public Auction, under and by virtue of the authority to me 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 that piece or parcel of Land situate in Bourke-street, Melbourne, block 12, section 17, and the Building erected thereon, unless this execution be previously satisfied.

S. RAYMOND,

Deputy Sheriff for the District of Port Phillip.
(785)

TO WHOM IT MAY CONCERN.

TAKE NOTICE, that by Indentures of Lease, and Release and Assignment, bearing date, respectively, the fifth and sixth days of January, A. D., 1842, I, Andrew Somerbell, of Sydney, in the Colony of New South Wales, Ship-wright and Boat Builder, did, for the considerations therein mentioned, convey and assign unto Mr. Michael Gannon, of Sydney, Builder, a Trustee therein named, all my Estate and Effects whatsoever, for the benefit of all my Creditors; and further, take notice, that the said conveyances were duly executed by me, the said Andrew Somerbell, and the said Trustee, and attested according to the provisions of a certain Act of the Governor and Council of the Colony of New South Wales, made and passed in the fifth year of the Reign of her present Majesty Queen Victoria, intituled "An Act for the further amendment of the Law, and for the better advancement of Justice;" and further, take notice, that the said Deed of Assignment is now lying at the Office of Mr. David Poole, Solicitor, George-street, Sydney, for inspection and execution.—Dated this 6th day of January, A. D., 1842.

A. SOMERBELL,
MICHAEL GANNON.

Witness—A. B. SPARK, J. P.

(777)

COURT OF CLAIMS.

NOTICE OF HEARINGS.

THE Commissioners hereby give Notice of their intention to proceed in the investigation of the undermentioned CLAIMS to LAND and TOWN ALLOTMENTS, the descriptions of which, for DEEDS of GRANT, have been fully set forth in former Advertisements.

MONDAY, the 17th day of January, 1842, and following days, at Eleven o'Clock, have been appointed for the Hearings, and all parties interested are desired to be in attendance with their documents and witnesses, as the Cases will be heard, consecutively, from day to day; and those Cases in which there may be no attendance, will be postponed at the discretion of the Court.

NO. OF CASE.	NAMES OF CLAIMANTS.	SOLICITORS.	
1075	George William Jackson, of Newcastle.		
1076	Edward Griffith, of Parramatta	J. Armitstead, Esq.	
1077	Mary Elder, of Parramatta, and others	Messrs. Minithorpe & Gurner	
1078	George Blaxland, of Wollun Hills	Messrs. Chambers & Holden	
1079	Joseph Onus, of Richmond, settler.		
<p>The undermentioned Cases were postponed at the last Sitting, either for further Hearing, or in consequence of the non-attendance of the Parties interested :—</p>			
220	Richard Blackwell, of Woodburn, Stonequarry, sole surviving partner of W. H. Blackwell, deceased	Messrs. Chambers & Holden	
321	Thomas and John Maher	E. D. O'Reilly, Esq.	
	Opposed by J. E. Manning, R. S. C.	J. E. Manning, Esq.	
360	Patrick Cahill, representatives of; now ——— Cahill, of Ireland	H. J. Pilcher, Esq.	
520	John Terry Hughes	Messrs. Unwin & Want.	
	Opposed to the representatives of Sarah Payne, deceased..	G. R. Nichols, Esq.	
542	W. C. Wentworth, H. C. Antil, Thomas Wills, and Sarah Alexander, (late Redfern) of Glasgow, as Trustees	Messrs. Chambers & Holden	
	Opposed by Charles Jackson, of Parramatta	A. Hayward, Esq.	
586	Samuel North, J. P.	Ditto	
611	James Clouder, representatives of; now J. T. Hughes	Messrs. Unwin & Want.	
677	Assignees of William Coates, of Bathurst	A. Hayward, Esq.	
702	Henry Terry Sheldon	Messrs. Chambers & Holden	
	Opposed by J. T. Hughes	D. Poole, Esq.	
752	Miss Isabella Long, of Sydney.		
765	Messrs. Hughes add Hosking, also Richard Lang, Lawrence Myles, James Pashley, and ——— Scott	Messrs. Carr, Rogers & Owen	
777	William Barnett, senior, of London.		
788	Mrs. Sheen, of New Zealand, by T. Douglass, Livery Stable Keeper.		
789	John Brown, of Sydney, Wine Merchant, as Agent of the Australian Company of Leith	Messrs. Minithorpe & Gurner	
790	John White, of Sydney, representatives of	G. Allen, Esq.	
791	James Harper, of Berrima, or ——— Nicholas, of Port Phillip	G. R. Nichols, Esq.	
795	Villiers Pierce, of Berrima, representatives of.		
801	Trustees of James Wright and William Long, now Bowhig, of Ireland	E. D. O'Reilly, for Trustees	
803	Mrs. Cotton, of Phillip-street	G. R. Nichols, Esq.	
804	Trustees of Wright and Long, of Sydney, now Bringleton Cotton's heirs or executors.		
807	William Henry Roberts, of Castlereagh-street, Sydney, or Joseph Roberts, of Concord	Ditto	
Special.	810	James Henery, representatives of.	
	812	Richard Brownlow, agent of	James Norton, Esq.
	817	Charles Marsh, or his representatives; now J. T. Hughes..	Messrs. Unwin & Want.
	826	Thomas Fitzgerald, of Pitt-street, Shoemaker, Alexander Johnson, of Patrick's Plains, Carpenter, and Dennis Byrne, of Sydney, Bricklayer	Messrs. Chambers & Thurlow
	Opposed to Mary Richards.		
839	Hugh Ovens, of Sydney, agent of William Ovens, of Manchester, in England	Ditto.	

No. of Case.	NAMES OF CLAIMANTS.	SOLICITORS.
840	Daniel Tindall, of Liverpool, on behalf of his Wife, formerly Jane Bull.	A. Hayward, Esq.
850	John Richardson, of Blackwattle Swamp.	
851	Hannah Mitchell, of Parramatta, or her representatives	
852	William Long, Trustees of	E. D. O'Reilly, Esq.
855	Wolley. Opposed by Madden.	
856	John Pong Shyong, of Parramatta	D. Poole, Esq.
870	William Fletcher, of Soldier's Flat, or Martin, Publican, Cross Roads, Liverpool.	
871	James Cavenagh, or James Smith, of	A. Hayward, Esq.
873	Daniel Cooper, of London, Merchant.	G. R. Nichols, Esq.
875	Ditto	Ditto
878	Ditto	Ditto
879	Ditto	Ditto
880	Ditto	Ditto
887	Alexander Morgan, representative of, now Cooper	
888	John Morgan, representative of, now Cooper	
892	James Smith, of	A. Hayward, Esq.
894	George Walton, of Berrima	
916	W. C. Wentworth, of Vaucluse	Messrs Chambers & Thurlow
923	William Owen Davis, John Hodge, and John O'Meara, of Parramatta, Executors of	A. Hayward, Esq.
929	Charles Dowdell, representative of; opposed to Daniel Cooper	
930	George Mackenzie, representative of, now Captain Clark, G. C. Turner, also Cohen, of Maitland	
932	Thomas Wholohan, of Yass, Farmer	
933	W. L. M. Redfern, of	Messrs. Chambers & Holden
934	George Harper, of Stonequarry, representatives of	Ditto
955	Henry Corbyn, of Jerrara, near Bungonia	Ditto
970	Mrs. Fennell, of Richmond	James Norton, Esq.
972	Ainsby M'Gra, representatives of; now Captain Hunter, by Thomas Barker	Messrs Chambers & Thurlow
977	Rosetta Terry and others, in trust	Messrs. Unwin & Want.
982	Thomas Paruell, of Richmond	
997	John M'Laren, now residing in England; now J. T. Hughes	Messrs. Carr, Rogers & Owen
998	Ditto	Ditto
999	Messrs. Hughes and Hosking	Ditto
1000	Eleanor Chiodettie, by her Husband, V. Chiodettie, and Children of Larken; now Cahuac, or his assigns	
1009	Dr. Coleman, of	Messrs. Chambers & Holden
1010	Juliet Lumby, of	H. J. Pilcher, Esq.
1019	Wm. White, representatives of	
1021	James Davison or Davidson, Junior, of Sydney	
1025	James Byrnes, representatives of	
1040	Thomas Chapman, of Sydney, Merchant	A. Hayward, Esq.
	Wightman Freeman	G. Allen, Esq.
1042	Alexander Riley, of England, Agents of	James Norton, Esq.
1044	Robert Bateman, of Bedlam Point	A. Hayward, Esq.
1045	Samuel Bowler, of Holdsworth, Settler	G. R. Nichols, Esq.
1046	Messrs. Cooper and Levy, Agents or representatives of	
1047	Messrs. Rd. Jones, and Stuart Alexander Donaldson, Executors of the late Edward Riley	James Norton, Esq.
1048	John Single, of the Nepean River	
Special 1049	John Martin Davis, of Hunter's River	Parry Long, Esq.
1050		
1051	Mrs. Chisholm	James Norton, Esq.
1053	William Morgan, representative of	
1055	Opposed by John Moss, of Bank's Town	A. Hayward, Esq.
1065	William Pringle, of Bathurst, Settler	
1067	Wm. Entwistle, of Parramatta, Dealer	J. Armitstead, Esq.
1069	Henry Ellison, of Parramatta, and Richard Hunt, of Prospect	Ditto
1070	Ditto	Ditto
1071	Ditto	Ditto
1074	Richard Dawson, of George-street, Ironfounder	

By direction of the Commissioners,

JOHN THOMPSON, Secretary.

Court of Claims Office, Macquarie-street, 22nd Dec., 1841.

No. 4. JANUARY 14, 1842—5

STATE of the Female Factory, Parramatta, on Tuesday, 11th January, 1842:—

First Class	540
Second ditto (nursing Children)	154
Third ditto	289
In Solitary Confinement	24
In Hospital.....	31
Confined by order of the Matron	2

Total number of Women...1040

Total number of Children...303

S. BELL, Matron.

Principal Superintendent of Convicts' Office, Sydney, January 12, 1842.

THE undermentioned Prisoners having absconded from the individuals and employments set against their respective names, and some of them being at large with stolen Certificates and Tickets of Leave, all Constables and others are hereby required and commanded to use their utmost exertion in apprehending and lodging them in safe custody. Any person harbouring or employing any of the said Absentees, will be prosecuted as the law directs. The age of the prisoners is calculated up to the present time.

J. M'LEAN,

Principal Superintendent of Convicts.

Birch David, Mollatt, 37, Thame, shoemaker, 3 feet 0½ inch, fair comp., reddish hair, dark hazel eyes, nose small and sharp, mouth small, chin small, from Flinders Island in Van Diemen's Land, since August 2, 1836.

Blaney Martin, Marquis Huntly (3), 30, London, labourer, 5 feet 0½ inch, ruddy and freckled comp., brown hair, grey eyes, MB and anchor on left arm, mermaid on right, pig eyed, from custody of a constable, on the road from Appin to Wollongong, since November 17, 1840.

Bristol Arthur, Albion (1), 32, Sussex, stocking weaver, 5 feet 5½ inches and upwards, ruddy fair comp. light brown hair, grey eyes, from Stockade, Woolloomooloo, since 13th June, 1840.

Brown alias Jones, alias Anderson, William, James Pattison, 56, Beverley, Yorkshire, seaman, 4 feet 3½ inches, ruddy and freckled comp., sandy to light brown hair, hazel eyes, scar over right eyebrow and top of left knee joint, from Hyde Park Barracks, since July 9, 1836.

Brown Henry, Henry Tanner, 35, London, seaman, 5 feet 1½ inch, dark sallow and pockpitted comp., brown hair, hazel eyes, scar over inner corner of right eyebrow, whiskers meeting under the chin, breast hairy, from Goat Island, since July 17, 1836.

Brown William, Mary Ridgway, 23, Newcastle-upon-Tyne, county Northumberland, blacksmith, two years, 5 feet 5½ inches, sallow and freckled comp. black hair, grey eyes, slight perpendicular scar top of centre of forehead, diagonal scar over right eyebrow, brig on upper, WxL, man and anchor inside lower right arm, man and women on upper, JS, WL anchor and mermaid on lower left arm, scar knuckle of third finger of left hand, scar back of third and little fingers of same, scar back of right thumb, from Hyde Park Barracks since August 12, 1840.

Burns William, Kate, 27, Bolton, Lancashire, tailor, 5 feet 8½ inches, dark pale comp., brown hair, dark hazel eyes, two moles over inner corner of left eyebrow, two on each cheek, mark of a bell near the back of left ear, scar upper part of nose, jagged scar centre of upper lip, scar upper left jaw, another on left breast, scar inside and two hairy moles outside lower right arm, two scars small of left leg, (was here before in the same name, per ship John, 1837, for seven years,) from Hyde Park Barracks, since January 28, 1840.

Cook Richard, Albion, (1), 37, Liverpool, porter, 5 feet 3½ inches, ruddy freckled comp., brown hair, hazel eyes, BC and JC three times and MC square and compass, sun, moon, and seven stars on right arm, masonic emblems on left, from Messenger whilst returning to his master, W. Bucknel, since April 27, 1840.

Crisp Amos, Ocean (1), 29, Suffolk, gardener, 5 feet 5½ inches, florid comp., brown hair, hazel eyes, charged

with Cattle stealing, from Hyde Park Barracks, since March 1836.

Crowley Langley John, Susan (1), 42, Staffordshire, carrier's clerk, 5 feet 4½ inches, ruddy and freckled comp., light hair, grey to blue eyes, red whiskers, lost canine tooth left side under jaw, scar back of right hand, at large with forged pass, from Charles Thompson, Penrith, since 13th December, 1838.

Cunningham Arthur, Ann Amelia, and Alligator, county Tyrone, farm labourer, 5 feet 5½ inches, florid comp., reddish brown hair, hazel eyes, supposed to have escaped in the *Nimrod* whaler, under the assumed name of Kelly, in September 1835, from Hobart Town.

Deakin Robert, Kate, 43, Leicestershire, laborer, 5 feet 10½ inches, sallow comp., brown hair, blue eyes, scar right side of chin, breast hairy, large raised mole centre of same, mark of a bile nevus right elbow, two small moles below the same, scar on thumb, another on third, and two on little fingers of right hand, scar outside left elbow, another below the same; he was transported before in the same name, per ship *Surry* (4), in 1823, for seven years, from Stockade, Illawarra, since September 22, 1840.

Derbridge William, Hercules (4), 49, Hertfordshire, blacksmith (complete), 5 feet 6½ inches, sallow and much pockpitted comp., dark brown and mixed with grey hair, hazel eyes, nail of little finger of left hand split, arms hairy, from Mrs. Hely, Brisbane Water, since 26th December, 1839. Supposed that he will endeavour to escape from the Colony.

Dunlop James, Royal Sovereign (1), 53 county Antrim, farm labourer, 5 feet 7½ inches, dark sallow comp, brown to grey hair, hazel eyes, mole top of forehead, scar betwixt forefinger and thumb of left hand, from Stockade, Woolloomooloo, since 13th June, 1840.

Fahy John, Middlesex (1), 34, county Galway, labourer, 5 feet 4½ inches, sallow comp., brown hair, blue eyes, eyebrows partially meeting, small mole on bell of right ear, small lump top of head, from Grose Farm, since March 6, 1840.

Galley Joseph, Lady Kennaway, 30, county Surry, soldier &c., 5 feet 5½ inches, dark sallow comp. dark brown hair, brown eyes, D under left arm, J. Galley AH inside lower right arm, scar back of left hand, scar back of fourth finger of left hand, from the Circular Quay Gang, Sydney, since July 29, 1839.

Higgins William, alias Silverlock, Kate, 39, Liverpool, labourer, 5 feet 6½ inches, sallow and a little pockpitted comp., black hair, brown eyes, diagonal scar centre of forehead, horizontal scar under right eye, another under centre of lower lip, breast and arms hairy, anchor inside lower right arm, jagged scar ball of left thumb, blue dot back of left hand, large featured, (was transported before to this Colony by the ship *York*, in 1831, for seven years, in the name of William Higgins), from Escort 50th Regiment, proceeding from Kiama to Wollongong, since 10th March, 1840.

Hoffman John, Bengal Merchant (1), 31 Surry, boat builder, 5 feet 3½ inches, dark ruddy comp. brown hair, brown eyes, mouth small, nose thick, ship, woman, and spear lower right arm, top of right fourth and little fingers crooked, blue ring right middle finger, man, woman, tree, 1830, heart and two darts, two birds, from Woolloomooloo Ironed Gang, since June 7, 1836.

Jackson Robert, Lloyds (2), 27, Newcastle-upon-Tyne, waterman, 5 feet 5 inches, ruddy and freckled comp., dark brown hair, brown eyes, scar left side upper lip, near the nose, brown natural mark on breast, and eight stars inside lower right arm, boats arm, nine daggers, half moon, sun, m plr J lower left arm, half moon and several small stars back of left hand, ring each finger of same, from Government Boat's Crew, Sydney, since July 18, 1839.

Jeffreys George, Hive (1), 89, Devonshire, seaman and farm labourer, 5 feet 3½ inches, dark sallow comp., brown to grey hair, hazel eyes, nose inclining a little to the left side, scar betwixt the eyebrows, blue ring left little finger, left fourth and little fingers contracted, PJME cocoa-nut tree, and H N inside lower left arm, anchor back of ball of left thumb, scar back of left forefinger, from Goat Island, since July 17, 1836.

Johnson Samuel, Hive, 28, Chelsea, plasterer, 5 feet 1½ inch, ruddy comp., brown hair, grey eyes, nose large and inclining a little to the right side, small mole under right ear, anchor inside lower right arm, SH in-

side lower left arm, from Goat Island, since July 17, 1836.

Jones John, alias Oswald Hilochook, Lady Feversham, 29, London, carpenter and joiner's apprentice, 5 feet 5½ inches and upwards, ruddy and freckled comp., brown hair, hazel eyes, from Stockade, Woolloomooloo, since 13th June, 1840.

Kent Thomas, Prince of Orange, 33, Plymouth, groom, 5 feet 2½ inches, dark florid comp., dark hair, dark eyes, from custody of a Constable, Bargo, since October 24, 1838.

Knight John, Earl Grey (2), 42, Stafford, coachman, 5 feet 8½ inches, ruddy comp., brown hair, grey eyes, eyebrows partially meeting, large raised mole right cheek, scar both sides of jaw, arms hairy, from Immigrants' Quarters, Sydney, since November 30, 1838.

Morrissey Edward, Borrodino, 33, Kilkenny, clerk, 5 feet 7½ inches, sallow comp., brown hair, hazel eyes, at large with a pass from the Police Magistrate, Bathurst, since July 1834.

Ovens John, Henry Tanner, 35, Durham, miller, &c., 5 feet 8 inches, dark sallow comp., brown hair, hazel eyes, small deep scar centre of forehead, small scar left side of upper lip, large round scar upper right arm, nail of little finger of right hand disfigured, from Stockade, Maitland, in irons, since 13th May, 1841.

Owen Herbert, Exmouth, 33, Carnarvonshire, top Sawyer and woodman, 5 feet 7½ inches, ruddy comp., light brown hair, brown eyes, perpendicular scar over right eye, scar on nose, scar on right side of chin, from custody of a Constable, Singleton, since 23rd March, 1841.

Percy Henry, Roslin Castle (3), 28, Glasgow, stonemason, 5 feet 3½ inches, sallow comp., brown hair, hazel eyes, lost one front upper tooth, scar slight on left cheek, scar on left thumb, from Goat Island, since July 17, 1836.

Pye James, Mary Ridgway, 27, Norwich, house carpenter, 5 feet 10 inches, dark sallow comp., black hair, brown eyes, diagonal scar over inner corner of left eyebrow, both little fingers inclining inwards, breast a little hairy, scar outside right knee, scar on cap of left knee, from Stockade, Carter's Barracks, November 9, 1840.

Taylor Thomas, alias Thomas Henley, Minerva, (5), 32, Newcastle-upon-Tyne, writing master, 5 feet 7½ inches, sallow comp., brown hair, grey eyes; charged with forgery, from No. 7 Road Party, since February 27, 1833.

Thorp Charles, Georgiana, 41, Nottingham, warehouseman, 5 feet 8½ inches, florid comp., brown hair, grey eyes, red whiskers, visage long, forehead wide and perpendicular, from His Majesty's Hulk, Phoenix, since November 11, 1836, while under sentence of Transportation for Life.

Varney James, Marquis Huntley, (1), 32, London, labourer, 5 feet 4½ inches and upwards, ruddy comp., dark brown hair, hazel eyes, PS and heart on right arm, scar corner of right eye, from Stockade, Woolloomooloo, since 13th June, 1840.

Wheeler George, John (3), 28, Worcestershire, ostler, 5 feet 6½ inches, ruddy and freckled comp., dark brown hair, dark grey eyes, scar first joint of little finger of right hand, small scar on under lip, from Cockatoo Island, since June 17, 1839.

Williams William Rowland, Florentia, (1), 32, Carmarthen, medical professional student, 5 feet 4 inches and upwards, dark ruddy comp., dark brown hair, dark brown eyes, small scar over corner left eye, from General Hospital, Newcastle since May 1, 1837.

THOMAS RYAN, Chief Clerk.

The undermentioned Prisoners, attached to the Boat's Crew at Norfolk Island, effected their escape in a Whale Boat, from Phillip Island, on the 1st December, 1840.

Atkinson William, Guildford (7), 30, London, laborer, 5 feet 1 inch and upwards, fair ruddy comp., fair hair, dark brown eyes, W. A. U. S. on upper, anchor M READ I and IF on lower left arm, IE on lower right arm.

Hurst Joseph, Henry Tanner, 27, Lincolnshire, waterman and seaman, 5 feet 6½ inches, ruddy and little pockpitted comp., brown hair, hazel grey eyes, two front upper teeth apart, forehead pockmarked, scar right side

of upper lip, middle finger of right hand contracted, scar back of right thumb, scar back of fourth finger of left hand.

Lumley John, Marian Watson, 26, Sydney, seaman, 5 feet 9½ inches, fresh comp., dark brown hair, grey eyes, from Van Diemen's Land.

Mullen Thomas, Countess Harcourt (4), 26, Dublin, errand boy, 4 feet 3 inches and upwards, fresh comp., dark brown hair, dark brown eyes.

Sproat Harle John, Lord Lyndoch (3), 26, North Shields, painter, glazier, and sail maker, 5 feet 6½ inches, dark ruddy comp., brown mixed with grey hair, grey eyes, dimple on chin, scar on right eyebrow, two scrofula marks on left side of neck, MH on upper, CxSCxBx6 inside lower left arm, MK Mary Sproat and swan inside lower left arm, same crooked, scar on left knee.

Smith James, Lady Kennaway (2), 32, Glasgow, foundryman, 5 feet 9½ inches, pale and pockpitted comp., light brown hair, hazel eyes, lost a front upper tooth, and canine tooth left side of under jaw, large brown scar calf of right leg.

THOMAS RYAN, Chief Clerk.

The undermentioned Prisoners, attached to Pinchgut Island, absconded from that Stockade on the night of 22nd January, 1841.

