

that kind, when tainted with fraud. The case of Pickstock v. Lyster & Maul and Sel. was decided on this principle. In Holbirt v. Anderson & T. R. 235, the warrant of attorney given to the particular creditor was held void by the statute, because a debtor may prefer one bona fide creditor over another. In Estwick v. Cailand & T. R. 424, the conveyance was held not to be void, because it was only a conveyance of a portion of Lord Abingdon's property, as a provision for some of his creditors to the exclusion of the rest. The case of Guss v. Neal & J. B. Moore, 19, went upon the same principle, namely, that the effects conveyed by M. Wellesley, for the benefit of the particular creditors formed but a small portion of his property, and it did not appear that his other creditors, not included in the schedule, would be defrauded, in these cases are distinguishable from the present. It is necessary to advert to the decisions on the bankrupt laws, because they go upon the question—whether a preference to particular creditors would not amount to an act of bankruptcy, by reason of its being in fraud of the general creditors? We confine ourselves solely to the decisions on the Statute of 13 Elizabeth. Adverting to them we can find none which restrain from holding this assignment to be void within the Statute. It is true that this is an assignment for good consideration with immediate possession following, and that the insolvent's estate and effects, for the benefit of all his creditors. If it rested there, we should hold on the authority of the cases referred to, that this was not fraudulent within the statute; but when we advert to the peculiar conditions which the creditors are to subscribe to entitle them to the benefit of the assignment, it is difficult to say that fraud was not intended. In Cadogan v. Kennett, Coop. 31, Lord Mansfield says, "The principles and rules of the common law, as now universally known and understood, are so strong against fraud in every shape, that the common law would have attained every end proposed by the Statute 13 Elizabeth c. 5, and 27 Elizabeth c. 4. The former of these statutes relates to creditors only, the latter to purchasers. These statutes cannot receive too liberal a construction, or be too much extended in suppression of fraud. The statute does not militate against any transaction bona fide, and where there is no imagination of fraud; but if the transaction be not bona fide, the circumstance of its being done for a valuable consideration, will not alone take it out of the statute. I have known several cases where persons have given their full price for goods, and where the possession was actually changed; yet being done for the purpose of defrauding creditors, the transaction has been held fraudulent and therefore void." Being of opinion as we are, that the effect of this instrument was purely matter of law, and that being no extrinsic circumstances to leave to the jury, the question for our determination is, whether this conveyance was executed with an intent to defraud creditors. It appears to us that it was manifestly executed with such an intent. In the first place, the creditor must sign within three months; in the second, they must acquiesce in giving the insolvent a letter of license for the five years; in the third, to allow him to remain in possession of a house and furniture for the use of himself and family; in the fourth, to let him have any surplus, after paying those creditors only who signed within the three months; and in the last, to consent to the payment of the proceeds of the goods and the signed £20 to the insolvent's son, who is not stated to be a creditor, nor any consideration suggested for such a payment. There is one preliminary objection to this instrument, upon which in a court of law it could not be supported against the non-executing creditor. The time stipulated is three months for them to come in, and if that time elapsed before they signed, it would not operate to bind them, if they did not come to sign within the time stipulated. If it has that effect, can it be denied that such was not the intent? A party must be presumed to intend that which is the necessary consequence of his act. A debtor has no right to impose such terms as have been mentioned on his creditors, and to compel them to come into his terms by such a proceeding. This is not like the case of a man giving a warrant of attorney to a particular creditor to satisfy a particular debt. This is a voluntary assignment for a portion of the creditors to the prejudice of the rest, unless they come into his terms. It may be that the debt due to the plaintiff was bona fide, and that the deed was executed for good consideration; but if it appears manifest that it was made for the benefit of such only, as chose to come into Debby's terms by a particular day, that, in our opinion, is a fraud which vitiates the transaction. Evans was a bona fide judgment creditor, and if he did not choose to come in, was not the intention of this deed to defraud his creditors? There is a vast difference between an assignment of a bona fide estate and effects for the benefit of all his creditors, and an assignment merely for a portion, which this would be in effect, unless the other came into the terms imposed. The assignment in question seeks to obtain for Debby all the benefit of the bankrupt laws, without imposing upon him its obligations and responsibilities. The effect of this proceeding is to defeat Evans's judgment and looking at the various reservations not merely in Debby's favor, but in favor of his son (who does not appear to be a creditor) the case clearly comes within the statute 13 Elizabeth. The obvious intent of the deed was, that no creditor should get any of the insolvent's estate but those who signed. Surely that is a fraudulent intent within the meaning of the statute. It is conceded, that the question must in every case be, whether the act done is a bona fide transaction, or whether it is a trick or contrivance to defraud creditors. In this case by that test, can it be denied that the intent of this deed of assignment, upon the face of it, was fraudulent against those creditors who did not choose to sign within the time stipulated? It appears to us that we are bound so to hold, and that it is a question for the Court, and not for the jury to determine. If the jury were directed as they must have been, that this deed was void upon the face of it, they would be bound by the law as laid down, and therefore it would have been a useless ceremony to leave it to them, where there were no extrinsic circumstances for their consideration. If any authority was wanting to justify the Court in determining upon the validity of this deed, without submitting it to the jury, the case of Owen v. Body 6, Neville and Manning 418, is in point. There, one question was whether the trust to carry on the business and to pay the profits to such of the creditors as might choose to execute the assignment within three months, and to pay the surplus to the debtor himself, invalidated the deed, and the Court upon view of the terms of the deed itself, held that the assignment was invalid, as it imposed upon the other creditors terms to which they were not bound to submit. In the present case the other creditors were not bound to submit to the various terms imposed, that Debby was to have a letter of license for five years, that he should retain the possession of the house and furniture, that he should have a resulting benefit, that his son should have £20 paid him out of the proceeds of the goods sold by the plaintiffs, that the son should take away what goods he considered to be his own, and that the other creditors, to entitle themselves to a share of the effects, must come in within three months. These conditions were not to be taken to be such as were most invidious to the deed, as fraudulent against the creditors. Had

we been constrained to hold otherwise, still Evans, the judgment creditor, who has not signed, would have a right to take in execution that portion of Debby's effects which were excepted out of the assignment, and on that ground the plaintiffs could not have retained the verdict, and we should have been obliged to award a new trial; but as we think the deed void altogether against Evans, a verdict must be entered for the defendant. Rule absolute.

SALES BY AUCTION.

THIS DAY—Polack, at his Rooms, 48 Bales of Wool, Polack, at his Rooms, 60 Acres of Land at Kirkham. THURSDAY—Polack, opposite Cooper's Distillery, Lawn Allotment in Parramatta street. FRIDAY—Polack, at Bazaar, Horses, Bullocks and Drays.

BRITISH EXTRACTS.

The European Continental news is of no interest. Internal public affairs were quite forgotten in France, amidst the rantings and rejoicings which succeeded the fall of Constantia. What possible benefit the French people can hope to reap from the possession of their Numidian colony it is difficult to surmise. It can only be retained at an enormous expense, and the possessors must expect to be constantly disturbed by the Arab hordes. The cholera had manifested itself with a singular violence at Constantia. In Spain, Don Carlos appears to have been checked. He had retreated into Navarre, with his troops in a miserable condition. His partisans, however, endeavored to disguise the motives and manner of the retreat; stating that it had for its object to recruit and reorganize his army, preparatory to another and successful march upon the capital. The deplorable state of destitution in which the remnant of the army had returned to the northern provinces would, however, it was believed, render the attainment of those objects difficult. Early in November, England and a considerable portion of France and Belgium, were visited by hurricanes. Much damage was done off the coasts, and in parks and plantations. On the morning of the second of November, an English schooner, named the 'London,' called at the 'London,' bound from Cadix to the port of London, laden with wine, quicksilver, and pomegranates, was driven on shore at low water, at Ambletouse, a small fishing village; about four miles to the northward of Boulogne. Of the crew, consisting of nine, only three of the sailors were saved by clinging to what is termed the 'break of the deck,' upon which they were washed ashore. The Captain (Watson), the first and second mates, and three seamen were drowned. A Liverpool paper of November 6th, states that the returns from the home markets are brief and gloomy. "In one statement," says the writer, "all the manufacturing districts agree—our trade is lamentably dull. Until the result of the sub-treasury policy shall have been exactly ascertained, and generally known we can anticipate no change, and shall venture no opinion. Ireland was, as is usual, in a divided state. The dissolution of the National Association by O'Connell was generally believed to be a stroke of policy for the present—measures having been adopted again to call the machinery of that formidable body into action at a moment's warning. The Protestants were greatly disconcerted on account of Lord Melgrave having prohibited the usual Church Service on the Anniversary of the Garretts Plot, to be read in the Castle Chapel 1798. Dr. Edington, of Trinity College, Cambridge, resigned his office in consequence. The notorious radical barrister, Sir Charles Wobley, of Walsley, Staffordshire, the patron of Hunt, and the instrument of Cobden, has been received into the maternal bosom of the Romish Church. The president of the Jesuit College at Oseot, and the Hon. and Rev. Mr. Spencer, with several other priests, assisted at the ceremony. Lieutenant Sneyler, 24 Light Infantry, accompanied his relatives, Major General Napier, to the Cape, as Aid de Camp. Mr. James Manning has been appointed Recorder of Oxford and Banbury. [Mr. Manning is brother of the Registrar of the Supreme Court.] The Times offered three hundred guineas for a seat for their reporter at the Guildhall Banquet of the rest, unless they come into his terms. It may be that the debt due to the plaintiff was bona fide, and that the deed was executed for good consideration; but if it appears manifest that it was made for the benefit of such only, as chose to come into Debby's terms by a particular day, that, in our opinion, is a fraud which vitiates the transaction. Evans was a bona fide judgment creditor, and if he did not choose to come in, was not the intention of this deed to defraud his creditors? There is a vast difference between an assignment of a bona fide estate and effects for the benefit of all his creditors, and an assignment merely for a portion, which this would be in effect, unless the other came into the terms imposed. The assignment in question seeks to obtain for Debby all the benefit of the bankrupt laws, without imposing upon him its obligations and responsibilities. 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If the jury were directed as they must have been, that this deed was void upon the face of it, they would be bound by the law as laid down, and therefore it would have been a useless ceremony to leave it to them, where there were no extrinsic circumstances for their consideration. If any authority was wanting to justify the Court in determining upon the validity of this deed, without submitting it to the jury, the case of Owen v. Body 6, Neville and Manning 418, is in point. There, one question was whether the trust to carry on the business and to pay the profits to such of the creditors as might choose to execute the assignment within three months, and to pay the surplus to the debtor himself, invalidated the deed, and the Court upon view of the terms of the deed itself, held that the assignment was invalid, as it imposed upon the other creditors terms to which they were not bound to submit. 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Grant to Marquis Wellesley.—On Wednesday last, a Court Proprietors at the East India House voted a grant of £20,000 to the Noble Marquis.—Brighton Guardian, November 6.