Green Edward, Dorset, 27, London, shoemaker, 5 feet 4½ inch., ruddy comp., brown hair, hazel grey eyes, two deep scars right cheek under the whisker, eyebrows partially meeting, nose inclining a little to the right side, small scar left side of same, scar lower part of left temple, breast hairy, large round deep scar under inner ankle of left leg, scar back of middle finger of left hand. Was here before, per ship Florentia (2), 1830, for 7 years.

Hall George, Christina, 29, Mitcham, Surry, laborer, 5 feet 2 inches, ruddy and freckled comp., dark brown mixed with grey hair, hazel eyes, lost a front upper tooth right side, small perpendicular scar right side of upper lip, horizontal scar on each eyebrow, mark of an ulcer inside of left jaw, scar front of left side of head, mole back of neck, scar inside right wrist, mole inside left elbow; was here before, per ship Lady Feversham, 1830, for 7 years.

THOMAS RYAN, Chief Clerk.

The undermentioned Prisoners absconded from Escort, to Bargo, on the 9th September, 1841:—

Carroll John, Clyde (2), 37, county Tipperary, butcher and malster, 5 feet 7½ inches, ruddy comp., brown to grey hair, hazel grey eyes, diagonal scar below under lip, perpendicular and another scar centre of forehead, diagonal scar on left side of same, two scars over left eyebrow, scar inside and outside ball of right thumb, mark of a bile inside lower left arm, two scars on left thumb, three on fore, one on middle, and on third, and two on little, fingers of left hand. Transported before in the Portland, in 1832, in the same name; absconded from the Colony in 1835.

Dorney Thomas, Eliza (5), 40, Tipperary, ploughs and shears, 5 feet 7½ inches, ruddy freckled comp., dark brown hair, hazel eyes, perpendicular scar on top of head and large one on left side.

M'Gowan Michael, Bengal Merchant (2), 24, Perth, porter, 5 feet 5½ inches and upwards, ruddy freckled comp., light brown hair, grey eyes, scar left side of forehead, M'G inside lower left arm.

THOMAS RYAN, Chief Clerk.

The undermentioned Prisoner of the Crown, forwarded to Bathurst for Harvest purposes, and returned to Government by the Police Magistrate of that District, has not since reported himself at Hyde Park Barracks, is now illegally at large.

Taylor Joseph, Barossa, 20, Liverpool, painter and glazier, 5 feet 4½ inches, ruddy comp., brown hair, hazel eyes, perpendicular scar on upper part of right cheek bone, blue dot inside lower left arm, 3 ditto back of left hand, scar on right knee, from Bathurst, since 5th April, 1841.

THOMAS RYAN, Chief Clerk.

The undermentioned Female Prisoner is illegally at large:—

Purcell Catherine, Surry (9), 21, Galway, needle-woman, 5 feet 1½ inch, ruddy and much freckled comp., brown hair, hazel eyes, small raised mole under left eye, near the nose, small scar back of right hand, from Mary Holmes, Sydney, since 31st January, 1841.

THOMAS RYAN, Chief Clerk.

The undermentioned Prisoners absconded from the Stockade, Tourang, in irons, since 1st December, 1841:—

Mount James, Captain Cook (3), 24, Monaghan, farm labourer, 5 feet 10 inches and upwards, ruddy and freckled comp., brown hair, hazel eyes, small mole outside right eye, scar ball of left thumb, scar back of third finger of left hand.

Rauben John, Bengal Merchant (2), 25, Berkshire, farm servant, 5 feet 10 inches and upwards, ruddy and freckled comp., light brown hair, grey eyes, scar bell of right ear, scar back of same, BRHRCRRR inside lower right arm, MRHRSRMRB and sprig inside lower left arm, large scar down right shin.

Yates Thomas, Bengal Merchant (1), 23, Lancashire, labourer, 5 feet 3½ inches and upwards, ruddy comp., light brown hair, hazel eyes, scar under left eyebrow, blue spot back of right hand, scar back of forefinger of left hand.

THOMAS RYAN, Chief Clerk.

McKinlay Robert, Susan (1), 21, Greenock, laborer, 4 feet 5 inches and upwards, dark freckled comp., brown hair, brown eyes, nose sharp at point, scar over left eye, from Moreton Bay since 28th September last.

THOMAS RYAN, Chief Clerk.

Brennan Michael, Earl Grey (1), 36, Kilkenny, ploughman, 5 feet 7 inches, dark sallow comp., dark brown hair, grey eyes, eyebrows meeting, from David Foley, Pitt Water, since 10th December, 1841.

Donnykin alias Dunn Michael, Mangles (6), 32, Queen's County, chairmaker 5 years, &c., 5 feet 9½ inches, sallow and pockpitted comp., brown hair, light grey eyes, scar back of little finger of left hand, from Stockade, Twenty-mile Hollow, in irons, since 7th inst.

Hall John, John Barry (4), 26, Derbyshire, indoor-servant, 5 feet 6½ inches, pale comp., light brown hair, grey eyes, eyebrows partially meeting, scar on right, five small moles on right side of neck, one back of same, scar on back of small of right leg, from Messrs. Boulton Brothers, Wellington, since 26th December, 1841.

Hubbard Richard, Lord Lynedoch (3), 33, Suffolk, indoor servant, 5 feet 7½ inches, dark sallow comp., brown hair, brown eyes, perpendicular scar on right side of upper lip, mark of a burn between the breast, mole inside upper right arm, RH & SF on back of right hand, blue ring on third finger of same, anchor on back of left hand, scar on back of little finger of same, scar on knee, from the Rev. M. Colquhoun, Raymond Terrace, since 1st instant.

Jordan Moses, Calcutta, 27, Carlow, butcher, 5 feet 4½ inches, sallow and freckled comp., dark brown hair, dark grey eyes, scar left jaw, mark of a bile inside lower right jaw, small scar outside right leg, from Hospital, Bathurst, since 21st December, 1841.

Jackson Mary, Planter (2), 32, Oxford, dressmaker, 5 feet 2½ inches, fair, ruddy and pockpitted comp., brown hair, hazel eyes, small raised mole on right side of neck, scar on back of forefinger of right hand, mole on back of right wrist, from Major Crummer, Newcastle, since 24th December, 1841.

McLean Anne, Margaret (1), 35, county Down, cook &c., 5 feet 4½ inches, ruddy and freckled comp., brown hair, hazel eyes, raised mole on right side of upper lip, scar over left eyebrow, scar on left cheek bone, and on ball of left thumb, from Samuel Turton, Marellan, since 28th December, 1841.

Manning Thomas, England (2), 25, county Galway, waiter, 5 feet 2½ inches and upwards, ruddy and freckled comp., brown hair, grey eyes, lost a front upper tooth, arms freckled, from George Middleton, Patterson, since 26th December, 1841.

O'Brien John, Earl Grey (1), 22, Clare, labourer, 4 feet 11 inches and upwards, ruddy and freckled comp.,

red hair, grey eyes, cast inward in left eye, from Stockade, Twenty-mile Hollow, in irons, since 7th instant.

Stewart William, Asia 11, 25, Lancashire, labourer, 5 feet 5½ inches and upwards, dark sallow comp., brown hair, light brown eyes, eyebrows meeting, small mole under corner of left eye, W : S heart pierced with two darts inside lower right arm, two scars on left thumb, from James Peattie, Patterson, since 26th December, 1841.

Tennent Robert Lawrence Dinwiddie, Maitland, 53, Glasgow, silk-weaver, 5 feet 2½ inches, sallow, freckled and pockpitted comp., brown mixed with grey hair, hazel eyes, breast hairy, blue ring middle finger of right hand, top of head bald, scar left knee, from Hospital, Bathurst, since 30th December, 1841.

Thew Thomas, Bengal Merchant (1), 31, Winchester, groom, 4 feet 11½ inches, ruddy and freckled comp., light sandy hair, hazel eyes, red whiskers, from J. J. Whitting, Mudgee, since 25th December, 1841.

Wright Archibald, John Barry (4), 24, Glasgow, farm-labourer, 5 feet 5½ inches, dark, ruddy and freckled comp., dark brown hair, brown eyes, small scar on left cheek bone, another on left corner of mouth, two round scars on left elbow, three burnt marks on lower left, mark of a bile outside right knee, from Hospital, Bathurst, since 30th December, 1841.

Wright William alias Fidd Wright, Eden, 28, Nottinghamshire, tailor, 5 feet 4½ inches, sallow comp., brown hair, hazel eyes, small scar centre of upper lip, from F. M. Stokes, Sydney, since 5th instant.

Walsh John, Earl Grey (1), 28, Galway, labourer &c., 5 feet 3 inches, dark ruddy comp., brown hair, hazel eyes, two scars over right eyebrow, & inside lower right arm, scar inside top of little finger of left hand, from Reuben Hannam, Cook's River, since 30th December, 1841.

THOMAS RYAN, Chief Clerk.

LIST OF RUNAWAYS APPREHENDED DURING THE LAST WEEK.

Battersen Henry, Barrossa from Hyde Park Barracks.
Beatson James, Theresa, from James Milsom, North Shore
Knight John, Dunvegan Castle (1), from Stockade, Campbelltown, in irons.
Purcell Patrick, Heber, from Mrs. Elizabeth Nock, Sydney.
Steenson Alexander, Castle Forbes, from Stockade, Campbelltown, in irons.
Smith John, Waterloo (5), from Thomas Icely, Bathurst.
Stack Robert, Susan (1), from Stockade, Parramatta.
Storey Jane or Willis, Diana, from Thomas Willis, her husband, Sydney.
Stack John, Countess Harcourt (5), from Government Lime Station, Port Macquarie.
Smith Robert, John (1), Ticket of Leave Holder, Windsor, reported in error.
Taylor George, Bengal Merchant (1), from Quarantine Station, Spring Cove.
Tudor Robert, Hooghly (2), from Hyde Park Barracks
Warton Edward, Bengal Merchant (3), from Major Smith, Brisbane Water, holding a Ticket for Windsor.

THOMAS RYAN, Chief Clerk.

IMPOUNDED at Wilberforce, on the 5th January, 1842:—

One dark-brown Mare, off hind foot white.

If not released within twenty-one days from the date hereof, she will be sold, agreeably to Act of Council.

R. M. COBCROFT, Poundkeeper.

(789) January 14, 1842. [9s.]

IMPOUNDED at Concord, on the 1st January, 1842:—

One bay Horse, about 4 years old, stands 16 hands high, black points, square tail, near hind foot white, heel of off hind foot a little white, branded on near side under the saddle WX.

If not claimed before the 31st instant, he will be sold at the Concord Pound, at noon, to pay expenses, agreeably to Act of Council.

WILLIAM RYAN, Poundkeeper.

(779) January 6, 1841. [9s. 6d.]

IMPOUNDED at Singleton, Patrick's Plains, on the 1st January, 1842:—

One black-sided Cow, slit in near ear, off ear cropped, branded CD on off hip, a brindled and white male Calf by her side

One black Cow, white back and belly, slit in off ear, branded 66 on near shoulder, B near rump.

One yellow Bullock, branded J on near rump.

One red and white Steer, branded B on off rump.

One white Heifer, brindled spots on head and neck, cut in near ear, branded O on near rump, AM conjoined on near ribs

One black poley Heifer, white strip along the back, cut in near ear, branded on near rump O.

AM conjoined.

One yellow stargy Bullock, branded RC on off hip, a Crown brand on near and off ribs

If the above Cattle are not claimed on or before the 31st January, 1842, they will be sold at noon of that day, agreeably to Act of Council.

THOMAS PATTERSON, Poundkeeper.

(795)

[12s. 6d]

IMPOUNDED at Carcoar, on the 22nd December, 1841:—

One brindle Bullock, branded MK on the back, 5 off ribs. TR

One brown and white Bullock, branded AH on off rump. JJ near rump.

One yellow Cow, branded ME on near ribs, CS near rump. 3

One red Heifer, white back, not branded.

One brindle poley Cow, white face, branded apparently EP on near rump.

One red and white Calf not branded.

If the above described Cattle are not claimed and released on or before the 22nd January, 1842, they will be sold, to defray expenses, agreeably to Act of Council.

JAMES KERR, Poundkeeper.

(762)

[11s]

IMPOUNDED in Dungog Pound, on the 3rd January, 1842:—

One black and white Bullock, branded EK on off rump.

One brindled Bullock, branded EK on off rump.

One black Cow and Calf, branded EK on off rump.

One yellow and white Cow, branded TA on near rump, IP off rump.

One yellow yearling Bullock, no brand visible.

One red and white Bull, branded JT on near ribs.

One black Bull, no brand.

One yellow Calf, branded JIA on off rump.

If the above Cattle are not claimed before the 23rd day of January, 1842, and all expenses paid, they will be sold, agreeably to Act of Council.

WILLIAM JEFFERY, Poundkeeper.

(780)

[11s]

IMPOUNDED at Muswellbrook, on the 8th January, 1842, for trespass in open pasture:—

One red Bullock, branded JC on off rump and neck, W near shoulder; damages 3d.

One yellow-sided snail-horned Bullock, aged from 3 to 4 years, brand resembling 807 and an illegible brand over on off shoulder; damages 3d.

If the above Cattle are not released previous to the 7th February, 1842, at noon, they will be sold at the Pound, pursuant to Act of Council.

E. BENNETT, Poundkeeper.

(794)

January 14, 1842.

[9s. 9d.]

IMPOUNDED in the Sydney Pound, on the 1st January, 1842:—

One red Cow, bald face, white on each side of jaw, branded apparently HC conjoined on off ribs, a red and white Heifer Calf by her side.

If not released within twenty-one days from the date hereof, they will be sold, to defray expenses, agreeably to Act of Council.

B. MORRIS, Poundkeeper.

(803)

[9s. 3d.]

No. 4. JANUARY 14, 1842.—6

IMPOUNDED at Boree Nyrang, from the run of Messrs. Burton and Darvall, on the 31st December, 1841:—

One yellow Bullock, branded IAD on ribs, A on shoulder off side.

One strawberry Cow, aged, branded TJ on off rump.

One red and white poley Cow, branded SF on off rump.

One brown Cow, branded WI on rump, IC on shoulder off side. IO near shoulder.

One strawberry Bullock, brands on rump and shoulder illegible.

Also, on the 3rd of January, 1842, from the same:

One black Cow, branded RB on rump and ribs off side, an unbranded Calf by her side.

One black Heifer, no brand visible.

If the above Cattle are not released on or before the 24th January, 1842, they will be sold at the Pound, according to Act of Council.

JAMES HULL, Poundkeeper.

(791)

[12s.]

IMPOUNDED at Boree Nyrang, on the 29th December, 1841, from the run of R. J. Barton, Esq:—

One red Cow, branded IOS on rump, AI on ribs off side an unbranded Calf by her side.

One red Heifer, branded WB on off hip.

One yellow snail-horned Bullock, branded O on off hip. RS

One brindle and white Cow, branded WN on off hip, an unbranded Calf by her side.

One strawberry Bullock, branded IO on near ribs, JM off rump.

One yellow spotted Heifer, branded M on off rump.

One dark-brindle Heifer, no brand visible.

One yellow Bullock, white flank, branded GL on shoulder and rump near side, IH on off rump.

One yellow and white Heifer, branded VN on off hip.

One brindle white-backed Heifer, branded PR on off rump. PR

One black and white Cow, branded PB on off rump, an unbranded Calf by her side.

If the above Cattle are not claimed on or before the 29th January, 1842, they will be sold, to defray expenses, agreeably to Act of Council.

JAMES HULL, Poundkeeper.

(790)

[13s. 3d.]

IMPOUNDED at Parramatta, on the 10th January, 1842:—

One yellow and white Cow, branded WW on off hip HSM off thigh, W off ribs. HSM

Also, on the 11th instant:—

One red and white Ox, branded RT on near hip.

If not claimed and released, they will be sold on Monday the 7th February next.

JOHN WALKER, Poundkeeper.

(796)

January 12, 1842.

[9s. 3d.]

IMPOUNDED at Berrima, on the 4th instant, by Mr. N. Chapman, Chief Constable:—

One light iron-grey Filly, about three years old, branded on the off shoulder, apparently HB, but the H not legible, dark points and switch tail.

One dark bay Filly, about three years old, branded on the near shoulder I T, and scar on the off shoulder, has a small star in the face, black points, two hind feet white, switch tail, and saddle marks.

Also, Impounded on the 5th instant, from the Estate of William Coghill, Esq.:

One brown-sided Cow, short horns, white back and belly, branded on the milking side GB, and on the near side JW.

One red Bull Calf, about nine months old, unbranded.

One yellow-sided Heifer, white back and belly, straight horns, branded on the thigh milking side 5, with a small red and white Calf. CB

One strawberry poley Steer, branded on the rump off side Z Y.

If not claimed before the 31st January, they will be sold.

ELLIS JACOB, Poundkeeper.

(798)

[12s. 9d.]

IMPOUNDED at Murrurundi, on the 30th December, 1841:—

One brindle and white Bull, about 2 years old, unbranded; damages £5.

One brindled hoop-horned Cow, branded apparently I-C on near shoulder.

One brindle-sided Cow, white back and belly, branded 7 on off thigh, DF off rump, 3 off shoulder

One brindle-sided Bullock, slit in near ear, branded AR conjoined on near rump, illegible brand on near shoulder, apparently CD off rump.

One red snail-horned Bullock, white belly, piece off off ear, branded apparently TJ on near rump

One strawberry Heifer, branded apparently 2J on off rump.

One black-sided poley Bullock, two small slits in off ear, branded C on near shoulder.

One yellow poley Cow, white belly, star in forehead, branded TC on off rump, Ξ near rump, H near ribs, a Calf by her side.

If the above-mentioned Cattle are not released on or before the 4th February, 1842, they will be sold, to defray expenses, according to Act of Council.

A. S. F. MACKINTOSH, Poundkeeper.
(775) January 14, 1842. [14s. 6d.]

IMPOUNDED at Liverpool, on the 18th January, 1842:—

One light-red-sided Bullock, back, belly, tail, and hind legs white, white speckled head, branded Z on near shoulder, MK conjoined near hip, WCA \leftarrow off ribs,

MK conjoined off shoulder, A \leftarrow off thigh, and an illegible brand on off hip.

One white Bullock, red spots on both sides of neck and shoulders, branded apparently S on off hip, but not legible.

One red snail-horned Bullock, belly, rump, and tail partly white, branded apparently A \leftarrow on near ribs, illegible brand near thigh.

One dark-yellow Bullock, white spots on both sides, white spot in forehead, branded WC on off ribs, ∞ off shoulder, \S off hip, A \leftarrow near ribs and thigh.

One dark-red Bullock, belly and tail partly white, white spot in forehead, illegible brand on off hip, apparently MK conjoined on off shoulder, but not legible.

One light red-sided Bullock, back, belly, tail, face, and both hind legs partly white, branded on off hip apparently JO, off shoulder ∞ , off ribs apparently WC but not

legible.

The above Cattle were Impounded from Mr. Ryan Brennan's Farm, Prospect.

If not released on or before the 29th January, 1842, they will be sold, pursuant to Act of Council.

STEPHEN PEARCE, Poundkeeper.
(776) [14s. 6d.]

IMPOUNDED at Prospect Pound, on the 10th January, 1842:—

One aged Cow, low in condition, light brown sides, back and belly white, black and brown spots on the head, branded HK on off hip, an unbranded Heifer Calf by her side, with red and white back.

One brindle Cow, white belly, branded MF on off hip.

One red-sided Heifer, back, belly, and tail white, near ear clipped, illegible brands on both hips.

If the above Cattle are not claimed and released, they will be sold on the 7th February, 1842.

WILLIAM ADAMS, Poundkeeper.
(797) [10s.]

IMPOUNDED at Mufion Park, Lachlan River, on the 20th December, 1841:—

One iron-grey Horse, white face, lame in near fore fetlock, branded S on near shoulder; damages 6d.

If not released within twenty-one days from the date hereof, he will be sold, agreeably to Act of Council.

WILLIAM BEST, Poundkeeper.
December 31, 1841. (741) [9s.]

IMPOUNDED at Narellan, January 5th, 1842, by Mr. Buckland, the following Cattle, viz:—

One grey Gelding, about 16 hands high, docked tail, white blaze down the face, near hind heel white, branded on off side neck with a large sized G, no shoes on, and aged.

One dark bay or brown Gelding, long tail, about 16 hands high, four white legs, snip and star, branded on the near side under the saddle TW, about 6 years old, no shoes on

Damages, one shilling each
If not claimed within twenty-four days from this date, they will be sold, to defray expenses, agreeably to Act of Council.

EDWARD DOYLE, Poundkeeper.
(799) Narrellan, January 14, 1842. [11s.]

IMPOUNDED at Murrurundi, on the 13th December, 1841:—

One black Cow, white spots on the belly off ear notched, branded AL on off rump Γ off shoulder, has a Calf by her side

One yellow and white Steer, branded apparently A on off rump, G near shoulder.

One red Heifer, slit in near ear, off ear notched, branded MR on off rump, 7 off shoulder.

One red-sided Cow, branded apparently C on near shoulder.

One black-sided poley Cow, piece off off ear, branded apparently J-I on near rump, and apparently RB on off rump,

If the above described Cattle are not released on or before the 14th January, 1842, they will be sold, agreeably to Act of Council.

A. S. F. MACKINTOSH, Poundkeeper.
(715) [11s. 9d.]

IMPOUNDED at Parramatta, on the 27th December, 1841, from the Government Domain:—

One red and white Cow, branded JP on both hips.

Also, on the 30th December:—
One red snail horned Ox, white forehead, back, belly, hind legs, and part of tail white, off ear split, branded JD on the off hip, 3 shoulder, diamond near shoulder, and 3 on thigh.

Also, on the 3rd of January, 1842:—
One black and brown Ox, branded apparently T on the near hip. This Ox was Impounded from Shirwin's Run.

If the above Cattle are not claimed and released, they will be sold on Monday, the 31st January, 1842.

JOHN WALKER, Poundkeeper.
(767) January 7, 1842. [10s. 6d.]

IMPOUNDED at Hartley, on the 30th of December, 1841:—

One small chestnut Filly, rising three years old, white streak down the forehead, white both sides of the hip, appears to be a pet, branded J-J or C-C on the off shoulder; damages, £5 10s.

If not released on or before the 22nd of January, she will be sold at the Pound Gate, at Twelve at noon, to defray expenses, pursuant to Act of Council.

JAMES M'CAY, Poundkeeper.
Hartley, January 1, 1841. (759) [9s. 9d.]

IMPOUNDED at Stonequarry, on the 27th December, 1841:—

One light-yellow working Bullock, stagish horns, star in forehead, branded on right rump DM and an illegible brand underneath, supposed to have been left on Red Bank by a man who said he was going to Bradbo.

Also, on the 23th December, 1841:—
One yellow working Bullock, star in forehead, branded IS on right rump, JB on left rump.

If not released within twenty-one days from the date hereof, they will be sold.

G. WRIGHT, Poundkeeper.
December 31, 1841. (749) [10s. 3d.]

IMPOUNDED at Appin, on the 27th December, December, 1841:—

One red and white Steer, blind of the near eye, branded apparently D on off hip, MD on ribs off side.

If the above described beast is not released in 21 days from the date hereof, he will be sold at the Pound, at Appin, as directed by Act of Council.

THOMAS SMITH, Poundkeeper.
January 7, 1842. [9s.]

IMPOUNDED at Mufton Park, on the 13th December 1841:—

One black Cow and Calf by her side, branded CCC off side rump, ribs, and shoulder, blotch on the rump, HC near side, ear slit.

One red and white Bull, branded HN rump off side, S-B ribs, same side; damages £5

One black-sided Stag, branded JC near side rib; damages £5.

One brindle Steer, brand illegible.

One brindle Bullock, branded RB rump near side, snail horns, ear slit, HC off side rump and rib.

Also, on the 20th ultimo:—

One strawberry Cow, branded JF near side rib and rump.

One yellow Cow, WEK off side rib, Calf by her side unbranded.

One blue-sided Cow, white back and belly, branded R 2 off side rump, Calf by her side.

One brindle Heifer, branded FF off side rump.

JD

One brindle Cow, brand illegible.

One brindle Cow, branded RL off rib, calf by her side unbranded

One black and white Bullock, branded IR off rump.

One yellow Bullock, branded GP off rib, JB near rump.

One red and white Steer, branded PW off side rump.

Also, on 21st December, 1841:—

One strawberry Cow, branded WEK on ribs, ear slit off side.

One strawberry Cow, branded JG on near rump, blotch on off side, Bull Calf unbranded by her side.

One strawberry Heifer, branded 4 on off shoulder, H on rump.

One brindle and white Bullock, branded TW on off side, a square brand on off shoulder.

One red Bullock, branded CVK off ribs

One brindle Cow, branded (RR) off rump, Calf by her side unbranded.

One red Cow, branded RL off rump, star in forehead.

One red and white Steer, branded RL off rump.

One strawberry Steer, brand illegible.

One red Cow, branded M off ribs.

One strawberry Cow, branded S-C off side ribs, and 5 on shoulder.

If not claimed or released within twenty-one days from the date hereof, they will be sold to defray expenses agreeably to Act of Council.

WILLIAM BEST, Poundkeeper.

(766) January 7, 1842. [19s. 6d.]

IMPOUNDED in Dungog Pound, on the 23rd December, 1841:—

One grey Cow and Calf, branded KP on off rump.

One white Bull, red ears, red about the eyes, no brand.

One white Bullock, near horn broken, branded on near rump W, off side WD.

J-D

If the above Cattle are not claimed, and all expenses paid before the 11th of January next, they will be sold, agreeably to Act of Council

WILLIAM JEFFERY, Poundkeeper.

(756) January 7, 1842. [9s. 9d.]

IMPOUNDED at Prospect Pound, on the 31st December, 1841:—

One red and white spotted Heifer, 18 months old, branded IT on off hip.

If the above Heifer is not claimed and released, she will be sold on the 31st of January, 1842.

W. ADAMS, Poundkeeper.

(764) January 7, 1842. [9s.]

IMPOUNDED at Carcoar, the 9th of December, 1841:—

One strawberry Steer, branded g-B on off rump.

One red and white Steer, branded apparently OO on near rump.

One brindle Cow, branded MD on off shoulder.

One red Cow, branded H on off rump, G on near rump.

If the above described Cattle are not claimed and released on or before the 11th day of January, they will be sold to defray expenses, pursuant to Act of Council.

JAMES KERR, Poundkeeper,

(761) January 7, 1842. [10s.]

IMPOUNDED at Hartley, on 1st January, 1842:—

One aged light bay Horse, black mane, and docked tail, about fifteen and a half hands high, branded TC under the mane off side, Z on the near shoulder; damages, £1.

Also, from the Estate of James Walker, Esq., J. P.

One white Bullock, horns grown down under the jaw, branded RS on the near rump; damages, 15s.

One dark brown Bull Stag, a little white on the back, belly, tail, and hind legs, star on the forehead, branded EJ on off rump; damages, 15s.

One aged red and white spotted Bull, crooked horns, branded SM on off rump; damages, 15s.

One red and white spotted Steer, one horn up and the other down, branded M on the rump near side, 39 on the ribs near side; damages, 10s.

One yellow and white poley Cow, branded Y on the rump off side, Y on the ribs off side; damages, 10s.

One red and yellow cock horned Cow, white back, belly, and hind feet, branded RC on the rump milking side; damages, 10s.

One yellow and white poley Cow, branded M on the rump, M on the ribs; damages, 10s.

One white and brindle spotted poley Heifer, branded CK on the rump milking side, W or W on the ribs milking

side; damages, 10s.

One female Calf, white and red ears, yellow spotted legs, unbranded; damages, 5s.

If the above Cattle are not released on or before Monday, the 24th of January, they will be sold at the Pound Gate, at Twelve o'clock at noon, to defray expenses pursuant to Act of Council.

JAMES M'CAY, Poundkeeper.

Hartley, January 3, 1842.

(770) [15s. 9d.]

IMPOUNDED at Singleton, Patrick's Plains, on the 15th December, 1841:—

One white poley Cow, black head and neck, near ear cropped, branded E on near rump, 7IN near ribs, a yellow and white female Calf by her side.

One yellow and white Bullock, branded JF on off

rump, TE conjoined off ribs, like F near shoulder,

One strawberry Cow, one horn broken, branded T and another illegible letter on near rump, a yellow male Calf by her side, white back and belly.

One red Cow, branded on near ribs MOR, off rump UC, off ribs OB.

One dark-red Cow, branded on off rump JB, off ribs C, off neck like W, and a yellow-sided unbranded Bull Calf.

One dark-brown Bullock, branded on off rump CP, off and near ribs TE conjoined.

41

CP

CX

One red Bullock, branded on off rump like Q

I

One red year old Bull, not branded; damages £5.

If the above Cattle are not claimed on or before the 11th January, 1842, they will be sold on that day, at noon, agreeably to Act of Council.

THOMAS PATTERSON, Poundkeeper.

(727) [18s. 9d.]

IMPOUNDED at Prospect Pound, on the 28th December, 1841 :—

One aged Cow, low in condition, red sides, back and belly white, branded on near hip T within a circle.
 One red Cow, low in condition, back and belly white, illegible brand within a circle on near hip, has a sucking Bull Calf by her side unbranded.

One white poley Calf, ears a little red, branded on off hip like D, off ribs D.

One yearling Bull Calf, red and white, brand on hip not legible, on off ribs D.

If the above Cattle are not claimed and released, they will be sold on the 24th of January, 1842.

W. ADAMS, Poundkeeper.

December 31, 1841.
 (750)

[10s- 9d.

IMPOUNDED from the Estate of Mr. W. Guise, Gundaroo, on the 27th December, 1841 :—

One brindle Bull, white spot on rump, white belly, branded T on off rump; damages, £5.

One red-sided Cow, branded HY on off rump, 2 on off ribs, MK on near loins; damages, 4s.
 One red-sided Heifer Calf, unbranded; damages, 4s.

One yellow-sided Cow, branded DD on near ribs, PL with GS or GB between on the off thigh; damages, 4s.

One red-sided Bull Calf, unbranded; damages, 4s.

If not released on or before the 21st day of January next, they will be sold.

JOHN GRAY, Poundkeeper.

(768) Queanbeyan, December 27, 1841. [11s.

IMPOUNDED at St. Aubin's Pound, from the Estate of Stephen Coxen, Esq., on the 29th December, 1841 :—

One red and white Bullock, brands on near rump resembling SHS,

One black Bullock, white belly, brands resembling HS near rump.

One yellow Cow, Calf by her side, branded P on rump, milking side, off rump 120.

One black Heifer, white back and belly, branded ET conjoined on milking side, on rump same side JB, on off side resembling SD.

One red Heifer, white back and belly, branded A D on ribs milking side, on same side A D, and on off rump H.

One black Cow, Calf by her side, branded A. off rump C K, on shoulder same side resembling 3.

Also, from the Estate of Captain Dumeresq, Esq. :—
 One red poley Cow, red spots, branded SYD off side,

C on off rump, and resembling Q on milking side.
 One strawberry Bullock, same brand.
 One red Bullock, same brand.

One black down-horned Bullock, near shoulder near ribs T, near rump over wheat stacks.

One red and white poley Bullock, brand on near rump resembling D.

If the above described Cattle are not released on or before the 29th January, 1842, they will be sold at twelve o'clock noon of that day to defray expenses agreeably to Act of Council.

JOHN CLARK, Poundkeeper.

(765) January 7, 1842, [15. 6d.

IMPOUNDED at Muswellbrook, for Trespass on open pasture :—

One strawberry spotted Heifer, branded on off shoulder apparently AD conjoined, aged 15 months, no particular marks.

One red working Bullock, branded Δ on off rump, IC or IO on off thigh, 2 on near rump, a small brand F apparently on near thigh.

One red working Bullock, branded TB on near rump, apparently TI on off rump, JI-C on off hip, ISH on off ribs.

One chestnut Mare, light coloured feet, short tail, stripe down face, saddle marks, branded W on off shoulder, G on off side neck, brand resembling 2 on near cheek.

One chestnut Filly, long tail, light coloured feet, branded R reversed on near shoulder.

One yellow-sided Heifer, brand resembling a star on near shoulder.

One brindle Bullock, branded on off rump and ribs TH, off thigh RA.

One red Steer, branded Q D conjoined on off rump.

One brown and white Bullock, branded J V on off ribs an illegible brand on near shoulder.

One red and white Heifer, right ear clipped, branded XO or WO on near rump, TH off rump, 4 off shoulter.

One brindle Bullock, left ear notched, branded JR on off rump

One brindle and white Steer, short tail, branded WW on off thigh.

One red Bullock, notch behind left ear, branded E on off rump, E2 off thigh.

One red-sided Bullock, branded W on off rump, BH off ribs, R off shoulder.

One brown-sided Cow, branded RJ on off rump.

One red Cow, branded TB on off rump, X off shoulder, 38 near rump.

One Heifer Calf, unbranded.

One brown Bullock, branded IC on off rump.

One red-sided Cow, branded A CA off rump, W off ribs, Q D conjoined off shoulder.

One red Bullock, branded JR on off rump.

One white Cow, brand resembling an arrow with a diamond under on off rump, HP off thigh, M off ribs.

One yellow snail-horned Bullock, branded IC on off rump.

One red and white speckled working Bullock, snail horns, branded RA on near rump and thigh.

One red Cow, branded JR on off rump, SM off ribs, and on off side thigh R, a male unbranded Calf by her side.

One red and white spotted Steer, branded apparently SM or GM on off ribs.

One red Cow, branded CB on off rump, SM off ribs, DL near rump and thigh.

One brown Steer, branded SM on off ribs.

One black Steer, branded EM on off rump.

One red Bullock, branded IBB on off ribs, and scratches on off rump resembling the sharp in music.

One black-sided Cow, branded the same.

One red Bullock, branded IB or TB on near rump, an illegible brand on near thigh.

One red Cow, branded JD on off rump.

One red Cow, 3 years old, white on belly, rump, shoulder, and hind legs, brand on off hip illegible, a red unbranded male Calf by her side.

One black Bullock, branded ER on off rump, B off ribs and shoulder.

One yellow and white Heifer, right ear clipped, branded XO on near rump, IB off rump, a triangle on off shoulder.

Two red Cows, branded JR on off thigh.

One red Cow, branded TB on off rump, 4 off shoulder, 37 near rump.

One Heifer Calf, branded TB on off rump, 40 on near rump.

Damages on the above Cattle 2d. per head.
 One strawberry poley Bull, 14 months old, unbranded; damages £5.

If not duly claimed, they will be sold at the Pound on the 17th January, 1842, at noon, pursuant to Act of Council.

E. BENNETT, Poundkeeper.

Muswellbrook, 20th December, 1841.

(780) £1 10s.

IMPOUNDED at Mount Arthur, Wellington, from the Run of Sir John Wyld, on the 20th December, 1841:—

One Mouse-coloured Mare 6 years old, little white on near hind fetlock, branded A on near side under the saddle, a lit'e inclining to the shoulder, with large swelling on the near flank, has never been handled.

If not released before the 14th January, 1842, she will be sold, agreeably to Act of Council.

C. HUGHES, Poundkeeper.

(746) [9s. 6d.]

IMPOUNDED at Baker's Farm, Wollombi, on the 17th December, 1841:—

One yellow Cow, branded IL on off hip, JR off thigh

One brown Steer, no brand.

One red-sided Heifer, white back, no brand.

One black Cow, white tail and belly; branded JR on off hip.

One black Bull, short tail, no brand.

One brown Cow, no brand

One brown Bull Calf, no brand.

If not claimed and released on or before the 22nd January next, they will be sold at the Pound, at noon, agreeably to Act of Council.

JOHN THOMAS BAKER, Poundkeeper.

(740) [10s. 9d.]

IMPOUNDED by Mr. William Reynolds:—

One Bay Gelding, aged, white star in forehead, four white feet, saddle marks on both sides of back, about thirteen and a-half hands high, short switch tail, lame in the stifle, branded R on near shoulder.

One Bay Gelding, black points, four years old, about fourteen hands high, short switch tail, branded JR on the near shoulder.

One Grey Gelding, three years old, long switch tail, branded 119 on the off shoulder, D on near side neck, GX on near shoulder, with a blotched brand underneath, L reversed with a semi-circle on the head of the L under the saddle near side.

If not released on or before the 21st day of January next, they will be sold.

JOHN GRAY, Poundkeeper.

Queanbeyan, December 23, 1841.

(769) [11s. 3d.]

IMPOUNDED at Jerry's Plains, on the 27th December, 1841:—

One iron-grey Mare, black points, branded OW and a heart under on near shoulder.

If not released, she will be sold on the 21st January, 1842, agreeably to Act of Council.

R. T. CAPP, Poundkeeper.

(748) [9s.]

IMPOUNDED at Muswellbrook, for trespass in Grass Paddock on the 25th December, 1841:—

One yellow-sided working Bullock, branded SI on off rump, SW off thigh, an illegible brand off loins; damages 1s.

One red-sided speckled Cow, branded W8 on off rump and behind off shoulder, a brand resembling DH on near rump; damages 1s.

One red and white speckled working Bullock, branded JN on near and off rump, apparently B off ribs; damages 1s. 3d.

One brindle Bullock, branded RC on near rump; damages 1s. 3d.

One black snail-horned Bullock, branded G-B on off rump, HM off thigh, NB off ribs; damages 1s. 3d.

One red-sided Bullock, branded EA on near ribs, EA near rump; damages 1s. 3d. JD

If not duly claimed, they will be sold at the Pound on the 24th of January next, at noon, pursuant to Act of Council.

E. BENNETT, Poundkeeper.

Muswellbrook, 25th December, 1841.

(745) [12s. 9d.]

No. 4. JANUARY 14, 1842.—7

IMPOUNDED at St. Aubin's Pound, Scone, December 23, from the Estate of Stephen Coxen, Esq., Satur:—

One red Steer, branded off rump R R; damages 3d per head.

One red Steer, branded off rump T B; damages 3d

One black Heifer, same brand; damages 3d

One strawberry Cow, piece off left ear, branded TH on rump, milking side, with a Calf by her side; damages 3d

One red Bullock, branded near thigh D B; damages 3d

One dark brown Bullock, white back and belly, branded

near shoulder, and near rump like R H; damages 3d

One red poley Bullock, branded near shoulder, near side 8, off ribs J-C, off rump not legible, right ear marked, damages 3d

One dark-brown Bullock, branded off thigh T conjoined; damages 3d

One red poley Steer, branded near thigh R conjoined; damages 3d

One red Bullock, branded off thigh 8; damages 3d

One white down-horned Bullock, same brand on off rump; damages 3d.

One black down-horned Bullock, branded SC on near rump; damages 3d.

One red Bullock, branded H H on near rump, damages 3d.

One red spotted Bullock, branded DB on off thigh; damages 3d.

One yellow-sided Bullock, white back and belly, piece out of near ear branded B on near rump; damages 3d.

One black Steer, no brand legible; damages 3d

One red and white spotted Steer, branded JR on off thigh, like B near rump; damages 3d.

One strawberry Cow, piece off left ear, branded T on rump milking side, a Calf by her side; damages 3d.

If the above described Cattle are not released within twenty-one days from the date hereof, they will be sold, agreeably to Act of Council.

JOHN CLARK, Poundkeeper.

December 31, 1841.

(747) [17s. 9d.]

IMPOUNDED at Muswellbrook, for trespass in

Grass Paddock, viz:—

One strawberry-sided Cow, has a faint resemblance of a brand on off ribs, and is branded B on rump off side; damages 1s; one red male unbranded Calf by her side, 8 months old; damages 1s.

One brindle poley Heifer, brand on near ribs resembling DRB; damages 1s.

One red Steer, an illegible brand on off ribs, spot of white on near rump, white on flank off side, spot of white on near hip, age 18 or 20 months; damages 1s.

One red and white Bullock, 2 years old, wide spread horns, unbranded; damages, 1s.

One red and white spotted Steer, branded G on near rump, brand on near ribs illegible, X on off ribs; damages 1s.

One Heifer, branded G on near rump, apparently SSO on near ribs, X on off ribs; damages, 1s.

One male Calf, unbranded; damages, 1s.

One Steer, branded IBB on off ribs; damages, 1s.

One red Bullock, branded GF on off hip, 3LL on ribs; damages, 1s.

One Bullock, branded with a diamond on off rump, IBB on ribs.

Four other Bullocks with the same brands; damages, 1s per head.

One Bullock, branded LG on off shoulder, JH on ribs and rump, right ear slit; damages, 1s.

One Bullock, branded TJ on near rump, IBB on off rump, and about nine inches above it is placed LG; damages, 1s

One Heifer, branded off ribs IBB, off rump O; damages 1s.

One Bull, about 10 months old, same brands, damages 1s.

One Steer, branded off and near ribs I B B ; damages 1s.

One Steer, branded off ribs BOS ; damages 1s.

One Steer, branded off ribs I B B, near ribs BOS ; damages 1s.

One brown and white Bullock, branded on off ribs resembling I-OS, a round brown patch on near ribs ; damages 1s.

One Cow, branded M on off rump, P on off shoulder, GW

JHB on off ribs ; damages, 1s.

GH

Also, for trespass in open pasture.—

One strawberry spotted Heifer, branded JJ on off shoulder ; damages, 3d.

Also, for trespass in grass paddock.—

One brindle Bullock, branded RC on near rump, diamond on near shoulder ; damages. 1s. 3d.

If the said Cattle are not claimed they will be sold at the Pound, on the 31st Instant, at the hour of noon, pursuant to Act of Council.

E. BENNETT, Poundkeeper.

(769) Muswellbrook, January, 1842. [£1 2s.

IMPOUNDED at Bathurst, on the 24th December, 1841 :—

One white poley Heifer, red spots on neck and head, a piece off the near ear, and the off ear slit, branded WM on near rump.

One white poley Steer, red spots on the head, piece out near ear, branded H $\frac{1}{2}$ on the near rump.

One black Steer, white belly, branded J.J on off rump, J.J off shoulder.

One brindle-sided poley Cow, branded WR conjoined on off ribs, MJ

IF on off hip, a strawberry heifer Calf by her side, not branded.

One strawberry Cow, slit in off ear, branded R on near rump, R

square with diamond underneath near side, M on off shoulder.

One light strawberry Bullock, branded like LM conjoined on off shoulder.

One brindle-sided Bullock, branded WG on near rump.

One brown-sided Bullock, branded TE on off rump, like WP near rump.

One brindle-sided Bullock, branded Z on near shoulder, like MK conjoined near rump.

One large yellow Bullock, cock horns, branded JF on off rump.

One brindle Bull, three years old, hind feet white, not branded.

If the above Cattle are not claimed on or before the 20th January, they will be sold at noon, on that day, agreeably to the Act of Council.

JOHN TREWREN, Poundkeeper.

(760) January 7, 1842.

[15s.

Sydney:—Printed by WILLIAM JOHN ROW, Government Printer, and Published by him at the Government Printing Office, Bent-street.— January 14, 1842.



S U P P L E M E N T

TO THE

NEW SOUTH WALES

GOVERNMENT GAZETTE,

OF TUESDAY, JANUARY 11, 1842.

Published by Authority.

WEDNESDAY, JANUARY 12, 1841.

ANNO QUINTO
VICTORIÆ REGINÆ.
No. 17.

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 giving Relief to Insolvent Persons, and providing for the due Collection, Administration, and Distribution of Insolvent Estates, within the Colony of New South Wales, and for the Prevention of Frauds affecting the same.

WHEREAS it is expedient and necessary to make provision for giving relief to Preamble. such persons as by misfortune, and without having been guilty of fraud or dishonesty, are, or may become, Insolvent, and for the due collection, administration, and distribution of Insolvent Estates within the Colony of *New South Wales*, and for the prevention of frauds affecting the same: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That it shall and may be lawful for the Chief Justice, and Resident Judge, in and for the District of Port Phillip, to appoint some fit and proper person, resident at Melbourne, to be Chief Commissioner of Insolvent Estates in and for the said District; and for the said Chief

Justice, and Resident Judge, respectively, to appoint such Commissioners, resident in the Country parts of the said Colony, and other Ministerial Officers, as may be necessary to carry into effect the provisions of this Act; and such Chief Commissioner, and other Commissioners, and Officers, from time to time to suspend or remove, and to appoint other persons in their stead, respectively.

(Fees to be paid in Insolvency proceedings.)

II. And whereas it is necessary to make provision for defraying such of the necessary expences of carrying this Act into effect as are not otherwise hereinafter provided for: Be it enacted, That it shall be lawful for the Judges of the Supreme Court, in Sydney, and the Resident Judge, at Melbourne, respectively, to cause such moderate Fees to be paid for presiding at Meetings of Creditors, and on all proceedings in Insolvency, as to the said Judges, respectively, may seem meet; the said Fees to be taken by the Commissioners, or other Officers employed in carrying this Act into effect, as the said Judges may direct.

(Any Judge may accept the surrender of the Estate of any person by Petition declaring himself Insolvent.)

III. And be it enacted, That from and after the first day of February next, it shall and may be lawful for any Judge of the Supreme Court of the said Colony, upon the Petition, in writing, of any person, setting forth that he is Insolvent, and desirous of surrendering his Estate for the benefit of his Creditors, either to direct such person to appear before him, to be examined touching his said Insolvency, or to receive such other proof thereof, by affidavits of the said Insolvent and others, as to the said Judge may seem fit; or to

direct such petitioner to appear before any such Commissioner as aforesaid, and to direct such Commissioner to examine the petitioner in manner aforesaid, and to take proof of the matters aforesaid; and it shall and may be lawful for any Judge of the said Supreme Court, on considering the report of any such Commissioner, or upon proof of the matters aforesaid, to his satisfaction, to accept the surrender of such Estate, and by order, under his hand, to place the same under sequestration in the hands of the Chief Commissioner in and for that part of the Colony in which such Insolvent shall reside.

(Surrender by persons vested with the administration of the Estate of others.)