WAR OFFICE, Nov. 3, 1837.—Her Majesty has been pleased to appoint His Royal Highness Prince George of Cambridge, K.G., to be Colonel in the Army by Brevet.

Money at present is very plentiful with the Bankers in the City, and discounts may be obtained for two-and-a-half to three per cent. When the French entered Achmet's Palace at Constantine, they found it occupied by twenty of his wives, and eighty female attendants, whom the Prince gave orders should be treated with the utmost respect. The officers who were honored with an interview with the fair inmates of the Bey's Harem, were not impressed with any lively idea of his taste in the selection of female beauty.

SALES BY AUCTION.

Twelve hundred to fifteen hundred Ewes. BY A. POLACK, At his Bazaar, opposite the Military Barracks.

A POLACK has received instructions to dispose of by Private Contract, twelve hundred to fifteen hundred EWES of ages, in lots of not less than four hundred. The whole are perfectly clean, and warranted not to have been diseased. They are now depasturing at Wingello, by Berrima, and will be ready for the tup in all April. Terms and further particulars on reference to the Auctioneer.

"VAUCLUSE."

A. POLACK HAS great pleasure in announcing to the inhabitants of New South Wales, that he has been honored with instructions from the proprietor

W. C. Wentworth, Esq., to submit to public competition at an early day soon as the Surveyor's Plans are ready. A portion of that splendid and unequalled

MARINE ESTATE, KNOWN AS VAUCLUSE, situate in those fine "LAND LOCKED" portions of "PORT JACKSON" Harbour called

Watson and Rose Bays;

Its situation is beautifully grand, as it commands a perfect view of the Head Lands, and sinuosities of the various Bays and inlets of the truly romantic Harbour in which it is situated, both on the East and West sides thereof, from the North and South Heads to the Parramatta River, taking in the Town of Sydney, and having the Blue Mountain Range in the Western Horizon. THE NEW SOUTH HEAD ROAD passes through the Estate which makes its distance from the Capital about four miles, along a good and lively Road, it is also about the same distance by Water, so that Conveyances at all seasons are practicable a desideratum of great importance, as Gentlemen in Public Offices (particularly those with Families) might here live economically and conveniently.—The rising Village of Watson's Bay, the celebrated

Point Piper Estate, the residence of Major Gibbs, &c. &c. are contiguous, and it is within "gun shot" of the "South Head Light House" and "Flag Staff," consequently has an unobscured view of

THE SOUTH PACIFIC OCEAN. It is also so situated that every vessel entering in or going out of the Harbour, must pass within hail, so that in this particular it may be compared to the celebrated fashionable watering place "South end" at the mouth of the Thames. For the site of an Establishment for the accommodation of Invalids and Officers on leave of absence for health, from India, another spot in the Colony could not be found, as "Sea Bathing," so requisite for such persons, may here be enjoyed in reality, amusement is also at hand in Boating, Fishing, Shooting &c. The Proprietor has decided that about

Four Hundred Acres of the magnificent Estate shall be divided into spacious allotments, varying in size—when the same is completed by the Surveyor a more perfect description will be notified prior to the day of Sale. Terms highly liberal made known in future advertisements.

A. POLACK Has received instructions to dispose of BY PUBLIC AUCTION, ONE THOUSAND WETHERS FIVE THOUSAND EWES, of ages from two to four years.

These Sheep are perfectly clean, and never have been diseased. Further particulars made known as soon as the ages, name of the Shepherds, &c. have been received.

AFTER WHICH, 420 Mixed Herd 187 Guns 42 Mares, Horses, Geldings, &c., &c.