IV. And be it enacted, That it shall in like manner be lawful for any Judge of the said Supreme Court, upon the like Petition of any person legally vested with the administration of the Estate of any person deceased, or with the Estate of any other person situate in the said Colony, in trust for Creditors, stating the Insolvency of such Estate, or upon the like Petition, stating the Insolvency of the Estate of any Company trading or having any Estate or Effects within the said Colony, made by the greater number of the partners of such Company, who at the time of presenting the petition are within the said Colony, to examine the petitioner or petitioners, or cause him or them to be examined, in manner aforesaid, or to take, or cause to be taken, proof of the matters aforesaid, in manner hereinbefore provided; and it shall be lawful for any Judge of the Supreme Court, upon proof of the matters aforesaid, to his satisfaction, to accept the surrender of any such Estate, and to place the same under sequestration in manner aforesaid; and after the order for any such sequestration is made, the like proceedings shall, and may be had, and take place, concerning such Estates, and the persons in whom the administration thereof is legally vested, and the partner or partners of such Companies, as are herein provided concerning other Estates and other Insolvents.

(What shall be deemed acts of Insolvency.)

V. And be it enacted, That if any person having any property, personal or real, within the said Colony, shall depart therefrom, or being out of the said Colony, shall remain absent therefrom, or shall depart from his dwelling house, or otherwise absent himself, *with intent to defeat, or delay his Creditors*, in obtaining payment of their debts, or having against him the sentence of any competent Court, being thereunto required, shall not satisfy the same, or shall not point out to the Officer charged with the execution thereof, sufficient disposable property to satisfy the same, and if it shall appear from the return made by such Officer, or his affidavit, that he has not found sufficient disposable property of such person to satisfy such sentence, or shall make or cause to be made, either within the said Colony or elsewhere, any fraudulent alienation, transfer, gift, surrender, delivery, mortgage, or pledge of any of his Estate, goods, or effects, real or personal, or give or execute any fraudulent Warrant of Attorney, or Cognovit actionem, whereby the same or any part thereof may be affected, shall be deemed thereby to have committed an act of Insolvency.

(What alienations, transfers, surrenders, &c., fraudulent and void.)

VI. And be it enacted, That every alienation, transfer, gift, surrender, or delivery, mortgage, or pledge, of any Estate, goods, or effects, real or personal, or Warrant of Attorney, or Cognovit actionem made by any person, who at the time is actually Insolvent, or who by any such alienation, transfer, gift, Warrant of Attorney, Cognovit actionem, surrender, or delivery, shall be rendered Insolvent, to any person whatsoever, without valuable consideration, shall be, and are hereby declared to be, fraudulent, and absolutely void: Provided always, that no conveyance or assignment which shall have been executed prior to the passing of this Act, under the provisions of an Act of the said Governor and Council, passed during the present Session, intituled "*An Act for the further amendment of the Law, and for the better advancement of Justice*," and in conformity with those provisions, shall be deemed fraudulent or void, within this or the next preceding section.

(What alienations, transfers, surrenders, &c. liable to be set aside at the instance of a Creditor injured thereby.)

VII. And be it enacted, That all alienations, transfers, gifts, surrenders or deliveries, of any goods or effects, real or personal, made by any person, after he has contracted any debt, and within twelve months preceding the commission of any act of Insolvency by him, or preceding the sequestration of his Estate as Insolvent, or preceding any time at which it shall be made to appear by proof that he was actually Insolvent, to any person whatsoever, *without valuable consideration*, shall be, and are hereby declared to be, liable to be set aside, on a summary application to, and by order of the Supreme Court, at the instance of any Creditor of the said Insolvent, whose debt was contracted, or the cause of whose debt had arisen prior to the making of such alienations, transfers, gifts, surrenders, or deliveries, in so far as such Creditor would thereby be prevented from receiving the full amount of his said debt.

(What alienations, surrenders, &c., having the effect to prefer one Creditor to another absolutely void.)

VIII. And be it enacted, That all alienations, transfers, gifts, surrenders, deliveries, mortgages, or pledges, of any Estate, goods, or effects, real or personal, Warrants of Attorney, Cognovits actionem, and judgments entered up thereon, made by any person being Insolvent, or in contemplation of surrendering his Estate, as Insolvent, or knowing that legal proceedings for obtaining an order for the sequestration of his Estate, as Insolvent, have been commenced, or within sixty days preceding the making of any order for sequestration of his Estate, as Insolvent, and having the effect of preferring any then existing Creditor to another, shall be, and are hereby declared to be, absolutely void.

(Exception where any third party has purchased and acquired the goods or effects for a just price, or in satisfaction of a debt.)

IX. Provided always, and be it enacted, That if any person shall lawfully and *bona fide* purchase or acquire any of the Estate, goods, or effects,

real or personal, which have been alienated, transferred, given, surrendered, or delivered by any Insolvent person, in the manner set forth in any of the three last preceding clauses of this Act, from any person to whom such Estate, goods, or effects, have been so alienated, transferred, given, surrendered, or delivered, by any true bargain or agreement, for a just and competent price, or in satisfaction of any lawful debt due to him, nothing contained in this Act shall extend, or be construed to annul or affect any right which any such person has lawfully and *bonâ fide* purchased or acquired in such Estate, goods, or effects; but in all such cases the persons to whom such Estate, goods or effects, were alienated, transferred, given, surrendered, or delivered, by the Insolvent, shall be bound and obliged to pay the true value of all such Estate, goods and effects, by them disposed of to a third party, to or for behoof of such of the Creditors of the Insolvent, as in virtue of the provisions of this Act, shall be entitled to have the alienations, transfers, gifts, surrenders, or deliveries, of such Estate, goods or effects, by the Insolvent, declared to be void, or set aside.

(Alienation, &c. after any order of Sequestration, void.)

X. And be it enacted, That all Warrants of Attorney, and Cognovits actionem, alienations, transfers, gifts, surrenders, deliveries, mortgages or pledges of any Estate, goods, or effects, real or personal, made by any person after any order of sequestration of his Estate has been made, and before he shall have obtained his certificate as hereinafter mentioned, shall be, and are hereby declared to be, absolutely void.

(What acquittances, discharges of debts, or security for same, made by Insolvent, void.)

XI. And be it enacted, That all acquittances, surrenders, or discharges of any just debt, or of any security for any just debt, or other matter or thing, payment or delivery of which has not been actually and *bonâ fide* received, made by any person being Insolvent, or in contemplation of surrendering his Estate, as Insolvent, or knowing that legal proceedings for obtaining an order for sequestration of his Estate, as Insolvent, have been commenced, or after any such order has been made, or within sixty days preceding the making of any such order, having the effect to deprive his Creditors of the benefit of any debt, or other matter or thing, shall be, and are hereby declared to be, absolutely void.

(What payments made by or to Insolvent, fraudulent, and when valid.)

XII. And be it enacted, That all payments made to any Creditor by any person not compelled by legal process to make the same, and knowing himself to be Insolvent, or in contemplation of surrendering his Estate, as Insolvent, or knowing that legal proceedings for obtaining an order for sequestration of his Estate, as Insolvent, have been commenced, or that any such order has been made, shall be, and are hereby declared to be, fraudulent; but all payments really and *bonâ fide* made by any Insolvent, or by any person on his behalf, to any Creditor, before any order made for the sequestration of his Estate is known to the Insolvent or to such Creditor, shall be valid; and all payments really and *bonâ fide* made to any

Insolvent, or to any person legally entitled to receive the same, on his behalf, before any order is made for the sequestration of the Estate of the Insolvent, on his surrender thereof, or before sequestration of his Estate has been adjudged at the instance of his Creditors, shall be valid, provided such person, so making payment to the Insolvent, or to any person on his behalf, had not, at the time of such payment, notice of any order for the sequestration of the Estate of the Insolvent having been made; but if any person shall so receive any payment hereinbefore declared to be a fraudulent payment, from the Insolvent, or if any person shall so make any payment to the Insolvent, or to any person on his behalf, after an order for sequestration has been made, on the surrender of the Insolvent, or after adjudication of sequestration at the instance of the Insolvent's Creditors, or having, at the time of such payment, notice of any order for such sequestration having been made, at the instance of the Insolvent's Creditors, provided such sequestration shall thereafter be adjudged, in manner hereinafter mentioned, the person so receiving payment from the Insolvent shall be bound and obliged to repay, for the benefit of the Creditors of the Insolvent, the sum so received by him; and the person so making such payment to the Insolvent, or on his behalf, shall be liable again to pay, for the benefit of the Creditors of the Insolvent, the sum so paid by him to the Insolvent, or to any person on his behalf.

(Sequestration upon petition of Creditor against an Insolvent person.)

XIII. And be it enacted, That it shall and may be lawful for any Judge of the Supreme Court, upon petition made in writing, against any person having committed any such act of Insolvency, as aforesaid, by any Creditor or Creditors, whose debt or debts amount to the value hereinafter provided, and setting forth the amount of the debt of such Creditor, and the cause thereof, and the alleged act of Insolvency, and praying that the Estate of such person may be sequestrated for the benefit of his Creditors, upon proof thereof to the satisfaction of the said Judge, by the examination of the parties or either of them, or otherwise, as the said Judge shall require, and provided there shall be produced to the said Judge, together with such petition, the affidavit or affidavits, and certificate hereinafter required, by order, under his hand, to place the Estate of every such person or persons under sequestration, in the hands of the Chief Commissioner, until the same shall, in manner hereinafter mentioned, be adjudged to be sequestrated, or the said petition shall be discharged.

(Nature and amount of petitioning Creditor's debt)

XIV. And be it enacted, That no Estate shall be placed under sequestration, unless the debt of a single Creditor, petitioning that the same may be sequestrated, shall amount to Fifty Pounds, or unless the debts of two or more Creditors, so petitioning, shall jointly amount to One Hundred Pounds; and every person who has given credit to another upon valuable consideration, for any sum payable at a certain time, which time shall not have arrived when the act of Insolvency was committed, may so petition, or join in petitioning as aforesaid, whether he shall have any security for the same or not.

(Affidavit of petitioning Creditor.)

XV. And be it enacted, That every petitioning Creditor shall, before presenting any petition for having any Estate placed under sequestration, make an affidavit in writing, before one of the Judges, or a Commissioner, (which affidavit shall be filed with the proceedings in the Estate,) of the truth of his debt and the cause thereof; and shall likewise give security, to the satisfaction of the Chief Commissioner, for the payment of the necessary fees and charges for prosecution of the said sequestration, until the choice or appointment of Trustees; and the said Chief Commissioner shall forthwith endorse on every such petition, a certificate that such security has been found, and shall sign the same.

(Costs of Sequestration.)

XVI. And be it enacted, That the creditor or Creditors, on whose petition any order for sequestration shall be made, shall, at his or their own cost, prosecute all the proceedings in the said sequestration, until the election or appointment of Trustees, in manner hereinafter mentioned; and the same having been first taxed and ascertained by the Chief Commissioner, the Trustee or Trustees shall reimburse the said Creditor or Creditors out of the first money that shall be received; and the costs incurred under any sequestration, after the election or appointment of Trustees shall, in the first place, and before any other debt, be paid out of the free residue of the Insolvent Estate, when it shall be sufficient for the same; and when the said free residue shall be insufficient for the payment thereof, all the Creditors who have proved debts against the Insolvent Estate, shall be personally liable to the Trustee or Trustees for the same, in proportion to such Debts, and the said Trustee or Trustees shall and may recover the same by summary application to, and by order of, the Supreme Court, or any Judge thereof.

(Sequestration of the Estate of a Company or Partners.)

XVII. And be it enacted, That any Creditor or Creditors of any Company may, in like manner as aforesaid, petition against all, or any one or more of the partners of any such Company, to have the Estate of such Company placed under sequestration; provided any such partner has committed any act of Insolvency, with intent, or in such manner as, to defraud the Creditors of such Company, or to defeat, or to delay them in obtaining payment of the debts due by such Company; or provided the sentence of any competent Court has been obtained against such Company, and the partners thereof, being thereunto required, have not satisfied the same, or pointed out to the Officer charged with the execution of such sentence, sufficient disposable property to satisfy the same; and provided it shall appear, from the return made by such Officer, or his affidavit, that he has not found sufficient disposable property of such Company to satisfy such sentence; and every order for sequestration issued upon such petition shall be valid, although it do not include all the partners of the Company; and after the order for sequestration of any such Estate is made, the like proceedings shall and may be had, and take place, concerning such Estate, and such partner or partners, as are herein provided to be

had, and take place, concerning other Estates and other Insolvents: Provided always, that nothing herein contained shall extend, or be construed to prevent the Creditor or Creditors of any Company from proceeding against any partner, or the separate Estate of any partner thereof, in respect of debts due by such Company, in the same way, in which it is herein provided, that the Creditors of any person may proceed against him and his Estate, in respect of debts due by such person, in his individual capacity.

(Sequestration by Creditor of Estates under legal administration of other persons committing any act of Insolvency.)

XVIII. And be it enacted, That any Creditor or Creditors of the Estate of any person deceased, may, in like manner as aforesaid, petition to have such Estate placed under sequestration, as Insolvent, provided the person in whom the administration of such Estate is legally vested, has committed any act of Insolvency, with intent, or in such manner as, to defraud the Creditors of such Estate, or to defeat or delay them in obtaining payment of the debts due to such Estate; or provided the sentence of any competent Court has been obtained against any such Estate, and the person in whom the administration thereof is legally vested, has not satisfied the same, or being thereunto required, pointed out to the Officer charged with the execution of such sentence, sufficient disposable property to satisfy the same; and provided it shall appear from the return made by such Officer, or his affidavit, that he has not found sufficient disposable property, belonging to such Estate to satisfy such sentence; and after the order for any such sequestration is made, the like proceedings shall and may be had, and take place, concerning such Estates, and the persons, in whom the administration thereof is legally vested, as are herein provided to be had, and take place, concerning other Estates and other Insolvents.

(Liability and privileges of the Partners of any Company, or of others administering Estates.)

XIX. And be it enacted, That every privilege and power given by this Act to any Creditor in respect of any debt due to him, individually, by any Insolvent, and every liability or penalty imposed by this Act on any such Creditor, shall be, and is hereby declared to be, given to, and imposed on, the partner or partners of any Company, in respect of any debt due to such Company by any Insolvent; and to be given to, and imposed on, every person legally vested with the administration of the Estate of any person deceased, or of any person legally or actually incapable of the administration of his Estate, or of the Estate of any other person, situated within this Colony, in respect of any debt due to such Estate by any Insolvent: Provided always, that in reckoning the number of votes at any meeting of Creditors, or the number of Creditors who have signed the certificate of any Insolvent, the partners of any Company, and any persons in whom the joint administration of any Estate is vested, as aforesaid, shall be entitled to only one vote, and shall be considered as one person.

(Lodging with Sheriff the order of Sequestration and other proceedings thereon.)

XX. And be it enacted, That the party obtain-

ing any order for sequestration, shall forthwith lodge the same with the Sheriff of this Colony, at his Office in Sydney; or if obtained within the District of Port Phillip, with the Sheriff of that District; and the Sheriff shall en-register the said order, and note thereon the day and hour of its production, and shall forthwith deliver, or cause the same to be delivered to the Chief Commissioner, who shall cause the same to be notified in the *Government Gazette* of the Colony; and every Insolvent obtaining any order for sequestration, shall also lodge with the Chief Commissioner a list containing, to the best of his knowledge and belief, the names and places of abode of his several Creditors.

(Attachment upon the Estate, and how to be made.)

XXI. And be it enacted, That the Chief Commissioner, upon any Estate being placed under sequestration in his hands, shall, by his messenger, authorised by Warrant under his hand, enter and seize, and lay an attachment on, the monies, securities for money, estate and effects, wheresoever or with whomsoever they shall be, and make an inventory thereof; and it shall be lawful for the Insolvent, or any of the Creditors, or for the agent of any of the Creditors of the Insolvent, to accompany the messenger, and to be present with him, while making out the inventory aforesaid.

(Attachment of moveable property, how to be made, as a penalty for defeating same.)

XXII. And be it enacted, That when any moveable property, belonging to any Insolvent Estate, is attached as aforesaid, in virtue of any order for the sequestration thereof, the messenger making such attachment, shall leave with the person in whose possession any such property is attached, a copy of the said inventory, having subjoined thereto, a notice that the property of the Insolvent has been attached by the said messenger, by virtue of an order for the sequestration thereof; and that any person who, knowing the same to have been so attached, shall dispose of, remove, retain, embezzle, conceal, or receive the same, or any part thereof, with intent to defeat the said attachment, is liable on conviction of such offence, to be imprisoned, with or without hard labour, for any period not exceeding three years: Provided always, that it shall be lawful for such messenger to secure on the premises, by sealing up any repository, room, or close, any articles which, in the discharge of his duty, it shall seem to him expedient so to secure, causing no unnecessary hindrance or inconvenience to any party by so doing, or to leave some person on the premises in custody thereof; and the said messenger shall forthwith report his execution of the said attachment to the Chief Commissioner, who shall take such measures, and give such directions, for the safe custody of the said property, as to him shall seem fit.

(Commissioners to aid under Rule of Court.)

XXIII. And be it enacted, That the Commissioners of Insolvent Estates, in their respective districts, shall aid and assist in carrying this Act, and the provisions thereof, into effect; and for that purpose, shall do and execute all such matters and things as they shall be required to do and execute, by any rule or order of the Supreme

Court, or any Judge thereof, by virtue of this Act.

(Sheriff or his Deputies to execute duties of Messengers.)

XXIV. And be it enacted, That the Sheriff of this Colony, or of any district thereof, either by himself, or by his Deputies, being thereunto required by the Chief Commissioner, shall, within the districts in which they have respectively been, or shall be, appointed to act, do, and execute the duties directed by this Act, or by any rule or order of the Supreme Court, or any Judge thereof, in pursuance of this Act, to be done, and executed by a messenger; and shall receive to their own use for such service, out of the assets of any Insolvent Estate, as to which they may be so employed, such reasonable fees as are, or shall be, allowed by the Supreme Court for their service.

(Summons to Debtor upon order of Sequestration, and as to service thereof.)

XXV. And be it enacted, That every petitioning Creditor, who shall duly obtain any order for placing the Estate of his Debtor under sequestration as aforesaid, shall forthwith take out the process of the Supreme Court, to summon the Debtor, that he appear before the said Court, on a certain day, to be appointed by the Judge making such order, as to the said Judge may seem fit, to shew cause why his Estate should not, by sentence of the said Court, be adjudged to be sequestrated for the benefit of his Creditors; and the service of the said summons shall be made in the same manner as is, or shall be, by law provided for the service of any other summons of the said Court: Provided, that if any Debtor has been forty days absent from his usual place of residence or business, within the said Colony, copies of the said summons shall also be inserted in three successive publications of the *Government Gazette* of the said Colony.

(Court to adjudge, if order of Sequestration is to be confirmed or otherwise, and effect thereof.)

XXVI. And be it enacted, That upon the day appointed for any person to shew cause why his Estate should not be adjudged to be sequestrated, it shall and may be lawful for the Court to receive proof of the matters aforesaid, and to adjudge, and finally determine thereon, whether the said person having been thereto lawfully summoned, shall appear to the said summons or not, or upon sufficient cause being shewn to the satisfaction of the said Court, to delay the said adjudication and determination for any reasonable time, at discretion; and if the petitioning Creditor shall make default in appearing, or proving his said debt, or the act of Insolvency, to the satisfaction of the Court, it shall and may be lawful for the said Court to supersede the said order for sequestration, and to dismiss the said petition, or to require further proof of the matters contained therein, as to the said Court shall seem fit; and whenever any such petition shall be dismissed by the said Court, all questions affecting the Estate of the person against whom it was presented, or any right of such person or of his Creditors or Debtors, or the validity of any alienation, transfer, gift, surrender, delivery, mortgage, pledge, warrant of attorney, *Cognovit actionem*, payment, acquittance, or discharge, made by such person, or pay-

ment made to such person, shall be judged of, and determined, as if such petition had never been presented.

(If Petition unfounded or malicious.)

XXVII. And be it enacted, That if it shall appear to the Court, upon such petition for sequestration, that the said petition was unfounded and vexatious, or malicious, it shall and may be lawful for the said Court to allow the said person, on his application for the same, forthwith to prove any damage alleged to have been by him sustained thereby, and to award to the said person such satisfaction for the said damage, not exceeding two hundred pounds, as the said Court shall deem fit, and compel payment thereof by summary process, or leave the said party to his action for the said injury.

(Sequestration revived by other Creditor, and effect of, though superseded, as to original Petitioning Creditor.)

XXVIII. And be it enacted, That if, after any order has been made for the sequestration of any Estate, the debts of the petitioning Creditors, or any of them, be found insufficient to entitle such Creditors to apply for, and obtain such order for sequestration, or if such order shall be superseded, in consequence of the consent or default of the petitioning Creditor or Creditors, or his, or their collusion with the Insolvent, it shall be lawful for the Supreme Court, or any Judge, upon the application of any other Creditor or Creditors whose debt or debts amount to the value hereinbefore provided, and have been incurred prior to the said order for sequestration, and who shall produce, at the time of making such application, the affidavit or affidavits, and the certificate hereinbefore required, to order, that the said sequestration shall be revived and be proceeded in, as if it had been originally obtained on the petition of the Creditor or Creditors last mentioned; and thereafter, the said sequestration shall be revived with all the consequences and effects thereof, as if it had never been superseded.

(As to payments, &c., or security from Insolvent to Petitioning Creditor, after order for Sequestration.)

XXIX. And be it enacted, That if any person, against whom any order for sequestration shall have been made, shall pay any money to the person who obtained the same, or give, or deliver, to any such person, any satisfaction or security for his debt, or any part thereof, whereby such person may receive more in the pound, in respect of his debt, than he would be entitled to receive if the sequestration were proceeded in, and the Estate distributed among the Creditors thereof, according to their legal rights and preferences, such payment, gift, delivery, satisfaction, or security, shall be a new act of Insolvency; and every person so receiving such money, gift, delivery, satisfaction, or security, shall, in the event of the sequestration being afterwards proceeded in by any other Creditor or Creditors, in manner hereinbefore mentioned, deliver up such security, and shall repay the said money, gift, or the full value thereof, to such person or persons as the Court shall appoint, for the benefit of the Creditors of such Insolvent, and shall pay all the costs,

which shall be incurred by any other Creditor in obtaining the revival of the said sequestration.

(Effect of the order of Sequestration upon Judgments.)

XXX. And be it enacted, That further execution of any judgment or process against the person or Estate of any Insolvent, shall, after any order for sequestration of such Estate is lodged with the Sheriff for registration, be stayed; and it shall and may be lawful for the person having right to such judgment, to prove his debt and costs against the sequestered Estate, and to take the benefit thereof, upon distribution of the said Estate, rateably with the other Creditors; and where any property has been attached by legal process, for satisfaction of any judgment, and has not been sold, such property shall be placed under sequestration, in the same manner as any other part of the Insolvent Estate.

(Effect of the order of Sequestration upon Actions against Insolvent.)

XXXI. And be it enacted, That no action shall be brought against any Insolvent, for any debt or demand proveable against his Estate; and all proceedings in any action then pending, shall, upon any order being made for the sequestration of such Estate, in virtue thereof, be stayed; and it shall and may be lawful for the plaintiff, in such action, to prove his debt, together with the taxed costs of it, then incurred, against the sequestered Estate, and to take the benefit thereof, upon distribution of the said Estate: Provided however, that all actions pending against any Insolvent for damages alleged to have been sustained from any injury or wrong, or breach of any contract committed by him, such damages being uncertain, or for recovery of any claim unliquidated as to its amount, and all proceedings therein, shall, upon any order being made for the sequestration of his Estate, be stayed, until a Trustee or Trustees shall be elected for the administration thereof, if the sequestration shall remain in force so long; and thereupon, the plaintiff in such action, after summoning the Trustee or Trustees to take up and defend the said action, may proceed to obtain the judgment of the Court thereon; and the said judgment, when recovered, together with the taxed costs of suit, shall be a debt proveable against the said Estate.

(Effect of order of Sequestration on Insolvent in custody under legal process.)

XXXII. And be it enacted, that any Insolvent who, at the time any order for the sequestration of his Estate is lodged with the Sheriff for registration, shall be in custody of the said Sheriff, or of any Gaoler or Officer, either under *mesne process* or in execution on any judgment, for any debt or demand proveable under this Act, shall be entitled to be, on the order of any Judge, and shall be, forthwith discharged out of custody in respect thereof, either absolutely, or on such condition or conditions, as such Judge shall think fit to impose.

(Effect of the order of Sequestration upon action commenced by Insolvent.)

XXXIII. And be it enacted, That all Actions commenced by any person, whose Estate shall

afterwards be placed under sequestration as Insolvent, for any debt or demand due to the said Estate, and all proceedings therein, shall, upon the order of such sequestration being made, be stayed, until the Trustee or Trustees thereafter chosen for the administration of the said Estate, shall make election to prosecute or discontinue the same; and the Trustee or Trustees shall be bound to make such election, within six weeks after notice to that effect shall be served upon him, or them, by any defendant in any such action, or otherwise shall be deemed to have abandoned the same: Provided however, that any Insolvent person shall be permitted to continue, in his own name, and for his own benefit, any Action commenced by him previous to his Insolvency, for any personal injury or wrong done to himself, or to any of his family.

(Appointment and notice by the Chief Commissioner of two public meetings of Creditors, for proof of Debts, and election of Trustees.)

XXXIV. And be it enacted, That the Chief Commissioner shall, after any Estate has been placed under sequestration, upon surrender thereof, as Insolvent, or has been adjudged to be sequestrated, forthwith cause notice thereof to be given in the *Government Gazette* of this Colony; and shall thereby appoint two public meetings of the Creditors of such Estate, at such times and places as he shall deem most convenient for all the parties concerned; the first, for receiving proof of debts against the said Estate; and the second, for the same purpose, and for electing a Trustee or Trustees, for the collection, administration, and distribution thereof; and such publication shall be deemed notice thereof to all persons; and the times and places so fixed for the holding of any of the meetings aforesaid, may, on cause shewn to the Chief Commissioner, by any party dissatisfied with the appointment so made, be altered, of which alteration notice shall be forthwith given in the *Government Gazette*: Provided always, that if it shall appear to the said Commissioner, before causing notice to be given as aforesaid, that the goods and effects of the Insolvent, available for the payment of his debts, are not above the value of one hundred pounds, he shall specify the same in the said advertisement; and shall therein also give notice, that unless it shall be shewn at the first meeting called as aforesaid, that the goods and effects of the Insolvent exceed the said value of one hundred pounds, the Commissioner, holding such meeting, will summarily proceed to rank the debts which shall be proved at such meeting, according to their respective preferences, and to direct the proceeds of the Insolvent Estate to be forthwith distributed accordingly, by a Trustee or Trustees to be then elected by the greater part of the Creditors in number and value attending at such meeting; and in such case the said Insolvent shall, at such first meeting, attend before the Creditors to account for his Insolvency, and shall, being thereunto required, do and perform thereat, all such other matters and things, as are hereinafter required to be done or performed by him, at any meeting of the Creditors, under the provisions of this Act; and if, at the said first meeting, it shall still appear to the Commissioner before whom the same is holden, that the available assets of the said Estate do not exceed the amount of one hundred pounds, it shall and may be lawful

for the said Commissioner to rank the Creditors who shall prove their debts at such meeting, according to the legal order of their preference, and for the Creditors to elect a Trustee or Trustees, for the collection, administration, and distribution of the Estate of the said Insolvent, according to the order of ranking; and to direct the said Trustee or Trustees, forthwith to collect, administer, and distribute the same accordingly; and further, at the said first meeting, the said Commissioner shall execute all the powers and authority which may be executed by him at any meeting of Creditors under the provisions of this Act, and shall also do, and perform thereat, all matters and things required to be done for the final settlement of the said Estate; and the majority of the Creditors present at the said meeting, shall then determine what part of the wearing apparel, bedding, household furniture, and tools of trade of the Insolvent, shall be excepted from the sale of his moveable property, and shall be allowed to him; and shall also give to the said Trustee or Trustees such directions, as to the management of the said Estate, as to them shall seem fit; and no other meeting shall thereafter be holden, unless, upon cause shewn, the said Commissioner shall think fit to order the same.

(Where meetings of Creditors to be holden.)

XXXV. And be it enacted, That in all cases where any meeting of Creditors for the proof of debts, or for the election of Trustees, shall be appointed to be holden in Sydney, the same shall take place before the Chief Commissioner; and if in any part of the Colony other than Sydney, then before the Commissioner of such place; and the said Commissioners shall, respectively, take the votes of the Creditors, and declare the party or parties elected Trustee or Trustees of the said Estate; and in all cases, where such meeting shall be holden before any District Commissioner, he shall forthwith certify to the Chief Commissioner the proceedings thereat.

(Proof of Debts.)

XXXVI. And be it enacted, That every Creditor shall prove his debt against the said Estate, by affidavit or otherwise, to the satisfaction of the Commissioner, who shall admit any debt, or reject the same, as not proved, subject to appeal from his decision to any Judge of the Supreme Court; and it shall and may be lawful for the said Judge, on the application of any party interested, finally to admit or reject any debt, admitted or rejected by the said Commissioner, or to allow any action, which may have been instituted, for the proof or recovery of any such debt, against the Insolvent, prior to the sequestration, and which has, in consequence thereof, been stayed, to be proceeded in, after the election of a Trustee or Trustees shall have taken place, and after the Trustee or Trustees so elected shall have been duly summoned to take up and defend such action; and if the plaintiff shall thereafter obtain judgment thereon, he shall be ranked on the Insolvent Estate for the amount of such judgment.

(What Debts proveable in cases of mutual credit.)

XXXVII. And be it enacted, That all debts due by any Insolvent, at the time of adjudication or surrender, may be proved against his Estate; and when there has been mutual credit given by

the Insolvent and any other person, or where there are mutual debts between the Insolvent and any other person, upon which a set-off can by law be pleaded on either side, the Commissioner, taking the proof of debt, shall thereupon state the account between them, and shall set one debt or demand against the other; and what shall appear due on either side, on the balance of such account, and no more, shall be allowed to be proved, or claimed, or paid, on either side respectively: Provided that the person claiming the benefit of such set-off, had not, when such credit was given, or when the cause of his debt accrued, notice of the said Insolvency: and Provided always, that it shall and may be lawful for any Judge of the Supreme Court, on application of any person interested, who shall consider himself aggrieved by any such decision of any Commissioner, to review the same, and to pronounce such judgment, or to direct or allow such further proceedings, as to the Judge shall appear just and proper.

(Debts payable at a future time proveable on a rebate of interest, and as to votes of such Creditors.)

XXXVIII. And be it enacted, That in all questions upon this Act, every person to whom the Insolvent was, at the time of the surrender or adjudication of sequestration of his Estate, under legal obligation to pay money at a certain future time, shall be accounted a creditor *de præsenti*, and shall be entitled to prove his debt for the amount of the money specified in the obligation; but in case the said debt shall not have become payable, at any time when such Creditor shall give any vote at any meeting of Creditors in respect thereof, or at the time of distributing the said Estate, or of the payment of any dividend thereon, and shall not bear interest until the time of payment, or shall bear interest at a less rate than ten per cent. per annum, the said debt shall be valued in voting, and such Creditor shall receive payment thereof, or dividend thereon only, after deduction thereout of a rebate of interest of ten per cent. per annum, or of so much per cent. per annum as shall correspond with the difference between the rate of interest payable on such debt, and the rate of ten per cent. per annum, as the case may be, to be computed from the time of voting, or the distribution of the Estate, or payment of the dividend, to the time when such debt would have become payable, according to the terms on which it was contracted.

(Proof by Creditor holding pledge or lien.)

XXXIX. And be it enacted, That any Creditor who shall have, or hold, any security or lien upon any part of the Insolvent Estate, shall, when he is the petitioning Creditor, be obliged upon oath, in the affidavit accompanying the petition, and when he is not the petitioning Creditor, in the affidavit produced by him at the time of proving his debt, to put a value upon such security, so far as his debt may thereby be covered, and to deduct such value from the debt proved by him, and to give his vote in all matters respecting the Insolvent Estate, as Creditor only for the balance, which balance shall be specified in his affidavit, without prejudice to such valuation being afterwards corrected, and without prejudice to the amount of the said debt

in other respects; and in case any Creditor shall hold any security or lien for payment of his debt, obtained prior to the order for sequestration of the Insolvent Estate, and not liable to be set aside by virtue of this Act, upon any part of the said Estate, the amount of value of such security or lien shall be deducted from his debt, and he shall only be ranked for, or receive payment of, or a dividend for, the balance after such deduction; and if any dispute shall arise about the value of such security, the Creditor or Claimant shall, upon oath, put a value upon it, and the Trustee or Trustees shall then have an option, either of taking an assignment of the security for the benefit of the Creditors at large, on payment of the value so estimated out of the first assets of the Insolvent Estate, or of reserving the full effect of it to the Creditor himself; and, in either case, the Creditor shall be ranked on the divisible fund for the balance of his debt so ascertained, together with the other Creditors, such Creditor being in no event entitled to draw more than full payment of the debt: Provided however, that no Creditor who shall hold any security or lien, shall be entitled to any preference or advantage in respect thereof, or to reckon as a part of his debt covered thereby, any debt which shall have arisen or accrued to him subsequent to the order for sequestration.

(As to Proof of Debts upon a contingency or condition valued by Trustee; or after the event, and how dividend to be secured.)

XL. And be it enacted, That no person, whose debt depends upon a contingency, or an uncertain condition, shall be entitled to petition, or join in the petition, for the sequestration of any Estate, or to vote in the choice of Trustees, or in any of the other proceedings herein specified, so long as the contingency shall not happen, or the condition shall not be performed: Provided always, that the Creditor in any such debt, contracted before the order for sequestration shall have been made, may, if he think fit, while the contingency or condition upon which such debt depends, shall not have happened, or shall not have been performed, apply to the Trustee or Trustees to set a value upon such debt; and the Trustee or Trustees are hereby required to ascertain the value thereof, and to admit such Creditor to prove the amount so ascertained; and such Creditor shall thereafter be entitled to vote, and to receive dividends or payments, as in respect of a debt of the value of the amount so ascertained; and if such value shall not be ascertained before the contingency shall have happened, or the condition shall have been performed, then such Creditor may, after such contingency shall have happened, or such condition shall have been performed, prove in respect of such debt, and receive dividends or payments with the other Creditors: Provided always, that when the Creditor in any such debt or claim, the contingency of which shall not have happened, or the condition of which shall not have been performed, and the value of which shall not have been ascertained as aforesaid, shall enter a claim on the Estate, in respect of such debt, the Trustee or Trustees shall rank the Claimant as if the contingency had happened, or the condition had been performed, and shall forthwith apply to the Supreme Court, or any Judge thereof, to make

an order, and the said Court or Judge shall make such order for securing the dividend or sum which the Claimant would be entitled to draw, until the contingency or condition upon which the debt depends, shall happen, or be performed, when the sum so secured shall be paid to the Claimant, or to the general Creditors, as the case may be; and any interest which may, in the mean time, arise and be received thereupon, shall belong to, and be paid to the other Creditors.

(Landlord to be entitled to one year's rent, &c.)

XLII. And be it enacted, That no distress for rent shall be made, or levied, or proceeded in, after any order made for sequestration as aforesaid, but the landlord or party to whom the rent shall be due, shall be entitled to receive out of the assets of the Estate, so much rent as shall be then due, not exceeding six months' rent in the whole, and shall be allowed to come in as a Creditor, and share ratably with the other Creditors, for the overplus.

(Wages of Clerks, &c.)

XLIII. And be it enacted, That it shall be lawful for the Trustee or Trustees to pay to any clerk or servant, six months' salary or wages in full, out of the Insolvent Estate, provided so much shall be actually and *bond fide* due at the time of the order for sequestration made.

(As to securing to Claimants, debts which may eventually be established.)

XLIII. And be it enacted, That when, by reason of the absence of any person from the Colony, or for any other cause appearing to the Chief Commissioner, the said Commissioner shall be of opinion that a Claimant who has not proved his debt, may eventually be able to establish the same, it shall and may be lawful for the said Commissioner, to allow such claim to be entered in the proceedings in the Insolvent Estate, and to give reasonable time for proving the same; and in the mean time to make such order for securing the amount thereof, in case the said claim shall be afterwards established, as the said Commissioner shall see fit.

(Mode of settling interest upon Claims.)

XLIV. And be it enacted, That the mode of settling interest upon claims, shall be as follows, viz: The principal sum of each debt, on which interest is chargeable, together with the arrears of interest, if there be any due upon it at the time the order for sequestration was made, shall be accumulated as at the date of the said order, for the purpose of the Claimant being ranked for, and receiving payment of, such accumulated sum, together with the principal sums of such debts as do not bear interest, or from which there may be a rebate of interest, as not being payable till an after period; and the assets of an Insolvent Estate shall be applied,--First, in payment according to the legal order of preference of all the preferent debts; and, secondly, in payment of all the other accumulated sums so ranked, without allowing any interest upon them, from and after the date of the order for sequestration, if the said assets shall not be sufficient to discharge all the claims due by the Insolvent Estate; but if, after discharging the whole of such claims, there shall be any residue left of the sequestered

Estate, the Creditors shall also be entitled to claim, out of such residue, any arrear of interest which may be due to them, as arising since the date of the said order for sequestration, upon the respective sums ranked as hereinbefore mentioned.

(Within what time, and before whom debts are proveable, and effect thereof, in dividend previously made.)

XLV. And be it enacted, That any debt which was due, or the cause of which arose prior to the order for sequestration of any Estate, may be proved at any meeting of the Creditors appointed before any Commissioner, at any time before the final distribution of the Estate; and any Creditor may, after the second meeting called by the Chief Commissioner, in manner hereinbefore provided, at his own expence, call such meeting expressly for the purpose of proving his debt: Provided always, that when any debt is so proved, after any dividend has been paid to the Creditors, such dividend shall not in any way be disturbed or affected by, or in respect of, any such debt; but such Creditor shall receive payment of his debt out of the future assets of the Estate, in the same proportion as the other Creditors shall have already received, and shall afterwards receive payment: And provided also, that when any such debt is proved after the plan of distribution of such Estate has been confirmed, and, in consequence of the proof of such debt, any alteration in such plan of distribution, or any further proceedings in the sequestration, shall be rendered necessary, the Creditor, proving such debt, shall be liable for all expences which may be incurred in consequence of any such alteration or proceedings.

(What Creditors entitled to vote in number, and what in value.)

XLVI. And be it enacted, That in all cases of votes given by Creditors, under this Act, when Creditors are to be counted in number, no Creditor whose debt is below Fifty Pounds sterling, shall be reckoned in number, but the debt due to such Creditor shall be computed in value; and that in all cases in which any deduction is directed, by the provisions of this Act, to be made from the amount of the debt of any Creditor, the vote of such Creditor shall still be counted in value to the extent of the balance remaining after such deduction; and such Creditor shall also be reckoned in number, provided such balance amounts to Ten Pounds and upwards.

(Creditors may vote by Agent.)

XLVII. And be it enacted, That in all cases, where, under the provisions of this Act, the Creditors of any Insolvent Estate are required or entitled to meet and to vote in any matter regarding such Estate, any Creditor, so entitled, may attend and vote at such meeting, personally, or by Agent, authorised by any writing under the hand of the said Creditor, or by any power of Attorney, to that effect duly executed, upon proof thereof, to the satisfaction of the Commissioner, or other person presiding at such meeting.

(As to choice of Trustees, and how and when to be brought under review of Court, and if fraudulently made.)

XLVIII. And be it enacted, That at the second

meeting, called as aforesaid, or any adjournment thereof, (if the said Commissioner shall find it necessary to adjourn the same, which he is hereby authorised and empowered to do,) a Trustee or Trustees, not exceeding three in number, shall be chosen for the collection, administration, and distribution of the Insolvent Estate and effects; and all Creditors who have proved debts against the Insolvent Estate, shall be entitled to vote in such choice; and the choice shall be made by the votes of the greater part, in number and value of the Creditors, or their agents, present, and entitled to vote: Provided however, that it shall be competent to any person interested in any such Insolvent Estate, or the due administration thereof, and who shall complain of any such election, upon giving, within two days after the said election, a notice in writing of the particulars of such complaint, to the said Commissioner, at any time before the election is confirmed, in manner herein-after mentioned, to bring the same under the review of the Supreme Court, or any Judge thereof, who shall summarily decide, and make such order thereon, as the justice of the case may require: Provided always, that it shall be lawful for any person interested in the due administration of the Estate, at any time after the confirmation and set aside the election, on the ground that such election was fraudulently made; but if the Court shall decide against such application, the party failing therein shall pay all such costs to the other party as the Court shall award.

(Who incompetent to be appointed Trustee.)

XLIX. And be it enacted, That in no case shall it be competent for the Creditors to elect as Trustee, the Insolvent himself, nor any minor, nor any practising Attorney, nor any person who, having had his Estate at any time surrendered or administered as Insolvent, or placed under sequestration, shall not have obtained his certificate under some former law of this Colony, or who shall not have obtained the sequestration to be superseded, or who shall not have obtained his certificate and allowance thereof, as hereinafter provided, nor any person not resident within the jurisdiction of the Supreme Court.

(As to appointment by Court of provisional Trustee.)

L. And be it enacted, That it shall and may be lawful for the Supreme Court, or any Judge thereof, on cause shewn by the Chief Commissioner, or any person interested in the due administration of the Insolvent Estate, by order, to appoint one or more fit and proper person or persons to be Trustee or Trustees of any Insolvent Estate, provisionally, and until the Creditors of the said Estate shall make choice of a Trustee; which Trustee or Trustees may be removed at the meeting of Creditors for the choice of a Trustee, if the said Creditors shall think fit, but shall and may, until so removed, act in the collection, administration, and distribution of the said Estate, in all respects the same as Trustees elected by the Creditors, are by this Act authorised to do.

(Compensation to Trustees.)

LI. And be it enacted, That all Trustees so appointed by the Court or Judge, or elected by

the Creditors, shall receive and be paid out of the assets of the said Estate, a reasonable compensation for their care and diligence in the said trust, to be assessed by the Chief Commissioner, subject to the review of the said Court or Judge, upon the petition of any Creditor, or of the said Trustees, or of the Insolvent.

(Confirmation of Trustees.)

LII. And be it enacted, That so soon as the Trustees, elected by the Creditors, or appointed by the Court or Judge, shall have accepted their office, it shall and may be lawful for the Supreme Court to make an order, confirming the appointment of such Trustees.

(Effect of order for Sequestration upon the Estate of Insolvent.)

LIII. And be it enacted, That every order made for placing any Estate under sequestration as Insolvent, shall, so soon as made, have the effect in law to divest the Insolvent, and all persons administering the whole or any part of his Estate for his use and behoof, and to vest in the Chief Commissioner, for the uses and purposes of the sequestration, all the present and future Estate, real and personal, and every right, title, and interest in, and to, any property, real or personal, wheresoever the same may be known or found, which shall belong, or be due to, or vested in such Insolvent, at the date of making such order, or which may thereafter be purchased, or acquired by, or may revert, descend, or be devised, or come, to the Insolvent, while the Insolvent Estate shall remain under sequestration, in the hands of the Chief Commissioner, together with all deeds, vouchers, papers, and writings, respecting the same; and, after the said order for sequestration has been made, neither the Insolvent, nor any person claiming through or under him, shall have the power to alienate, give, surrender, deliver, mortgage, pledge, or to recover, or to release, or discharge the same, or any part thereof; neither shall the same be attached by any person, as the property of, or belonging to the Insolvent, so long as the said Estate shall remain under sequestration.

(Effect of order for confirmation of Trustees.)

LIV. And be it enacted, That every order made, as herein directed, for confirming any Trustee or Trustees, shall, so soon as made, have the effect in law, to divest the Chief Commissioner, and to vest in such Trustee or Trustees, for the uses and purposes of the sequestration, and so long as such Trustee or Trustees shall continue to hold their Office as aforesaid, all the present and future Estate, real or personal, which shall have belonged, or been due to such Insolvent, at the time when the order for placing his Estate under sequestration was made, or which may thereafter be purchased, or acquired by, or may revert, descend, or be devised, or come to the Insolvent, during the continuance of the sequestration, and before he shall obtain his certificate and allowance thereof, as hereinafter provided, wheresoever the same may be found or known, together with all deeds, vouchers, papers, and writings respecting the same; and the said Trustee or Trustees shall have the like remedy to recover the said Estate of the Insolvent, or any part thereof, in his or their own name or

names, for the purposes of the sequestration, as the Insolvent himself might have had, if his Estate had not been sequestrated; and all powers vested in any Insolvent, at the time the order for placing his Estate under sequestration was made, or which may thereafter become vested during the continuance of the sequestration, and before he shall obtain his certificate, and allowance thereof, which he might have legally executed for his benefit, shall and may, after the said order, and until an order be made for confirming the appointment of a Trustee or Trustees as aforesaid, be executed by the Chief Commissioner; and after such order is made for confirming such appointment, such powers may be executed by such Trustee or Trustees, for the benefit of the Creditors, in such manner as the Insolvent might have executed the same; and the said Insolvent is hereby declared to be incapable to exercise or execute any such powers as aforesaid.

(Power of Trustees over Property in the possession, order, and disposition of the Insolvent, and of which he is the reputed owner.)

LV. And be it enacted, That if any Insolvent, at the time of any order made for placing his Estate under sequestration, shall, by the consent and permission of the true owner thereof, have in his possession, order, or disposition, any goods or chattels, whereof he was reputed owner, or whereof he had taken upon himself the sale, alteration, or disposition, as owner, the Trustee shall have power to sell and dispose of the same for the benefit of the Creditors proving debts against the said Estate: Provided, that nothing herein contained shall invalidate or affect any transfer or assignment of any Ship or Vessel, or any share thereof, made as, or security for, any debt or debts, either by way of Mortgage or Assignment, duly Registered according to the provisions of any law in force for the Registering of Vessels.

(Actions by or against Trustees.)

LVI. And be it enacted, That it shall and may be lawful for the Trustee or Trustees to take up and continue, in his or their own name or names, upon entering on the Record a suggestion of the Insolvency, the process in any suit or action, commenced for any debt or demand due to the Estate, before their appointment, or to discontinue the same, as he or they shall see fit; and also to commence any new suit or action, for any debt or demand due to the Estate of any Insolvent person; and also, on entering a like suggestion, to defend any suit or Action pending against the Insolvent, relating to or affecting the said Estate; and in all such cases the Insolvent shall be a competent witness for either party.