EX "CAPTAIN COOK" The Undersigned have received by the above vessel, the undermentioned Stock of Goods which will be disposed of lower than any house in the Colony.

1000 GALLONS LINSEED OIL 1000 Gallons boiled Oil 20 Gallons Spirits of Turpentine Neats-foot Oil Refined Rape Oil 300 Kegs White Lead 28lbs. 300 Kegs Black Paint 28 and 14lbs. 300 Kegs Green Paint 28 and 14lbs. 1000 Kegs Red Paint 28 and 14lbs. 200 Gallons Varnishes, Copal, Carriage, Mastice, &c. 700 Boxes Crown Window Glass, from 10 by 8 to 26 by 22 Paint Brushes and Sash Tools Bannister Brushes and Brooms Horse, Scrubbing, and Shoe Brushes Clothes and Hair Brushes 1000 Dozen English Mould Candles, in boxes 30lbs. each 5 Tons fine English Gilt Dry Colors, and artists' fine Colors and Tools ALSO, GENUINE SPERM OIL AND BLACK OIL. R. & T. JONES. April 3d, 1838.

DERWENT POTATOES. Ez "Joshua Carrol," THIS DAY LANDED, and on SALE at the Stores of ALFRED SAUNDERS. Reibey's Buildings, George-street, 20th March, 1838.

SALES BY AUCTION.

POLACK'S SALES.

FORTY-EIGHT BALES WOOL.

BY A. POLACK, At his Bazaar, THIS DAY, (WEDNESDAY), the 4th instant, at twelve o'clock precisely positively without reserve, FORTY-EIGHT BALES WOOL, in excellent condition. A. P. begs to state that the above is the Wool that has been previously advertised for Sale, but only arrived in Sydney on Saturday evening. It may now be seen on application at the Office of the Auctioneer. Terms made known at time of Sale.

60 Acres at Kirkham.

THIS DAY the 4th of April, at 12 o'clock precisely, at his Rooms, BY A. POLACK,

SIXTY ACRES OF LAND immediately opposite the far famed KIRKHAM ESTATE, on which Captain McKellar formerly resided, the whole is cleared and fenced in, and forms one of the most valuable and compact homesteads in the Colony, and is deserving of particular attention from our wealthy Graziers and Stockmen sending Cattle or Sheep from the interior for the Sydney Market, as they can here find plenty of food and pure water for their accommodation, a great desideratum on a long journey. This spot is surrounded by the most wealthy Colonists consequently to a respectable Farmer with a small Capital, so favorable an opportunity of purchasing, with a view of realizing a remunerating profit for his outlay should not be lost sight of, the more particularly as the land is acknowledged by those to whom it is best known, to be available for every Agricultural purpose. TITLE—GRANT FROM THE CROWN. Terms made known at time of Sale.

To Butchers, Mechanics, & Others

BY A. POLACK, Town Allotment in Parramatta street. On THURSDAY next, the 5th of April, at twelve o'clock precisely, without any reserve, on the Ground, immediately opposite Cooper's Distillery,

All that Piece or Parcel of Land, situate in Parramatta street, bounded on the south by the public high road; on the west by Thomas Williams' lands; on the north by Mr. P. W. Plomer; and on the east by Blackwattle Creek, on which is now standing a neat little brick residence.

A. P. begs to remark that the above Allotment is deserving the attention of any respectable mechanic or other person desirous of erecting a moderate sized cottage, there being sufficient depth for a garden, &c. &c. It is also particularly adapted for the erection of slaughter-houses, &c., being bounded by the creek. Terms made known at time of sale.

On FRIDAY next, the 6th instant, at twelve o'clock precisely, BY A. POLACK, At his Horse and Cattle Bazaar,

THREE very superior SADDLE HORSES 2 Heavy Draught Horses 1 Pair Carriage Horses, accustomed to run together 11 Working Bullocks 2 Drays. Terms made known at time of sale.

Four beautiful Farms, originally one Estate of 2000 Acres, on the Banks of Lake Macquarie, 25 miles from Newcastle and the same from Maitland, judiciously selected by an experienced Surveyor in 1826, and admirably adapted for Cultivation, rearing of Stock, &c.

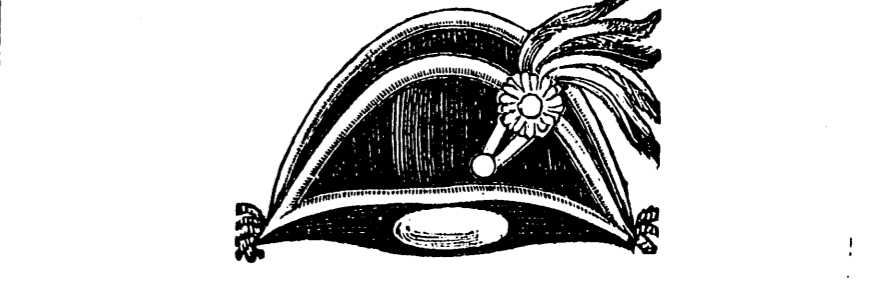
BY A. POLACK, At his Bazaar, on MONDAY, the 16th Instant, at 12 o'clock, to the highest bidder.