(Removal of Trustees and new Election.)

LVII. And be it enacted, That it shall and may be lawful for the Supreme Court, on cause shewn by the Chief Commissioner or by any person interested in the due administration of the Insolvent Estate, to remove any Trustee or Trustees for Insolvency, or for any misconduct in the said trust, or on account of absence from this Colony; and thereupon, and as often as any Trustee shall die, it shall and may be lawful for the said Court to order a new Trustee to be elected, and the

same proceedings shall be had thereon, as on the original election of Trustees; and it shall and may be lawful for the said Court, in the mean time, to make such order as may be necessary or expedient for the preservation of the Insolvent Estate, until such new Trustee shall be elected and confirmed.

(Effect of order for confirmation of new Trustees.)

LVIII. And be it enacted, That whenever, on the death or removal of any Trustee, any new Trustee shall be elected and confirmed in manner hereinbefore provided, the order confirming the appointment of such new Trustee, shall have the effect in law to vest in the new Trustee, the whole Insolvent Estate, present or future, as hereinbefore particularly described; and every power, right, title, privilege, and remedy, vested in, or competent to, the former Trustee, as Trustee, before his death or removal, as fully and to the same extent, as the same was vested in the former Trustee, by the order made for confirming his appointment, in manner aforesaid: Provided always, that the death or removal of any Trustee shall not affect the validity or force of any lawful act done by him, as Trustee, prior to his death or removal.

(Actions may be continued by new Trustees.)

LIX. And be it enacted, That, whenever a Trustee shall die, or a new Trustee shall be chosen, no Suit or Action, relative to the Insolvent Estate, shall be thereby abated; but the Court, in which any such Suit or Action is depending, or any Judge thereof, may, upon the suggestion of such death or removal, or that a new Trustee has been chosen and confirmed, allow the name of the surviving or new Trustee or Trustees to be substituted in the place of the former; and the said Suit or Action shall proceed as if such surviving or new Trustee or Trustees had originally commenced or defended the same.

(Notice by Trustees of their Appointment.)

LX. And be it enacted, That every Trustee, on being confirmed, shall forthwith cause notice of the sequestration, and of his appointment, to be given by advertisement in the *Government Gazette*, and the Chief Commissioner shall cause notice of every order, made for the removal of any Trustee, to be given by advertisement in the *Government Gazette*.

(As to Trustees calling General Meetings of Creditors.)

LXI. And be it enacted, That it shall and may be lawful for any Trustee or Trustees, at any time, to call a general meeting of the Creditors, and to require their direction concerning the collection or sale of any part of the Estate; and the Trustee or Trustees shall call such meeting whenever they are thereto required by one-fourth of the Creditors in value, who have produced and proved their claims; and the said Trustees shall pursue the directions of the greater part, in number and value, of the Creditors attending such meeting: Provided always, that twenty-eight days' notice, at the least, shall be given of every such meeting, and of the purpose thereof, in the *Government Gazette*.

(As to Proceedings under and minutes of Meetings of Creditors, when not before Commissioners.)

LXII. And be it enacted, That at all public meetings of Creditors, held under and by virtue of this Act, other than those which it is herein provided, shall be held before a Commissioner, one of the Creditors present shall, before any other business is proceeded in, be chosen by the greater part, in number and value, of the Creditors present, to preside at such meeting; and minutes of every such last-mentioned meeting, shall be subscribed and authenticated by the Creditor presiding at such meeting, in the presence of the said meeting, and shall be by him transmitted to the Chief Commissioner, together with a copy of the *Gazette* containing the notice of such meeting, to be annexed to the proceedings in the Estate.

(Employment by Trustees of Attornies.)

LXIII. And be it enacted, That it shall and may be lawful for the Trustees to take legal advice on any legal question affecting the Insolvent Estate, or the administration thereof, and to employ an Attorney for the conducting and defending all actions and suits for or against the Insolvent Estate, and to charge against the Insolvent Estate all such fees as shall thereby be incurred, and shall be allowed, upon taxation by the proper Officer of the Supreme Court, subject to the review of the Supreme Court, or any Judge thereof, upon the complaint of the Attorney so employed, or of any person having an interest in the due administration of the Estate under sequestration; and when it shall be made to appear to the Supreme Court, or any Judge thereof, that any Attorney has improperly advised, commenced, conducted, or defended, any such Action or suit, or incurred any improper or unnecessary expence therein, with the purpose of thereby benefiting himself, and not with the *bond fidé* purpose of thereby benefiting the Insolvent Estate, it shall and may be lawful for the said Court or Judge to order the whole or any part of the costs of such suit or action, to be paid by such Attorney, as the said Court or Judge shall think fit.

(Employment by Trustees of Insolvent, or other person, about the Estate.)

LXIV. And be it enacted, That it shall and may be lawful for the said Trustee or Trustees, if they shall see fit, to employ the Insolvent, or any other person, in the gathering and preservation of any crops or produce, for any reasonable time necessary for the gathering and preservation thereof; and also to leave the said Insolvent, or to place any other person, in the charge of any property, manufactory, or concern, belonging to the Insolvent Estate, until the same shall be sold, disposed of, or wound up, and to make to the said Insolvent, or other person so employed, a reasonable allowance, per diem, for his labour.

(Attendance, delivery of Inventory, and surrender, by Insolvent, at the meeting for electing Trustees.)

LXV. And be it enacted, That at the meeting for electing Trustees, and at any adjournment thereof, as aforesaid, the Insolvent, or legal administrator of any Insolvent Estate, shall attend before the Creditors, to account for the said Insolvency; and shall, being thereunto required by the Creditors, lodge with the Commissioner, to be by

him delivered to the Trustee or Trustees, when confirmed, a true inventory of the whole of such estate and effects, real and personal, wheresoever the same may be situated, and of all estates and effects in expectancy or contingency, or to which the Insolvent may have any eventual right, and all debts due to and by him, to the best of his knowledge and belief, and all books of accounts, papers, writings, documents, bills, and vouchers, relating to the said estate, which are in his custody or power; and the said Insolvent, or administrator, shall, upon being thereunto required, surrender the said books, papers, writings, documents, bills, and vouchers, to the Commissioner, to be by him delivered to the Trustee or Trustees, when confirmed.

(Insolvent attempting to remove out of the jurisdiction of the Court, before distribution of his Estate, and without consent of Creditors, or Certificate, to be apprehended and committed to prison.)

LXVI. And be it enacted, That no Insolvent shall remove out of the jurisdiction of the Supreme Court, or to remote parts within this Colony, by which is intended parts beyond the limits which now are, or hereafter may be prescribed for location within the same, until after confirmation and allowance of the account and plan of distribution of the Estate of such Insolvent, as hereinafter mentioned, except with the consent in writing of three-fourths in number and value of the Creditors who have proved debts against his Estate, certified to the Chief Commissioner; or such Insolvent shall have obtained his certificate and the allowance thereof, as hereinafter mentioned; and any of the Justices of the Peace shall and may, upon the information on oath of any Trustee or Creditor, or other person, that any Insolvent is about to remove, or is making preparations to remove, out of the jurisdiction of the said Court, or to remote parts within this Colony, as aforesaid, contrary to this Act, grant a warrant for the apprehension of such Insolvent, and cause such Insolvent to be brought before himself, or any other Justice or Justices of the Peace, and any Justice or Justices before whom the Insolvent shall be brought, shall and may enquire into the matters of the said information, and either commit the Insolvent to any of Her Majesty's Gaols, until he shall be discharged in due course of law, or discharge him out of custody, according as he or they shall find such information to be well founded or not; and every such commitment shall be and remain in full force and effect, until the Insolvent shall either find security in such manner and to such amount as shall be ordered by any Judge of the Supreme Court, in that behalf, that he will not go out of the jurisdiction of the said Court, or to such remote parts within the Colony, as aforesaid, contrary to this Act, or shall be otherwise discharged, by the Supreme Court, or any Judge thereof, according to law.

(Examination of Insolvent before the Court or Commissioner.)

LXVII. And be it enacted, That it shall and may be lawful for the Supreme Court, or any Judge thereof, upon the application of the Trustee or Trustees, whenever, and so often as they shall see fit, to summon any Insolvent before the Supreme

Court or any Commissioner, if the said Judge shall see fit so to order, whether the said Insolvent shall have obtained his certificate, and allowance thereof, or not; and it shall be lawful for such Court, or Commissioner, to examine him upon oath touching all matters relating to his trade, dealings, or Estate, or which may tend to disclose any secret alienation, transfer, surrender, delivery, or concealment of his Estate or effects, real or personal, and to cause his examination to be reduced to writing, and signed by him, and annexed to the proceedings in the said Estate.

(Warrant for apprehension of Insolvent for not appearing.)

LXVIII. And be it enacted, That if any Insolvent, being lawfully summoned, as aforesaid, to appear before the Supreme Court, or any Commissioner, shall not at the time and place appointed in the summons for his appearance, come before such Court or Commissioner, (having no lawful impediment at such time made known to, and allowed by such Court or Commissioner.) it shall be lawful for such Court, or such Commissioner, under his hand, to grant a warrant authorising any Officer of the law, or other person, to apprehend such Insolvent, and forthwith to bring him before such Court or Commissioner, or to lodge him in any prison, therein to be detained until the time which such Court or Commissioner, as aforesaid, shall have appointed anew, on the application of the Trustee or Trustees, for his examination; and the Gaoler of every such prison shall cause him to be brought before such Court or Commissioner, at the time and place specified in such warrant; and every Insolvent who shall abscond, or conceal himself within this Colony, with the purpose and intent to evade being served with such summons, or having been so summoned, shall so abscond or conceal himself, with intent to evade appearing at any such examination to which he was summoned, or to prevent any warrant hereinbefore mentioned from being executed upon him, or who shall remove out of the jurisdiction of the Supreme Court, or to remote parts within the Colony, contrary to this Act, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, suffer transportation for any period not exceeding seven years, or imprisonment, with or without hard labour, for any period not exceeding three years.

(In what cases the Insolvent under examination may be committed.)

LXIX. And be it enacted, That if any Insolvent shall, at the second meeting of his Creditors, or any adjournment thereof, held as aforesaid, being thereunto required, refuse to lodge a true inventory of his Estate and effects, or to surrender the books, papers, writings, documents, bills, or vouchers, relating to his Estate as aforesaid, or shall, at his examination before the Court, or any Commissioner before-mentioned, refuse to be sworn, or shall refuse to answer any lawful question put to him by such Court or Commissioner, touching any of the matters aforesaid, or shall refuse to sign or subscribe his examination, so reduced into writing, as aforesaid, (not having any lawful objection allowed by such Court or Commissioner.) it shall

be lawful for such Court or Commissioner, by warrant under his hand, to commit him to such prison as they shall think fit, there to remain, without bail, until he submit to do the matters aforesaid, or to be sworn, or make answer to such lawful questions as shall by them be put to him, or sign and subscribe such examination, as aforesaid.

(Wife or any person may be summoned for examination, before Court or Commissioner.)

LXX. And be it enacted, That after surrender or adjudication of sequestration of any Estate as Insolvent, it shall and may be lawful for the Supreme Court, or any Judge thereof, upon the application of the said Trustee or Trustees, to summon before the said Court, or any Commissioner, the wife of the Insolvent, or any other person known or suspected to have in possession any of the Estate of the Insolvent, or to be indebted to the Insolvent, or whom the said Court or Commissioner may see reason to believe capable of giving information concerning the person, trade, dealing, or Estate of such Insolvent, or any information material to the full disclosure thereof; and also to require such person to produce any books, papers, deeds, writings, or other documents, in his or her custody, which may appear necessary to the verification or disclosure of any of the matters aforesaid; and it shall and may be lawful for the Supreme Court, or Commissioner, to examine every such person, upon oath, concerning the person, trade, dealings, or Estate, of such Insolvent, and to cause his or her examination to be reduced to writing, and signed by him or her, and annexed to the said proceedings; and if any such person shall, upon being lawfully summoned to appear to be examined, fail so to appear, (having no lawful impediment made known to the Court, or Commissioner, before whom such person is summoned at such time, and allowed by them,) it shall be lawful for such Court, or Commissioner, to grant a warrant authorising and directing any Officer of the law, or other person, to apprehend the person so summoned and failing to appear, and to bring the said person before such Court, or Commissioner, or to lodge the said person in any prison, therein to be detained until the time which such Court, or Commissioner, shall on the application of the Trustee or Trustees, have appointed anew for his or her examination; and the Gaoler of any such prison, shall cause such person to be brought before such Court, or Commissioner, at the time and place specified in such Warrant; and if any such person so summoned, or brought before such Court, or Commissioner, for examination, shall refuse to be sworn, or shall refuse to answer any lawful question put by such Court, or Commissioner, touching any of the matters aforesaid, or shall refuse to sign his or her examination, so reduced into writing, as aforesaid, (not having any lawful objection allowed by such Court, or Commissioner,) or shall not, being thereunto required, produce any books, papers, deeds, writings, or other documents in his or her custody or power, relating to any of the matters aforesaid, and to the production of which he or she shall not state any objection allowed by them, it shall be lawful for such Court, or Commissioner, by a

warrant, to commit him or her to such prison as they shall think fit, there to remain without bail, until such person shall submit to be sworn, or make answers to all such lawful questions, as shall by such Court, or Commissioner, be put, or sign such examination, or produce such books, papers, deeds, writings, or other documents, as aforesaid, in his or her custody or power, to the production of which no such objection as aforesaid, shall be allowed; and if any such person, having been sworn, shall, at such examination, wilfully make any false answer to any lawful question put by such Court or Commissioner, such person shall be deemed guilty of the crime of perjury, and, on conviction thereof, shall suffer any punishment provided by law for such crime.

(Expences to be tendered to Persons summoned.)

LXXI. And be it enacted, that the Insolvent and every other person summoned before the Supreme Court, or any Commissioner, to be examined or give evidence, or make disclosure of the trade, dealing, Estate, or effects of any Insolvent, under or by virtue of this Act, shall have his necessary expences tendered to him by the Trustee or Trustees of such Insolvent Estate, in like manner as is, by law, required upon service of a subpoena to a witness in any civil suit.

(As to discharge from Prison, by Court or Judge, of Persons under Commitment.)

LXXII. And be it enacted, That if any person whatsoever be committed by any Commissioner, for refusing to answer any question, the said Commissioner shall, in his warrant of commitment, specify every such question; and if any person, so committed as aforesaid, shall make any application to the Supreme Court, or any Judge thereof, in order to be discharged from such commitment, and there shall not appear to the Court or Judge any insufficiency or informality in the form of the warrant whereby such person was committed, by reason whereof he might be discharged, it shall be lawful for such Court or Judge, and such Court or Judge is hereby required, to re-commit such person to the same prison, there to remain until he shall conform as aforesaid; unless it be shewn to such Court or Judge by the party committed, that he has fully answered all lawful questions put to him on his examination aforesaid; or, if such person was committed for refusing to be sworn, or for not signing his examination, unless it shall appear to such Court or Judge that he had a sufficient reason for the same: Provided, that such Court or Judge shall, if required thereto by the party committed, consider the whole examination of such party, whereof any such question was a part; and if it shall appear, from the whole examination, that the answer or answers of the party committed, is or are satisfactory, such Court or Judge shall and may order the party so committed to be discharged.

(What shall be Fraudulent Insolvency, and the Punishment thereof.)

LXXIII. And be it enacted, That if any Insolvent, whose Estate shall be surrendered or adjudged to be sequestrated as Insolvent, shall, whether before or after sequestration, have alienated, transferred, given, surrendered, delivered, mortgaged, or pledged, or have embezzled, concealed, retained, or removed, any part of his

Estate, monies, effects, or credits, to the value of forty shillings at any one time, or at different times to the value of Ten pounds, or have concealed, removed, retained, destroyed, falsified, or mutilated, any book of account, paper, writing, document, bill, or voucher relating thereto, with intent to defraud his Creditors, or shall have contracted any debt, fraudulently, or by means of any false pretence or representation, or, if any such Insolvent shall, at the second meeting of his Creditors, or any adjournment thereof, holden before any Commissioner, wilfully lodge any Inventory, containing any false statement of his Estate or effects, or any part thereof, or with respect to any debt due to or by him, or shall produce any false or pretended book of accounts, paper, writing, document, bill, or voucher, or any book of account, paper, writ, document, bill, or voucher, on which any erasure, alteration, or false statement has been made, or caused to be made by him, or with his knowledge, with intent to defraud his Creditors, or, if any such Insolvent shall, at any time when examined in manner aforesaid before the Court, or Commissioner, wilfully make any false answer to any lawful question then put to him, with intent to defraud his Creditors, he shall be deemed guilty of the crime of fraudulent Insolvency, and, on conviction thereof, shall suffer transportation for fifteen years, or for any shorter period, not less than five, or imprisonment, with or without hard labour, for any period not exceeding three years.

(As to offence of knowingly receiving any Fraudulent alienation, &c., from Insolvent.)

LXXIV. And be it enacted, That if any person shall receive or accept any alienation, transfer, gift, surrender, delivery, mortgage, or pledge, made by any Insolvent of any part of his Estate, monies, or securities for money, effects, or credits, with intent to defraud the Creditors of the Insolvent, knowing at the time the same to be fraudulently made, such person shall, on conviction thereof, suffer transportation for fifteen years, or for any period not less than five, or imprisonment, with or without hard labour, for any period not exceeding three years.

(As to offence of removing, Embezzling, &c., any Property under attachment.)

LXXV. And be it enacted, That if any person shall dispose of, remove, retain, conceal, embezzle, or receive, any moveable property, monies, or securities for money, belonging to any Insolvent Estate, which has or have been attached by virtue of any order for the sequestration thereof, knowing the same to have been so attached, and with intent to defeat the said attachment, or shall hinder or obstruct, or endeavour to hinder or obstruct, the Messenger or other person authorised to make the same, such person shall, on conviction thereof, suffer imprisonment, with or without hard labour, for any period not exceeding three years.

(Warrant to search for concealed Property of any Insolvent.)

LXXVI. And be it enacted, That in all cases where, on the application of the Chief Commissioner, or any Trustee or Creditor of any Insolvent Estate, it shall be made to appear on oath, to the satisfaction of any Justice of the Peace, that there is reason to suspect or believe, that any property

of any Insolvent is concealed in any house, or other place, not belonging to the Insolvent, it shall and may be lawful for the said Justice to grant a warrant to search for and take the said property; which warrant shall be executed in like manner, as is by law allowed in execution of a search warrant for property reputed to be stolen and concealed; and any property of the Insolvent so found, shall forthwith be delivered, if no Trustee or Trustees have hitherto been confirmed, to the Chief Commissioner, or otherwise to the Trustee or Trustees who have been confirmed, or to any person appointed by the said Chief Commissioner, or Trustee or Trustees, to receive the same.

(Time and mode of appointing third meeting of Creditors.)

LXXVII. And be it enacted, That it shall be lawful for the Chief Commissioner, and he is hereby required, so soon as the Trustee or Trustees, chosen at the second meeting of the Creditors of any Insolvent Estate, in manner aforesaid, have been confirmed, forthwith to appoint the third meeting of the Creditors of the Insolvent, to be holden before himself, or any District Commissioner, at such time, not less than twenty-eight days, or more than fifty-six days thereafter, and at such place as he shall deem most expedient for all parties concerned, for the purpose of receiving proof of debts, and for receiving the report of the Trustee or Trustees, as to the condition of the Insolvent Estate, and for giving directions to the Trustee or Trustees as to the management thereof; and the said Trustee or Trustees shall give notice of the time and place at which, and of the purposes for which such meeting is to be held, in the same advertisement in the *Government Gazette*, in which notice is hereinbefore required to be given by them to the Creditors, of their confirmation as Trustee or Trustees.

(Trustees may compound, or submit to arbitration, upon notice thereof.)

LXXVIII. And be it enacted, That it shall and may be lawful for the Trustee or Trustees to compound with any debtor to the Insolvent Estate, and take any reasonable part of the debt in discharge of the whole, (being thereto authorised by the Chief Commissioner,) or to give a reasonable time, or take security for the payment of such debt, or to submit any dispute between them and any person, concerning or affecting the said Estate, to the determination of arbitrators, to be chosen by the Trustee or Trustees, and the party with whom they shall have such dispute; and the award of such arbitrators shall be binding on all the Creditors.

(As to Sale of Estate by Trustees, condition of Sale &c.)

LXXIX. And be it enacted, That the Trustee or Trustees, after being confirmed as aforesaid, shall, subject to the directions of the Creditors, given in the manner hereinbefore provided, forthwith proceed to make sale of the property belonging to the said Estate, real and personal, giving due notice thereof in the *Government Gazette*, and also such other notice as they shall think fit: Provided, that from the sale of the said personal

property shall be excepted, until the Creditors shall determine thereon, the wearing apparel, bedding, tools of trade, and household furniture, of the Insolvent and his family.

(As to wearing apparel, tools, &c., of Insolvent.)

LXXX. And be it enacted, That it shall and may be lawful for the said Trustee or Trustees, with the consent of the greater part in number and value of the Creditors who shall have proved their debts, present at any meeting, whereof, and of the purpose of which, twenty-eight days' notice shall have been given in the *Government Gazette*, to permit the said Insolvent to retain, for his own use, the whole or such part of his wearing apparel, bedding, household furniture, and tools of trade, excepted from the sale of his personal property, as the said Creditors shall agree to allow to the said Insolvent.

(As to Trustees paying in, and drawing out, Money from the Bank.)

LXXXI. And be it enacted, That the Trustee or Trustees of any Insolvent Estate shall, as soon as he or they shall receive any sum of money exceeding Twenty Pounds belonging to the said Estate, open an account with one of the Banks, in this Colony, in the name of the Insolvent Estate; and such sum, and every other sum exceeding Twenty Pounds, so received by them, shall be forthwith paid into such Bank, to be placed to the credit of such account; and all cheques or orders for payment of any such money out of the said Bank, shall truly express the name of the person in whose favour it was drawn, and shall be signed by all the Trustees, or by one of them, for himself and co-trustees, or when there are more than three Trustees, then by two of them.

(Penalty upon Trustee retaining or employing money belonging to the Estate.)

LXXXII. And be it enacted, That any Trustee, who shall retain in his hands any sum of money exceeding Twenty Pounds sterling, part of any Insolvent Estate, longer than until the first day after his receiving the same, upon which it shall be possible for him to pay the said sum, or cause it to be paid into one of the said Banks, and who shall not have any just and lawful cause for so retaining the same, or shall employ for his own benefit, any sum of money, part of any Insolvent Estate, shall forfeit and pay, for the benefit of the said Estate, double the amount of the sum so retained or employed; and the said sum, so forfeited, shall be deducted out of any claim the said Trustee may have against the said Estate, and the surplus, if any, shall be recovered by action to be brought by his co-trustees, or if there be no other Trustee, by the Chief Commissioner on behalf of the Creditors.

(Accounts of the Trustees.)

LXXXIII. And be it enacted, That the Trustee or Trustees shall keep an account, wherein they shall forthwith enter all property of the Insolvent received by them, and all payments made by them on account of the Insolvent Estate; which account, every Creditor who shall have proved, may inspect at all reasonable times.

(Powers of Trustees in respect of agreements entered into by Insolvent, for purchase or exchange of real Property.)

LXXXIV. And be it enacted, That if any In-

solvent shall have entered into any agreement for the purchase or exchange of any Estate, or interest in any real property, it shall and may be lawful for the Trustee or Trustees of such Insolvent, either to abide by, execute, and sue for, performance of such agreement, or abandon the same; and, if the said Trustees shall not (upon being thereto required,) elect whether they will abide by and execute such agreement, or abandon the same, the vendor or person having made such agreement, as aforesaid, or any one legally claiming under him, shall be entitled to apply to any Judge of the Supreme Court, who may thereupon order the said Trustees to deliver up any such agreement, and the possession of the premises to the vendor or person so agreeing as aforesaid, or any one claiming under him, or may make such other order therein, as the said Judge shall think fit: Provided, that nothing herein contained shall prevent such vendor or person having made such agreement as aforesaid, from suing the Trustee or Trustees, and recovering judgment against the Insolvent Estate, for any damage which he shall prove to have been by him sustained by the non-fulfilment, on the part of the Insolvent, of any such agreement, or shall deprive the said Trustee or Trustees of their legal defence against such suit.

(Insolvent entitled to lease or agreement for lease, when liable for rent or covenant, and remedy of lessor, &c., when Trustees refuse to accept, &c.)

LXXXV. And be it enacted, That any Insolvent entitled to a Lease, or agreement for a Lease, if the Trustee or Trustees accept the same, shall not be liable to pay rent accruing after the order of sequestration, or to be sued in respect of any non-observance or non-performance of any conditions, covenants, or agreements therein contained; and if the Trustee or Trustees decline the same, shall not be liable, as aforesaid, in case he deliver up such Lease or agreement, to the lessor or person agreeing to grant a Lease, within fourteen days after he shall have had notice that the Trustee or Trustees shall have declined as aforesaid; and if the Trustee or Trustees shall not, upon being thereto required, elect either to accept or decline such Lease, or agreement for a Lease, the lessor or person so agreeing as aforesaid, or any person entitled under such lessor or person so agreeing, shall be entitled to apply to any Judge of the Supreme Court, who shall order the Trustee or Trustees to deliver up such Lease or agreement, and possession of the premises, or may make such order therein as he shall think fit.

(Time and mode of offering composition by the Insolvent, or on his behalf, and proceedings therein.)

LXXXVI. And be it enacted, That if at the third public meeting of the Creditors, appointed by the Chief Commissioner as aforesaid, or at any subsequent meeting of the Creditors assembled together, by advertisement in the *Government Gazette*, the Insolvent, or any person on his behalf, shall make an offer of composition, or security for composition, which the greater part of the Creditors in number and value, assembled at such meeting, shall agree to accept, the Trustee or Trustees shall forthwith call another meeting

for the purpose of deciding upon such offer; whereof at least forty-two days' notice shall be given, by advertisement, in the *Government Gazette*, specifying the time, place, and purpose of such meeting; and if at such second meeting three fourths in number and value of the Creditors then present, shall also agree to accept such offer, or any amended offer, then upon such acceptance being testified by them in writing, to the Supreme Court, and upon oath of the Insolvent, that the same hath not been procured by him, or any one in his behalf, to his knowledge or belief, by any fraudulent or undue means or influence, it shall and may be lawful for the said Court to release the said Estate from sequestration.

(Account and plan of distribution, and when to be laid by Trustees before the Chief Commissioner.)

LXXXVII. And be it enacted, That the Trustee or Trustees of any Insolvent Estate shall, as soon as may be, and not later than six months after their appointment—unless, upon application to the Supreme Court or a Judge thereof, upon sufficient cause to the satisfaction of the said Court or Judge, further time be given for that purpose—frame and lay before the Chief Commissioner, an exact account of the balance of the said Estate, containing the proceeds of all sales and debts then collected, and an account of all debts still outstanding, and an inventory of all property and effects still unsold, and also all debts due by the said Estate; and shall form a plan for distribution of the assets of the said Estate, specifying, first, such Creditors as are entitled to any preference in the order of their legal preference, and secondly, the concurrent Creditors, and the balance remaining for division amongst them.

(As to inspection and notice thereof.)

LXXXVIII. And be it enacted, That as soon as the Chief Commissioner shall receive from the Trustee or Trustees any such account of the Estate and plan for distribution, the same shall lie open in his Office for the inspection of the Creditors, a reasonable time, to be appointed by the Chief Commissioner, not being less than fourteen days from the advertisement thereof, according to the distance of the residence of any Creditor who has proved a debt against the said Estate; and the said Trustee or Trustees shall cause notice thereof to be given in the *Government Gazette*.

(As to objections of Creditors thereon.)

LXXXIX. And be it enacted, That it shall and may be lawful for the Insolvent, or any party interested in the Estate under sequestration, and for any Creditor who may conceive himself aggrieved by the said plan of distribution, within the time aforesaid, to enter his objection, in writing, with the Chief Commissioner, stating the grounds thereof; and, also, it shall and may be lawful for the Supreme Court, or any Judge thereof, to permit such objection to be entered at any time before the final confirmation of the said plan, upon sufficient cause to be shewn to the satisfaction of the said Court or Judge, and upon such terms as the said Court or Judge shall impose.

(As to proceedings before the Court thereon.)

XC. And be it enacted, That any person as aforesaid, objecting to the said account or plan of distribution, shall apply to the Supreme Court, calling upon the Trustees, and also upon the party whose interest might be affected thereby, to shew cause why the said plan should not be altered or amended, as the case may be; and thereupon it shall and may be lawful for the said Court, upon hearing the said parties, to make such order thereon as to the said Court shall seem fit: Provided, that whenever any alteration or amendment shall be ordered in the said plan, whereby the interest of any party, who has not made appearance in the said Court, shall be affected, the same shall again lie open for inspection of the Creditors, and notice thereof shall be given as aforesaid.

(As to confirmation by the Court, and effect thereof.)

XCI. And be it enacted, That it shall and may be lawful for the Trustee or Trustees, after the expiration of the time appointed for the inspection of the said account and plan of distribution, and no objection being entered thereto, or if any objection has been stated, after the Court has made order thereon, as aforesaid, to apply to the Supreme Court, praying that the said plan may be allowed and confirmed by the Court; and thereupon it shall and may be lawful for the said Court to allow and confirm the same; and such allowance and confirmation shall have the effect of a final judgment of the said Court, as between the Insolvent and the Creditors of such Insolvent respectively, and as to the amount of any debt therein specified, except against such Creditors as shall afterwards be admitted by the said Court, in manner hereinbefore provided, to prove their debts, and rank upon the same estate, at any time before the final distribution thereof.

(As to distribution of Estate.)

XCII. And be it enacted, That after confirmation and allowance of the said account and plan of distribution, the Trustees shall, upon the demand of the said Creditors, distribute the said Estate according thereto; and the remedy of any Creditor, to obtain payment of any dividend due to him, shall be, during the continuance in office of the said Trustee or Trustees, by application to any Judge of the Supreme Court, and the order of the said Judge thereon.

(As to resignation and discharge of Trustees.)

XCIII. And be it enacted, That if any Trustee desire to resign his office, it shall be lawful for such Trustee to apply to the Supreme Court or a Judge thereof, for leave to resign his office, or to surrender the said trust to the Chief Commissioner, as to any future Estate or effects which may be acquired by the Insolvent, before he shall obtain his certificate and allowance thereof, and to be discharged and acquitted of the said Trust; and if no valid objection be stated, and if the Court or Judge be satisfied that the Trustee has complied with the Regulations of this Act, so far as regards him, his application may be granted by the said Court or Judge; but if any objection be stated thereto, the Court or Judge shall proceed to determine the same in a summary manner, and

shall make such order thereon as they shall think fit; and if the application of the Trustee for leave to resign be granted, the said Court or Judge shall thereupon make such order as they or he shall see fit, for the preservation and administration of the Estate, until a new Trustee be chosen and confirmed, and for the discharge and acquittance of the said Trustee, and for the security and payment of any unclaimed dividends to the parties entitled to the same, and respecting any future Estate or effects which may be acquired by the Insolvent, before he shall obtain his certificate and allowance thereof: Provided always, that no order of the said Court or Judge, allowing the said Trustee to resign, shall prevent the Trustee thereafter chosen and confirmed in his stead, from calling upon him to account for any part of his conduct as Trustee, prior to his resignation: And provided always, that before making any application for leave to resign, the Trustee shall make out a full statement of his accounts, and of the situation of the Insolvent Estate, and shall call a meeting of the Creditors to consider the same, of which meeting at least twenty-eight days' notice shall be given by advertisement in the *Government Gazette*, intimating the purpose of the meeting; and also, that the aforesaid statement will, in the mean time, lie open for their inspection in the Office of the Chief Commissioner.

(Time and mode of Insolvent obtaining certificate, and allowance thereof by the Court.)

XCIV. And be it enacted, That any Insolvent, may, after the third public meeting of his Creditors, called by the Chief Commissioner as aforesaid, and after his examination, (if any has been applied for and ordered as aforesaid,) apply to his Creditors for a certificate, testifying their consent to the discharge of the Insolvent being granted by the Court, in manner hereinafter mentioned; and every Insolvent, who shall have obtained such certificate, signed by three-fourths in number and value of the Creditors who have proved debts against his Estate, and who shall make oath, in writing, that such consent and certificate were obtained without fraud, and without his having used any undue means or influence, or having made any secret compromise with his Creditors, in order to obtain their consent and certificate, may apply to the Supreme Court to have his certificate allowed: Provided, that at least six weeks' notice of the day on which such application is to be made, shall have been given by advertisement in the *Government Gazette*; and if no objection be made thereto by any of the Creditors of the Insolvent, the said Court shall make an order, allowing such certificate; but if any objection shall be made by any Creditor, the said Court shall judge and determine thereon, and shall refuse or suspend the said certificate, or allow the same, absolutely or conditionally, as the justice of the case shall require: Provided always, that where, in consequence of the goods and effects of the Insolvent being under the value of one hundred pounds, the proceedings in such case directed by this Act shall have taken place, it shall be lawful for such Insolvent, at any time, not being less than three months after the said first meeting, to apply to his Creditors for a certificate, as aforesaid.

(In what cases Insolvent not entitled to certificate, and if obtained, when void.)

XCV. And be it enacted, That if any Insolvent shall have committed any Act herein declared to amount to the crime of fraudulent Insolvency, or shall, after surrender of his Estate, or in contemplation of Insolvency, or after notice of any order for sequestration of his Estate, have destroyed, altered, mutilated, or falsified, or caused to be destroyed, altered, mutilated, or falsified, any of his books, papers, writings, or securities, or made, or been privy to the making of, any false or fraudulent entries in any book of accounts, or other document, with intent to defraud his Creditors, or if any person shall have proved a false debt against the Estate of any Insolvent, such Insolvent being privy thereto, or afterwards knowing the same, shall not have disclosed the same to his Trustees, within one month after such knowledge, such Insolvent shall not be entitled to his certificate or allowance; and any certificate and allowance, which such Insolvent may have obtained, shall be null and void.

(Contracts, &c., to persuade Creditors to compound, or to sign certificate, void.)

XCVI. And be it enacted, That any contract or security, made or given by any Insolvent, or other person for, or in trust for, any Creditor, or for securing the payment of any money due by such Insolvent, at his Insolvency, as a consideration, or with intent to persuade such Creditor to agree to accept any offer of composition, or security for composition, or consent to sign such certificate, shall be, and is hereby declared to be, fraudulent and void; and the money thereby secured, or agreed to be paid, shall not be recoverable.

(Effect of Certificate and allowance thereof.)

XCVII. And be it enacted, That every such certificate, when allowed by the Supreme Court, shall have the effect to discharge the Insolvent from all debts due by him at the time his Estate was surrendered, or adjudged to be sequestrated, and from all claims and demands proved, or hereby made proveable, against his Estate; but no such certificate and allowance thereof shall have effect to release or discharge any person who was partner with such Insolvent, at the time of his Insolvency, or who was then jointly bound, or who had made any joint contract with such Insolvent.

(When Insolvent Trustee not discharged as to his future Effects.)

XCVIII. And be it enacted, That any Trustee becoming Insolvent, and being indebted to the Estate of which he was Trustee, in respect of any sum of money improperly retained or employed by him, if he shall obtain his certificate and allowance thereof, shall not be discharged thereby, as to his future effects, in respect of the said debt.

(Mode of pleading Certificate, and of obtaining discharge from imprisonment thereon.)

XCIX. And be it enacted, That any Insolvent, who, after his certificate has been allowed, shall have any action brought against him for any debt, claim, or demand due by him at the time his Estate was surrendered or adjudged to be seques-

trated, proved or hereby made proveable against his Estate, may plead in general that the cause of action accrued before he surrendered his Estate, or the same was sequestrated, as aforesaid, and may give this Act and the special matter in evidence; and such Insolvent's certificate and allowance thereof shall be sufficient evidence of the Insolvency, surrender, or adjudication, and other proceedings precedent to the obtaining the said certificate and allowance thereof; and if any such Insolvent shall be taken in execution, or detained in prison for such debt, claim, or demand, where judgment has been obtained before the allowance of his certificate, it shall be lawful for any Judge of the Supreme Court, on proof by such Insolvent of his certificate and allowance thereof, to order any gaoler or officer, who shall have the said Insolvent in custody, by virtue of the said execution, to discharge him without exacting any fee from the defendant, and the said gaoler or officer shall be, and is hereby indemnified for so doing.

(As to imprisonment of uncertificated Insolvents, and proceedings thereon.)

C. And be it enacted, That at any time or times, after the plan of distribution of any Insolvent Estate has been confirmed in manner hereinbefore mentioned, or after the distribution of the said Estate has been directed to be made under the provisions of this Act, and before the Insolvent shall have obtained his certificate and allowance thereof, it shall and may be lawful for the Trustees, or any Creditor of the said Estate, to apply to the Supreme Court, for an order of the said Court for the imprisonment of the said Insolvent, until satisfaction of his debt, or lawful discharge therefrom: Provided the said Insolvent shall first have been duly summoned to appear before such Court, on the day whereon the said application shall be made, to shew cause why such order should not be made; and, thereupon, and upon proof to the satisfaction of the said Court, that the said Estate is not sufficient to discharge the debts proved, or proveable, against the said Estate, as aforesaid, and that the Insolvent hath reasonable means of discharging the same, or some part thereof, it shall and may be lawful for the Court to grant the said order absolutely or conditionally, or to refuse the same, as to the said Court shall seem just and reasonable: Provided that, when the application shall be made by one or more Creditors, and the said Court shall suspend the same, upon the condition of the Insolvent paying any sum of money, periodically or otherwise, such payment shall be made to the Trustees, or to the Chief Commissioner, as the case may be, for the benefit of all the Creditors.

(As to records of proceedings under this Act.)

CI. And be it enacted, That the Chief Commissioner shall enter of record, and have the custody of all proceedings relating to any Insolvency, under and by virtue of this Act; and the Insolvent, or any Creditor who has proved, shall, at all reasonable times, have inspection of the same, and be permitted to take extracts or copies therefrom, at his own expence; and extracts of such proceedings, signed by the said Commissioner, shall be received as evidence in all Courts of Justice within the Colony.

(Special Commissioner, upon illness, &c., of any Commissioner.)

CII. And be it enacted, That whenever it shall be made to appear to the Supreme Court, or any Judge thereof, that the Chief or other Commissioner, as the case may be, is prevented by illness or any unavoidable cause from holding any meeting, which, under the provisions of this Act, is required to be holden before any Commissioner, it shall and may be lawful for the said Court, or Judge, to appoint a Commissioner for the special purpose of holding such meeting, who shall have, for the purpose of such meeting, the same powers and authorities as are, by this Act, given to any Commissioner in the like case.

(Court to make Rules, &c.)

CIII. And be it enacted, That it shall and may be lawful for the Judges of the Supreme Court, at Sydney, and for the Resident Judge, at Port Phillip, from time to time, as they shall think fit, to make such rules, orders, and regulations for carrying this Act into effect, and also touching the form and manner of proceeding, and the fees to be taken for anything done under the same, as to them shall seem fit.

(Supreme Court to be holden by and before one or more Judges.)

CIV. And be it enacted and declared, That for all the purposes of this Act, the Supreme Court shall and may be holden, at Sydney, by and before any one or more of the Judges of the said Court, and at Port Phillip, by and before the Resident Judge there.

(Application of the Act to the cases of Insolvents resident at Port Phillip.)

CV. And be it enacted and declared, That in every case where any Insolvent shall be resident within the limits within which the Resident Judge at Port Phillip has or shall have jurisdiction, the words "Chief Commissioner," used in this Act, shall be construed to mean and apply to the Chief Commissioner of Insolvent Estates, resident at Port Phillip; and that where, by this Act, any matter or thing relating to the person or Estate of any such Insolvent, is required to be inserted in the *Government Gazette*, the same shall also be in like manner inserted in some public Newspaper, published at Port Phillip.

(Application of the words "Chief Commissioner" used in the Act.)

CVI. And be it enacted and declared, That in every case where any Insolvent shall be resident in any other part of the Colony than within the limits within which the Resident Judge at Port Phillip has or shall have jurisdiction, the words "Chief Commissioner," used in this Act, shall be construed to mean and apply to the Chief Commissioner of Insolvent Estates, resident at Sydney.

(Proof of Insolvency in any Action or other proceeding.)

CVII. And be it enacted, That in all suits or actions, and in all indictments or informations under this Act, where it shall be necessary to allege or prove that any party became or was Insolvent, or that his Estate was surrendered or sequestrated as Insolvent, or ordered or adjudged to be so sequestrated, it shall be sufficient merely to

allege that such party, being Insolvent within the meaning of this Act, his Estate was ordered or adjudged to be sequestrated, without setting forth such adjudication, or any order for such sequestration, or setting forth or proving any Petition presented in the matter of the Insolvency, or any Petitioning Creditor's debt, or meeting of Creditors, or other proceeding under this Act; and proof of such adjudication or order, by the production thereof, or of any Office Copy thereof, under the hand of the Judge or Officer signing the same, shall (on proof of such signature and of the identity of the party therein named as Insolvent) be sufficient for the purposes of such allegation.

(Local Acts, 2 Victoria, No. 14, and 4 Victoria, No. 24, repealed.)

CVIII. And be it enacted, That this Act shall be in full force and effect on the first day of February next; from and after which day an Act of the Governor of this Colony, with the advice of the Legislative Council, made in the second year of the Reign of Her Majesty Queen Victoria, intituled "An Act to revive and continue, for a limited time, an Act passed in the second Year of the Reign of His late Majesty, King William the Fourth, intituled, 'An Act for the relief of Debtors in execution for debts which they are unable to pay,' and to make certain amendments therein;" and also an Act of His Excellency the Governor and Legislative Council, passed in the fourth year of the Reign of Her present Majesty, intituled, "An Act to revive and continue, for a limited time, an Act passed in the second year of the Reign of her present Majesty, for the relief of Debtors, in execution for debts which they are unable to pay, and to make certain amendments therein;" shall be, and the same are hereby, repealed.

GEORGE GIPPS,
Governor.

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

WM. MACPIERSON,
Clerk of Councils.

ANNO QUINTO
VICTORIÆ REGINÆ.
No. 18.

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 further to amend an Act, intituled "An Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks, and Rivers, in New South Wales, and the better regulation of Shipping in the same."

WHEREAS an Act was passed by the Governor and Council of New South Wales, Preamble. in the Third year of the Reign of His late Majesty King William the Fourth, intituled

3 William "An Act for the better preservation of 4, No. 6. the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks, and Rivers, in New South Wales, and the better regulation of Shipping in the same;" and whereas, another Act of the said Governor and Council was passed in the Fourth year of the Reign of 4 Victoria, Her Majesty Queen Victoria, intituled No. 4. "An Act to amend an Act, intituled 'An Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks, and Rivers, in New South Wales, and the better regulation of Shipping in the same,'" by which it was, amongst other things, enacted, that it should be lawful for the Governor, with the advice of the Executive Council of the said Colony, to frame Rules and Regulations to be observed by the Masters and Commanders of all Ships in any Port or Harbour of New South Wales, except Port Jackson; and whereas it is expedient to discontinue such exception in regard to Port Jackson, and further to alter and amend the said recited Acts: 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, it shall be lawful for the said Governor, with the advice of the Executive Council of the said Colony, from time to time, to frame Rules and Regulations, to be observed by the Masters and Commanders of all Ships or Vessels in the Harbour of Port Jackson, and by all persons duly licensed to act as Pilots in the said Harbour,

and the said Rules and Regulations, and all Rules and Regulations relating to the said Harbour, which may be in force at the time of the passing of this Act, to alter, amend, or repeal, and substitute others in their stead, as to the said Governor and Executive Council may seem necessary or expedient: Provided, that all such Rules and Regulations, or such amended, altered, or new Rules and Regulations, and notice of the repeal of any such Rules and Regulations, shall be promulgated by Proclamation of His Excellency the Governor for the time being of the said Colony, to be published in the *New South Wales Government Gazette*, at least one month before the same shall take effect, at the expiration of which time, the same shall be, and thenceforth continue to be, in full force and effect.

(Any Person violating such Rules, to forfeit from £5 to £50.)

II. And be it enacted, That if any person, being the Master, or in command of, any Ship or Vessel in Port Jackson, or being duly licensed to act as a Pilot in the said Port, shall in any case fail or neglect to observe all or any of such Rules and Regulations as shall or may from time to time be so promulgated as aforesaid, or shall do or commit any thing contrary to the true and plain meaning of any of the said Rules and Regulations, such person so offending shall, for every such offence, forfeit and pay a sum of not less than Five Pounds, nor more than Thirty Pounds, to be recovered as hereinafter mentioned.

(Masters to allow Warps to be fastened to their Vessels, by order of the Harbour Master.)

III. And be it enacted, That whenever the person duly authorised to perform the duties of Harbour Master, in Port Jackson, shall, in pursuance of the authority vested in him by the said first recited Act, go on Board any Ship or Vessel within the said Harbour, for the purpose of directing the removal of such Ship or Vessel from one place of moorage or anchorage to another, it shall be lawful for such person, if he shall see fit, to cause such Ship or Vessel to be made fast to any other Vessel, or to any warp, for the purpose of such removal; and every person who shall refuse to allow of, or offer any impediment or resistance to, such Ship or Vessel so being made fast as aforesaid, or who shall untie or cut away any such warp or fastening, shall forfeit and pay for every such offence, a penalty of Five Pounds: Provided, that if any injury be done to any Ship or Vessel, by reason of the fastening of any other Ship or Vessel thereto, or to such warp, by means of any warp or other fastening for the purpose hereinbefore mentioned, the Owner, or Master, or person in command of, such Ship or Vessel so injured, shall be entitled to recover damages from the Owner, or Master, or person in command of the Ship or Vessel, by reason of the fastening of which such injury shall have been sustained; and if the amount of such damages shall not exceed or be estimated at more than Thirty Pounds, the same shall be recovered, in a summary manner, as hereinafter mentioned.