A. POLACK has the pleasure to inform his Friends and the Public, that he has received instructions from the Proprietor to sell by Auction the above choice little Farms. They are a pleasant distance from Sydney, about 26 miles from Wiseman's and have a good road to Newcastle. The Lake is navigable for vessels of from 12 to 14 tons burthen. They have been so arranged and subdivided, that each may have equal advantages. There is a considerable frontage to the Lake which presents most picturesque and enchanting appearance, its shores being exceedingly varied and beautiful; a large proportion of the soil is a dark sandy loam and has produced fine crops of Wheat, Potatoes, Turnips, Onions, &c., and from its proximity to the Sea, and the well-known consequence—the frequency of showers. There is abundance of Grass at all times, and affords a fine opportunity to the enterprising settler, who could scarcely fail to realise a competency in establishing a Dairy, also, in fattening pigs, there being an extent of fine swamp adjoining. An excellent speculation may also be made in the curing of fish for the market and the whaling trade, the Lake being literally alive with Mullet, Schnapper, Whiting, Plaice, &c. To those who are fond of field sports they may indulge in them to their heart's content, there being Kangaroo, Wild Duck, Pigeon &c., in great numbers. To Professional Gentlemen who may be desirous of leaving for a few months their fatiguing avocations, and have the enjoyment of a pretty estate and refreshing views, and Capitalists who may be inclined to possess a portion or two of land in a rising part of the country, there being already several respectable settlers near, the present may be considered an admirable opportunity not likely to occur again in that interesting neighbourhood. A Plan of the Property can be seen at the Bazaar. Terms made known at the time of Sale.

1,950 SHEEP.

On an early day, if not shortly disposed of by Private Contract, BY A. POLACK, At his Sheep and Cattle Bazaar,

1950 SHEEP of the following description— 500 Ewes, 3 years old 500 Ditto, 4 years old 250 Ditto, aged 700 Wethers, 20 months to 4 years old, now depasturing at O'Connell Plains. The Wethers are fit for immediate slaughter, and the whole in excellent condition. A. POLACK feels much pleasure in stating, that he has received the assurance of the Proprietor, that these Sheep are perfectly free from disease, and subject to the closest inspection of the most competent judges. The Wool has realized from 3s. 6d. to 2s. 2d. per lb. Terms made known at time of Sale.



CHEAPEST SHOPS IN THE COLONY FOR HATS, CORNER OF BRIDGE-STREET, AND OPPOSITE THE MARKET, GEORGE-STREET, SYDNEY.

THE Undersigned begs leave to notify to his numerous Customers and the Public in general, that notwithstanding his extensive Stock, he has just received per Vesta and Superb, four hundred dozen of Hats of every description, making his present Stock upwards of one thousand dozen, (he begs to throw away the hackneyed phrase of the best ever imported,) he can state without fear of contradiction, that these are better than the best ever imported to this Colony, viz—

- Light Gossamers, suitable for summer wear, 4s. 6d. Youths' and Boys' Hats of seven different Colors Opera Hats, the first ever imported Glazed Felt Hats, particularly recommended Two cases black and drab Ladies' Riding Hats, of most superior quality, with highly polished steel slides Naval, Military, and Commissariat Caps made to order at the shortest notice.

N. B.—Two Apprentices wanted, Youths from the Country would be preferred. Boas, Tippets, and Muffs, cleaned and prepared to any shape, finished by a native of Poland.

A. J. RUSSELL.

Royal Victoria Theatre, PITT-STREET.

First appearance at this Theatre of Mrs. LARRA & Mr. LEE.

Thursday, April 5, 1838. Will be performed, MOSCOW'S Musical Comedy in three Acts, entitled,

BOONESTER,

OR, King Charles the Second's Merry Days.

- King Charles the Second's Merry Days. Mr. Cameron Rochester... Mr. Lazar Duke of Buckingham... Mr. Spencer Dunstable... Mrs. Clarke Starvenouse... Mr. Falchou Bulban... Mr. Grove Joskin... Mr. Lane Jeremiah Thin... Mr. Hollis Amos Snyek... Mr. Murray Graff Barney... Mr. Collins Ploughball... Mr. Norris Mr. Lee Countess of Lovelagh... Mrs. TAYLOR Lady Gay... Miss Winstanley Silvia... Mrs. Cameron Aunt Rebecca... Mrs. LARRA Bell (the bar-maid)... Mrs. Murray

A FAVORITE DANCE BY MISS LAZAR.

To conclude with the Musical Farce, called Do Song Do Supper,

THE LAWYER IN THE SACK.