(Repealing rates of Pilotage set forth in Schedule B, to the Act, 3 William IV., No. 6.)

IV. And whereas it is expedient to reduce the rates of Pilotage charged in the Schedule to the said first recited Act annexed, marked B: Be it therefore enacted, that from and after the passing of this Act, so much of the said first recited Act as relates to such rates, and to the table thereof, in the schedule to the said Act annexed, marked B, shall be, and the same is, hereby repealed.

(Substituting new Rates.)

V. And be it enacted, That the rates and charges of Pilotage on all Ships or Vessels arriving in any Port or Harbour, from any distance not less than two leagues at sea, or departing therefrom to a like distance at sea, shall be the same as are respectively inserted, described, and set forth in the Schedule to this Act annexed, marked B: Provided always, that no Pilotage shall be charged on any Ship or Vessel registered in Sydney, or on any Steam Vessel, while respectively employed in the coasting trade from any one Port of New South Wales to another, unless the Master or Commander thereof shall require and receive the assistance of a Pilot: Provided also, that nothing herein contained shall be taken or held to apply to the Pilotage chargeable on any Ship or Vessel entering or departing from the Harbour of Port Phillip.

(Power of Governor and Executive Council to diminish or increase Rates of Pilotage for Port Phillip.)

VI. And whereas it is expedient that the Governor for the time-being of New South Wales, with the advice of the Executive Council thereof,

should be empowered, whenever they shall see fit, to diminish, as well as increase, the rates and charges for Pilotage, on all Ships or Vessels entering or departing from the Harbour of Port Phillip: Be it therefore enacted, That it shall and may be lawful for the said Governor, with the advice of the Executive Council, whenever they shall see fit, to diminish or increase the rates and charges for Pilotage, on Ships or Vessels entering or departing from the said Harbour of Port Phillip: Provided always, that no such increase shall in any case exceed three times the amount of the rates and charges respectively inserted, described, and set forth in the schedule to this Act annexed, marked B.

(Rates of Pilotage Chargeable on Vessels registered at Sydney or Van Diemen's Land, entering or departing from the Harbour of Port Phillip.)

VII. And whereas it is inexpedient that any Vessel entering or departing from the Harbour of Port Phillip, should be exempted from payment of charges for Pilotage: Be it therefore enacted, That all Vessels, being regular traders, and registered in Sydney or Van Diemen's Land, entering or departing from the said Harbour of Port Phillip, shall, whether they take a Pilot or not, pay one-fourth of the prescribed rates for the time-being of Pilotage for the said Harbour; and in case any such Vessel shall actually require and receive a Pilot, such Vessel shall pay only one-half the rate of Pilotage so prescribed, as aforesaid.

(Pilots to provide themselves with Blue Flags, and hoist them on board Vessels subject to Pilotage.)

VIII. And be it enacted, That every Pilot in charge of a Vessel, arriving in the Harbour of Port Jackson, from parts beyond seas, not being from Ports in Van Diemen's Land, or Port Phillip, shall, immediately on boarding such vessel, cause a blue flag to be hoisted at the main mast head, and shall cause the same to be kept flying until such Vessel shall be boarded by the Health Officer; and every Pilot who shall not be provided with a blue flag for the purpose aforesaid, or who shall wilfully neglect to cause the same to be hoisted in manner aforesaid, shall forfeit and pay, for every such offence, any sum not exceeding ten pounds, to be recovered in manner hereinafter mentioned.

(Coasting Vessels to Anchor, after dark, to Eastward of Pinchgut.)

IX. And be it enacted, That no Coasting Vessel, which shall enter the Harbour of Port Jackson, between sunset and sunrise, shall come higher up than Pinchgut Island, but shall anchor to the eastward thereof, under a penalty of ten pounds: Provided always, that this Regulation shall not extend to Steamers, or Vessels commonly known as Packet Vessels, employed in the conveyance of passengers and merchandise, and having a License so to do from the Collector of Customs.

(Coasting and Van Diemen's Land Vessels to hoist a white flag.)

X. And be it enacted, That the Masters or Commanders of all Coasting Vessels, and of all Ships and Vessels trading between Port Jackson and Van Diemen's Land, shall, on arriving within one league of the Light House, on the South Head of Port Jackson, cause a white flag to be hoisted at

the main mast head, and keep the same flying until abreast of the floating light, near the entrance of Port Jackson; and the Master or Commander of any Vessel, arriving as aforesaid, who shall neglect to have such flag flying, as aforesaid, and whose Vessel shall be boarded by a licensed Pilot, in consequence of such neglect, shall be subject to the payment of Pilotage rates in respect of such vessel, in the same manner as if a Pilot had been actually required and employed by him, any law or regulation to the contrary, notwithstanding

(No dead animals to be thrown overboard Westward of Pinchgut.)

XI. And be it enacted, That from and after the passing of this Act, when any animal shall have died, or been killed, on board any Ship or Vessel in the Harbour of Port Jackson, it shall be lawful for any person on board such Ship or Vessel, to throw, or cause such dead animal to be thrown, into the said Harbour, provided that there shall be properly attached thereto a sufficient weight to sink the same; and that no such animal shall be thrown or sunk as aforesaid, in any part of the said Harbour to the westward of Pinchgut Island; and any person who shall offend against the provisions of this enactment, shall forfeit and pay a penalty of not less than Five nor more than Twenty Pounds, to be recovered as hereinafter mentioned.

(Penalty on Masters or Commanders of Vessels interfering with Pilots in the discharge of their duty.)

XII. And be it enacted, That if any Master or Commander of any Vessel shall interfere with any Pilot in the execution of his duty, in regard to such vessel, so as to resist or impede him in the proper performance thereof, such Master or Commander shall forfeit and pay, for every such offence, any sum not exceeding Ten Pounds, to be recovered in manner hereinafter mentioned.

(Penalty on Pilots neglecting, or, by drunkenness, incapacitating themselves to perform their duty.)

XIII. And whereas, by the said first recited Act, it was enacted, That every person licensed to act as a Pilot, by virtue of the said Act, should, on conviction, before any two or more Justices of the Peace, of any of the offences specified in the seventeenth section of the said Act, forfeit any sum not exceeding Twenty Pounds; and whereas, it is expedient that a higher penalty should be imposed for such offences, and for the offences in this Act mentioned: Be it therefore enacted, That every Pilot, who shall commit any of the offences mentioned in any of the enactments or provisions of this Act, for which no penalty is specially provided, or who shall refuse, neglect, or delay, to take charge of any Ship or Vessel, unless upon good and sufficient cause to justify such refusal, neglect, or delay, or who shall quit any such Ship or Vessel, or decline the Piloting thereof after he has been engaged, or before the service shall have been performed for which he was hired, or who shall in any way neglect, or, by drunkenness, render himself incapable of performing any duties imposed on him, under the said first recited Act, or this Act, shall, on conviction thereof, forfeit any sum not exceeding Thirty Pounds, to be recovered in manner hereinafter mentioned.

(*Repealing Rates of Wharfage, fixed by 3 William IV. No. 6; and substituting others in their stead.*)

XIV. And be it enacted, That from and after the passing of this Act, so much of the said first recited Act as relates to the rates and charges for Wharfage fixed thereby, and inserted, described, and set forth in the Schedule thereto annexed, marked A., shall be, and the same is hereby repealed; and that in lieu thereof, it shall and may be lawful to levy the several rates and charges for Wharfage on all goods, merchandise, and packages landed at the Queen's Wharf, in the Town of Sydney, in the Colony aforesaid, or at any other Public Wharf, in any Port or Harbour within the Government of New South Wales, which are inserted, described, and set forth in the Schedule to this Act annexed, marked A: Provided however, that goods landed at any private sufferance Wharf, shall be charged with only one-third part of the said rates and charges.

(*Repeal of section 36 of 3 William 4, No. 6.*)

XV. And be it enacted, That from and after the passing of this Act, the thirty-sixth section of the said first recited Act, except so much thereof as relates to the appropriation of all sums collected under the said Act, shall be, and the same is hereby repealed.

(*One moiety of all fines to go to the Informer, the other to Her Majesty for Public uses.*)

XVI. And be it enacted, That all sums collected under this Act, and not otherwise specially appropriated, shall go to Her Majesty, Her Heirs, and Successors, for the public uses of the said Colony, and in support of the Government thereof; and that all fines and forfeitures, recoverable under this, or the said first and second recited Acts, respectively, and not otherwise specially appropriated, shall be appropriated in manner following:—that is to say, one moiety thereof shall go to the party or parties informing, or suing for the same, and the other moiety shall be paid to Her Majesty, Her Heirs, and Successors, for the public uses of the said Colony, and in support of the Government thereof.

(*Recovery of Penalties.*)

XVII. And be it enacted, That all fines and forfeitures incurred under and by virtue of this Act, shall be recoverable, upon conviction, in manner directed by the said first recited Act.

GEORGE GIPPS,
Governor.

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

WM. MACPHERSON,
Clerk of Councils.

SCHEDULES REFERRED TO.

B.

PILOTAGE RATES.

A TABLE of the RATES of PILOTAGE, payable to Licensed Pilots, on all Ships or other Vessels arriving at any Port or Harbour in

New South Wales, for which a Pilot shall have been appointed, except Port Phillip, from a distance not less than two leagues at sea, or departing from any such Port or Harbour to a like distance at sea.

For every Vessel drawing :—	£	s.	d.
7 feet or under	2	0	0
8 feet and under 9 feet	2	2	6
9 feet and under 10 feet	2	5	0
10 feet and under 11 feet	2	10	0
11 feet and under 12 feet	2	15	0
12 feet and under 13 feet	3	0	0
13 feet and under 14 feet	3	5	0
14 feet and under 15 feet	3	10	0
15 feet and under 16 feet	3	15	0
16 feet and under 17 feet	4	0	0
17 feet and under 18 feet	4	5	0
18 feet and under 19 feet	4	10	0
19 feet and under 20 feet	4	15	0
20 feet and under 21 feet	5	0	0
21 feet and under 22 feet	5	10	0
22 feet and under 23 feet	6	0	0

And so on at the rate of Ten shillings for every additional foot.

Vessels registered in Sydney, and not exceeding fifty Tons registered Tonnage, and Vessels and Steamers employed in the Coasting trade between one port of New South Wales and another, while so employed, exempted from payment of the above rates, unless the assistance of a Pilot shall be required and actually received.

A.

TABLE OF RATES OF WHARFAGE.

	s.	d.
Alkali, loose ton	2	6
„ in casks, according to size		
Almonds hhd.	1	6
„ package, cask, or case	0	6
„ bag	0	3
Anchors, Grapnels ton	3	6
Alum ton	2	6
„ in small packages each	0	6
Anchovies crate	1	0
„ case	0	6
„ barrel or keg	0	3
Amiseed package	0	6
Annatto cask or case	0	6
„ basket or bag	0	4½
Antimony Ore ton	3	6
Anvils each	0	3
„ or per ton	2	6
Asses and Mules each	1	0
Axletrees each	0	6
Apples package	0	6
Arrowroot cask or case	0	6
Apparel, wearing the case	0	6
Bacon bale, bundle, or case	0	6
„ side	0	3
„ empty bale or bundle	0	6
Bark, loose or in bags ton	2	6
„ Peruvian case or chest	0	9

	s.	d.		s.	d.
Barley, loose or in bags.....bushel	0	1	Castor Oil	case	0 6
" Pearl	cask or case	0 6	Carrots.....	ton	1 8
" 	keg or jar	0 3	Chairs	case	0 6
Baskets, empty	each	0 1½	" loose.....	each	0 1½
Beans, in bags	bushel	0 1	Carriages, 4 wheeled.....	each	5 0
" in casks, according to size.			" 2 wheeled.....	each	2 6
Beef and Pork.....	tierce or hhd.	0 9	Cement	barrel	0 6
" 	or barrel	0 6	" loose	ton	2 6
Beer or Cider in bulk	hhd.	0 9	Chalk or whiting, in bulk	ton	2 6
" 	barrel	0 6	" in casks, according to size		
" bottled 1 to 3 doz....	cask or case	0 3	Cheese	cask or case	0 6
" 4 to 5 doz.	" "	0 4½	" 	tins	0 1½
" 6 to 8 doz.	" "	0 6	" loose	each	0 1½
" 9 doz.	" "	0 9	Chilies	case	0 6
Bees Wax	cask or case	0 6	" 	bag	0 3
Berries, Juniper	package	0 6	China Ware	cask or case	1 0
Bellows, smiths'.....	pair	0 6	Chocolate	package	0 6
Billiard Tables	each	5 0	Cigars.....	case	1 0
Biscuit, in bags	ton	2 6	" 	box	0 3
" 	puncheon	1 0	Clay	hhd.	1 0
" 	hhd.	0 9	" 	cask	0 6
" 	barrel	0 4½	" Figures.....	case	1 0
" 	keg	0 3	Cloves	case	0 6
Blankets	bale	0 6	" 	bag	0 3
Blacklead	cask or case	0 6	Clover and Lucerne Seed	cask	0 6
Blacking	hhd.	1 0	" 	bag	0 3
" 	cask	0 6	Coffee and Cocoa.....	bag	0 3
" 	keg	0 3	" in casks.....	ton	2 6
Bottles, empty.....	package	0 6	Cocoa Nuts.....	100	0 6
Bran	sack	0 1½	Colours	cask or case	0 6
Brimstone, loose	ton	2 6	" 	hhd.	2 6
" 	cask or case	0 6	" 	butt	2 6
Bricks, Slates, or Tiles.....	1000	2 6	" 14 to 28lbs.	keg	0 1½
Bristles	cask or case	0 6	" 30 to 56lbs.	keg	0 2½
Brooms or Brushes	" "	0 9	" 56 to 112lbs.....	keg	0 3
" 	bundle	0 6	Cordage	ton	2 6
" loose	dozen	0 3	Confectionary	package	0 6
Bull or Cow	each	2 6	Coir Rope.....	ton	3 6
Burr Stones	each	0 1½	Copper	cask or case	0 9
Buoys	ton	3 6	" loose.....	ton	3 6
Butter	barrel	0 6	Corn, in bulk or bags.....	bushel	0 1
" 	firkin or keg	0 3	Corks	cask	0 6
Boots and Shoes.....	cask or case	0 6	" 	bag	0 3
Books	" "	0 6	Curiosities, natural	package	1 0
Brandied Fruits	case	0 6	Cutlery	" "	0 9
Cables, iron.....	ton	3 6	Currants.....	butt	2 6
" rope	ton	2 6	" 	carotcel	0 9
Calf.....	each	1 0	" 	cask or case	0 6
Camphor	tub or chest	0 6	" 	jar	0 1½
Camphorwood Planks.....	100	2 6	Cider, (see Beer)		
Canes or Bamboos.....	100 bundles	2 6	Dates.....	bale, cask, or case	0 6
" loose	100	0 1½	" 	bag	0 3
Candles	package	0 6	" 	jar	0 1½
Cannons	ton	3 6	Deals	100	5 0
Canvass	bale	0 6	" ends	100	3 6
" 	bolt	0 1½	Dholl or Gram	bushel	0 1
" 	bale of 2 bolts	0 3	Drugs	hhd.	1 0
Carts	each	2 6	" 	cask or case	0 6
Capers	cask or case	0 6	" 	bag	0 3
" 	keg	0 3	Earth, Fuller's.....	ton	2 6
Cards	case	0 6	Earthenware.....	hhd. or grate	1 0
Casks, empty	ton	0 6	" 	cask or case	0 9
Cardamoms.....	case	0 6	" 	ton	2 6
" 	bag	0 3	Eau de Cologne	case	0 6
Carpets	bale or case	0 6	Engines, fire	each	5 0
Caraway Seeds	case	0 6	" beer or garden.....	each	1 0
" 	bag	0 3	Essences and Essential Oils	case	0 6
Cashu Nuts.....	bag	0 3	" 	bottle or jar	0 1½
Cassia.....	case	0 6	Fans	case	0 9

	s.	d.		s.	d.
Feathers, ostrich	1	0	Isinglass	0	6
Felt " bed	0	6	Ivory	0	6
Felt "	0	6	Jute, (see Hemp)		
Felt	0	6	Lacquered Ware	0	6
Figs	0	1½	Lard	0	6
"	0	6	"	0	3
Fish	0	6	"	2	6
"	0	3	Lead, in rolls or loose	ton	0
" barrel or ½ barrel	0	3	Leather	bale or case	0
Fire Arms	1	0	" loose	ton	3
Flax	2	6	Leeches	package	0
Flints	0	3	Lime	ton	2
Floor Cloth	0	6	Logwood	ton	2
Flags, Cooper's	1	0	" in casks, according to size.		
Fire Works	0	6	Manufactures	package	0
Flour	0	4½	" soft goods		
" in sacks	ton	2	Mangle	each	1
Flowers, artificial	case	0	Marble, manufactured	package	1
Furniture	crate	1	" in blocks	ton	2
"	package or case	0	Matting	roll	0
Fruit, green	package	0	Molasses	puncheon	1
Furs	cask or case	0	"	hhd.	0
Ginger	"	0	"	cask	0
"	bag	0	" in tanks	ton	2
"	100 pockets	5	Mother-of-pearl Shells	ton	2
Glassware, (see Earthenware)			Mules	each	1
Glass plate	case	0	Mustard	cask or case	0
" window	box	0	Musical Instruments (not Piano or		
Glue	hhd.	1	Harp)	case	1
"	cask or case	0	Nails	cask	0
"	cask or case	0	"	bag or keg	0
Grates and Stoves	each	0	"	case	0
Grain, (see Corn)			Nutmegs	bag	0
Grindstones	each	0	Oats, (see Corn)		
Grindery	cask or case	0	Oakum	ton	0
Gunny Bags	bale	0	Oatmeal	cask or case	0
Gunpowder	free	0	"	keg	0
Gum	cask or case	0	"	dozen	0
Gypsum	hhd.	1	Oars	dozen	0
"	cask or case	0	Oil Cake, loose	ton	2
" loose	ton	2	" in casks, according to size		
Hair	cask or case	0	Oil, black or sperm	ton	2
"	hhd.	0	" if in quantities of less than a		
"	dozen	0	ton, to be charged by the cask.		
"	hhd.	1	Linseed, and other Oils	butt	2
"	cask or case	0	"	pipe	1
Hammers	hhd. or crate	1	"	hhd.	0
"	cask or case	0	"	cask	0
"	bag or keg	0	"	chest or case	0
"	bundle	0	Oilman's Stores	sugar-hhd.	1
Harpis	each	1	"	hhd.	0
Harrows	each	0	"	cask or case	0
Hats	case	0	"	keg, basket, or bag	0
Hay	ton	2	Paint	sugar-hhd.	2
Hemp, loose	ton	2	"	hhd.	1
"	bale	0	"	butt	2
"	bale	0	" according to weight, keg		
Herrings, (see Fish.)			Paddy, in bulk	ton	1
Hides	bale or case	0	"	bag	0
Hones	cask or case	0	"	bale or case	0
"	keg	0	Paper	cask or case	0
"	package	0	Pease	cask or case	0
Honey	bale or bag	1	"	bag or keg	0
Hops	pocket	0	"	butt	2
"	bundle	0	"	bag	0
Hoops, wood	bundle	0	Pepper and Spices	each	2
" iron, (see Iron)			Pigs	each	0
Horses	each	1	Pictures	case	0
" Cob or Pony	each	0	Piece Goods	bale or case	0
Ice	ton	1	Pitch	barrel	0
India Rubber	package	0	Ploughs, Harrows, or Drills	each	0
Iron, in bars, hoop or rod, pig or sheet,			Potatoes or Yams, Carrots & Onions, ton	1	8
pots, tire, or hurdles	ton	2			
" Machinery	ton	3			

	s.	d.		s.	d.
Pork	barrel	0 6	Tea	$\frac{1}{2}$ chest	0 3
"	$\frac{1}{2}$ ditto	0 3	"	box	0 $1\frac{1}{2}$
Quicksilver	bottle	0 3	Timber	load	2 6
Raisins, under 30lbs.	box	0 $1\frac{1}{2}$	Tin Plates	box	0 6
" 30 to 56lbs.	box	0 3	Thrashing and Winnowing		
" 56lbs. and upwards	box	0 6	Machine	each	3 0
Rattans (see Canes)			Twine	hhd.	1 0
Rice	bag	0 $1\frac{1}{2}$	"	bale, cask, or case	0 6
Rope	ton	3 6	Tobacco	hhd.	1 6
Salt	ton	1 6	"	tierce	0 9
" basket	hhd.	1 0	"	keg	0 3
"	sugar-hhd.	2 0	"	basket or roll	0 $1\frac{1}{2}$
Sago	cask or case	0 6	Toys and Turnery	cask or case	0 6
"	bag	0 $1\frac{1}{2}$	Tongues and Tripe	keg	0 3
Seltzer and Soda Water	doz.	0 $1\frac{1}{2}$	Vitriol	case	1 0
Sheep or Goats	each	0 3	"	carboys	0 6
Shingles	1000	1 0	Vinegar	hhd.	0 9
Shot	cask	0 6	"	barrel or $\frac{1}{2}$ hhd.	0 $4\frac{1}{2}$
"	bag or keg	0 3	Wheels, Cart or Carriage	each	0 3
Shooks	bundle	0 3	Whalebone	ton	3 6
Soap, 112lbs.	box	0 6	Whale and other Boats	each	1 0
" 56lbs.	box	0 3	Wheelbarrows	each	0 3
" 28lbs.	box	0 $1\frac{1}{2}$	Wine and Spirits	leagner	1 6
Skins, loose	dozen	0 3	"	$\frac{1}{2}$ ditto	1 0
"	cask or case	0 6	"	pipe, butt, or puncheon	1 0
"	hhd.	1 0	"	hhd.	0 9
Slops	hhd.	1 0	"	barrel or $\frac{1}{4}$ cask	0 $4\frac{1}{2}$
"	bundle	0 6	" 1 or 2 dozen	cask or case	0 3
"	bale	0 9	" 3 or 4 ditto	" ..	0 $4\frac{1}{2}$
"	case	0 6	" 5 or 6 ditto	" ..	0 6
Spades, Shovels, Forks, and Frying-			" above 6 ditto	" ..	0 9
pans	dozen	0 3	Gin, case of 4 gallons		0 6
Spars	foot	0 0 $\frac{3}{4}$	" 2 gallons		0 3
Spelter	ton	2 6	Wool	bale	0 6
Starch	case	0 6	Unenumerated Goods		
Stationery	package	0 6	" Heavy	ton	3 6
Staves	100	1 6	" Ditto in packages	tun-butt	2 0
Steel	ton	3 6	"	butt or puncheon	1 0
"	cask or case	0 9	"	hhd. or crate	0 9
Sugar, refined	sugar-hhd.	2 0	"	barrel	0 6
"	hhd.	1 0	"	keg or firkin	0 3
"	tierce	0 9	"	bundle or case	0 6
"	cask or case	0 6	"	jar, can, or bottle	0 $1\frac{1}{2}$
" raw	bag	0 $1\frac{1}{2}$			
" in casks or baskets	ton	2 6			
Tallow	hhd.	0 9			
" Slush or Fat	cask	0 6			
Tar or Pitch	barrel	0 6			
Tea	chest	0 6			

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