- Frederick... Mr. Falchou Robin... Mr. Spencer Lawyer Endless... Mr. Simes Thomas... Mr. Lane William... Mr. Hollis Crop... Mr. Lee Margaretta... Mrs. Clarke Louisa... Miss Winstanley Dorothy... Mrs. Cameron Deborah... Mrs. LARRA Nelly... Mrs. Murray

Dress Boxes... 5s. Half Price... 2s. 6d. Upper Boxes... 4s. Half Price... 2s. Pit... 2s. Half Price... 1s. Gallery... 1s. No HALF PRICE to the Gallery.

NEW MUSIC.

F. ELIARD begs to inform the Public that he has received a splendid collection of New Music, both Vocal and Instrumental, selected from the very latest London publications. WANTED, A Young Lad who will make himself useful in the Shop. Music Saloon, George street.

CRICKET.

THE UNION CRICKET CLUB of Sydney, are ready to play any eleven in the Colony, for the sum of FIFTY POUNDS, or not less than TWENTY-FIVE, the match to come off on Easter Monday next. Club Room, Crooked Bilet, April 3, 1838.

FURS & FUR TRIMMINGS.

JUST Landed a variety of FURS, consisting of BOAS, CAPES, Ladies' and Gentle men's COLLARS, CUFFS and TRIMMINGS to match. 1 CASE SILK UMBRELLAS 1 Ditto GINGHAM ditto.

At Mrs. HORDERN'S, No. 12, King-street, Between Pitt and Castlereagh-streets, Sydney.

FOR Sale by Private Contract,

FOURTY HEAD OF FAT CATTLE, on liberal terms. Also, wanted immediately, an active young Man to act as Overseer at Stock Stations in the interior—character will be required. Applicants if by letter post paid. Particulars of the above at Mr. Benjamin Warby's, Mount Pleasant, near Campbell Town. March 27th, 1838.

ONE POUND REWARD.

LOST, in Pitt street, supposed to be dropped near Miss Reynolds's, a NOTE OF HAND, drawn by Thomas Douglas in favor of Samuel Taylor. Any person bringing the note, or part of it, so that it may be identified, will receive the above reward, on application to Thos. Douglas, Bull's Head, George-street. Sydney, April 3, 1838.

The dark Lady of Doona.

BY THE AUTHOR OF "STORIES OF WATERLOO."

The Revenge.—Meanwhile six months elapsed since the murder of De Lacy, and the inhabitants of Clare Island reckoned but two events of interest. One was the accouchement of the Lady Grace, who safely gave birth to a daughter. Were any proofs necessary of the spirits and thoughts that possessed the widowed daughter of Cormac Dhu, the circumstances attendant on the birth of the infant would afford them. Bound by a solemn vow, she herself rejected the customary rights which females joyfully receive from holy church after that hour of trial; while the babe reposed unsprinkled by the baptismal water, and acknowledged as a denizen of the Catholic church. This singular conduct almost led the clan to believe that grief had disturbed her intellects; but there was a superior degree of ability evinced in the method with which she directed her father's affairs, that indicated any thing but an impaired understanding.

The second and more recent event was singular and unexpected—it was the arrival of a messenger from Connell Macmahon, actually bearing a matrimonial overture to the Lady of Clare Island.

The purport of his approach being communicated to the Lady Grace, she ordered the hall to be duly prepared to give the envoy audience. Dressed with studied effect, and surrounded by her relations and clan, she formally demanded the object of his coming; when the messenger of Red Macmahon officially acquainted her with his business. Rising with majesty, she demanded if his errand was told. The envoy signified his assent. "And what say you, kinsmen and friends, I ask, should be the widow's answer to the murderer of her lord?"

A deep and vengeful yell burst from the infuriated crowd. "Come hither, boy," she said, addressing a youth of fifteen, whom curiosity had induced to mingle in the throng—"Thy father perished with my noble husband; what wouldst thou from his murderers?" "Blood!" cried the boy, as his eyes shot lightning glances at the messenger—"Thy wish shall be gratified—bind that traitor hand and foot!" In spite of outcry and resistance, the order was promptly executed—"Give him a knife—now take off the villain's ears—close to the root, boy!" It was done effectually; and enclosed in parchment, and directed to his master, the ears were placed in the pocket of the mutilated wretch, who was flogged to the boat that waited for him.

As may be anticipated, a desperate and deadly feud between the O'Malleys and Macmahons ensued. Both parties, however, were chiefly on the defensive. Occasional skirmishes took place, but no encounter of any moment had yet occurred.

The twelfth moon from the date of the lady's widowhood was waning. She sat in her melancholy chamber in the tower, while her silent attendant, Una, applied herself to some feminine occupation with the needle or distaff. The torch flared upon the rude tapestry of the walls, and showed them every where covered with some green memorials of the honoured dead. There hung his arms, and there his hunting implements. The guitar he would touch so skillfully at evening, was suspended unstrung and unregarded from the antler of a stag, whom he had killed with his own hand at bay. Many a relic of the departed knight was there to recall his memory; but one object more painfully effected it—a babe was sleeping in a cradle, which the widow's eyes from time to time would dwell on for a moment, and as speedily avoid, lest the woman should gain mastery, and elicit feelings that stern resolution should hush for ever. A slight tap upon the outer door brought Una to demand the cause. It was the warden, to say that a solitary man had been landed beneath the rocks eastward of the tower, and that the boat had instantly put off to sea, while the stranger was approaching the castle.

The interval was short before another attendant presented a sealed packet to his lady. It was unsealed, and contained an earnest wish that the writer should be favoured with an interview, as he had much of deep and secret import to communicate. With that fearless spirit with which the daughter of Cormac Dhu was so remarkable she directed the stranger to be introduced to the inner chamber; and having ordered the apartment to be lighted, she there awaited his coming.

The late visiter was a low-sized man, wrapped in a pilgrim's cloak. He closed the door behind him carefully, and demanded, pointing to Una, whether the presence of a witness could not be dispensed with?

"What may your errand be that would entitle you to a secret conference with the daughter of Cormac Dhu?" She rarely parlies with unknown visitors.

"Dost thou apprehend danger or fraud?" said the stranger.

"Neither," said the lady haughtily. "While we converse this board divides us; and on the first sign of treason I should lodge a bullet in your heart;" and she displaced her robe, and pointed to a pistol in her girdle. "Thou wert disarmed in the guard-room; the warden waits without; and the iron grate upon the door is fastened;—I fear, therefore, little from violence, and treachery only insures a halter."

"All this I knew, lady, before I ventured hither; and now grant me but a brief hearing, and I will tell the news that, if thy fancy be not changed of late, will glad thee more than seeing one of thy husband's murderers on the gibbet."

"Say'st thou, fellow? By our Lady! you promise much. Go, Una. Leave me with this man alone. Nay, go, wench—close the door. Were he a Red Macmahon, I defy him."

"And were he one, lady?"—asked the stranger, as her attendant closed the door. "This pistol, which while our interview

continues shall never leave my hand, in that event would rid me of an enemy."

"Nay, lady, that would mar your own purpose. I am a Macmahon, and yet I come to give thee nobler vengeance than human ear has heard, or human hand has executed."

"Thou a Macmahon—and in this castle?"

"Yes—for where, but from the widow of De Lacy, could John Macmahon gain the revenge he seeks?—Nay, lady, thy weapon is unnecessary. Hear but the story of my wrongs, and thine own, proud dame, are not superior."

"Who art thou, fellow?—art thou a follower of the murderer?"

"I am his kinsman."

"What brings thee hither, where death is certain?"

"Vengeance!"

"On whom?"

"Red Connell."

"What are thy wrongs?—how has the Red Chief incurred thy hatred?"

Listen—the tale is short. I was the playmate of his youth, the companion of his manhood. When but a dependent on his brother's bounty, I assisted him in all his schemes. My purse and sword were at his disposal, and I have foregone my own pleasures and interests to forward his. I loved a woman passionately, and he knew it. There were obstacles in my path to happiness. He swore that if he outlived his brother, he would smooth away the difficulties between me and my love, and that he would obtain for me Kathleen O'Donnell. His brother died: the time to perform his promise came; and while I went on a secret message from him to De Burgo, he pledged his faith that on my return the loved one should be mine. I met the Dal' unexpectedly, for he had in secret journeyed into Tyrarlow on important business; and again I was at Doona before it could be believed that I could have reached Portunna. I came to claim my mistress—and I found that Connell had used his advantages of rank and influence, and fortune to render Kathleen valueless—to rob me of the woman I idolized, and make me a reproach and by-word among men. He did not dream that I could so soon discover his perfidy and her dishonour for accident put me in possession of circumstances which he vainly hoped that time only could betray. I have been villainously and wantonly disgraced; and I have sworn to take deadly vengeance for the injury. I masked my purpose well. In Doona they suppose me journeying again on a bootless errand to Portunna; but I am here, and if thou wouldst avenge a husband's blood, and crush thine enemies in one brave swoop, so that none shall live to tell the tale, I can lady give thee the means, and place them in thy power."

"Thy words are pleasant, stranger. The means—I long to hear them?"

"What shall be my reward? My demands shall be but humble;—a safe conveyance to Galway, eternal secrecy, and a purse of gold to carry me to the northern wars."

"All this I promise—but who shall answer for thy faith?"

"My wrongs! Lady, thou lovest to report says, ardently, and lost thy love by treason. What wouldst thou give for vengeance? Can I not, then, hate like thee?"

"Enough—proceed—the means of vengeance," said the lady, with impatience.

"Attend.—Three days hence the festival of Connell's patron saint comes round. He was not long since on the grave's verge with sickness; and in his mortal extremity, confessed other crimes besides the murder of thy lord; and, on promise of contrition, and a penitential undertaking, in event of recovery the prior shrived him. Harken to his vow;—it is, on the anniversary of De Lacy's death, to repair, with the companions of his crime, to Cahir, and in that holy island to fast the while, and spend the hours in prayer and penance. Though knowest the fatal day. If thine enemies escape, thou art not of the stubborn metal that thy reception of Connell's messenger would argue."

"And on the third day hence they will visit Cahir on a pilgrimage?"

"'Tis so prepared. Fearful of discovery, as they must pass this island, they will leave Doona at midnight, and pass this tower ere morning breaks."

"Thy well." She touched a single wire unperceived, and instantly an armed man presented himself. "Ulic," she said, as she addressed her foster-brother, see this stranger lodged in safe keeping. Let him have all the wants, but no communication with friend or foe. Tell Duncan of the Key, his head shall answer for the stranger's safety. And now hear me, man of accursed name!—if thy story be true—thy intent honest—thy safety shall be certain, and fifty rose-nobles thy guerdon; but if treachery or falsehood lurk beneath thy tale, by the Queen of heaven! the moment thy perfidy appears, thou shalt dangle from the highest pinnacle of this tower and feed the ravens while skin or bone adhere together. Ulic, return—I wait thee instantly."

"I have told thee nought but truth," said the captive, as he was led to the dungeon. "The game will be a-foot—if the quarry escape, thine will be the fault, not mine."

The lady watched him till the door closed.

"The man seems to be honest in his rily-lany; and if Red Connell robbed him of his love, who shall blame him if he takes brave vengeance? he fears the prey will foil me—No! Connell, hold but thy course to Cahir, and thou or I will be cold enough before the sun sinks thrice beneath the wave!" She said, and paced her chamber till her foster-brother stood before her. To him she issued secret orders, to collect a chosen band next evening at sunset; and having directed such other preparations to be made as were necessary for the attempt, she retired to her own chamber, to arrange, in secret, the plan and conduct of the enterprise.

That she pondered deeply on the attempt was certain; for the third hour past midnight came, before the tall shadow of the lady ceased to cross the iron lattice of the tower.

In the castle of Clare Island, the day preceding the anniversary of the death of Hubert de Lacy was unmarked by any particular

incident. The Lady confined herself closely to her chamber; Cormac Dhu sat in his customary state in the great hall, listening to the romances of his ancient harper, or talking of scenes of warfare and the chase, in which himself had borne a prominent part; the islanders were employed in their general vocation, making or mending nets, arranging fishing-lines, or repairing the rigging of their hookers; in the guard room, it "was idlesse all"; and the military retainers passed the hours of their watch and ward in converse, sleep, or the rude games which dissipated time before cards and dice were yet in common use; the few boats which had been taken rock-fish, or lifting spilletts off the shore, returned one by one to the harbour; and a solitary sailing vessel, which had been observed at day-break to anchor off the island and remain stationary and unoccupied since then, now hoisted sail, and stood out to sea to the northward, evidently, from her course, intending to double Achil Head.

But quiet and unvarying as the matters seemed in the castle of Clare Island, silent but steady preparation was making for a daring enterprise. Weapons and fire-arms were carefully got ready; and, when the strange sail had vanished round the northern headland of the bay, the fastest and stoutest galley was launched, and apparelled and provisioned for an absence of some time. The destination was stated to be at Sligo, and the crew was warned to be ready to depart at midnight.

The tenth hour came, and Cormac Dhu retired to his chamber for the night. Gradually the castle and its out-buildings were wrapped in repose, and none but the warden awake. Another hour was proclaimed from the battlements; and, issuing from a private postern, the Lady Grace, alone and unattended, took the path among the cliffs that led to the deserted chapel.

A feeble gleam of light shot from the narrow casements of the building, and a deep and earnest whispering within shewed that the edifice was tenanted. Entering through a door that once connected the sanctuary with the altar, the daughter of Cormac Dhu stood before the sanctuary; and while a murmur of respectful welcome announced her appearance among the clansmen, she briefly but eloquently stated the secret reasons of her issuing orders for their assembling.

When the intended pilgrimage of their mortal enemies to Cahir was communicated, and the scheme of vengeance unfolded, a stern but smothered buzz of approbation followed. Their hereditary foes, the secret murderers of the brave chief and his unsuspecting followers, were soon to be within their power; and the moment of retribution, for which they had so long sighed was near. In a wild and barbarous people, revenge is a virtue: no wonder they mutually excited the sanguinary principle of exacting blood for blood, and plighted their oaths upon the ruined altar, to extend no mercy to the Red Macmahons.

The moon was scarcely visible, and in the gloom of midnight, the armed galley left the harbour of Clare Island. The breeze was light and favourable, and as the distance was four leagues, the dim outline of Cahir rose over the ocean, and showed dusky in the feeble light. Although the landing place was on the other side, the O'Malleys steered to the eastward of the island, and leaving the galley, they disembarked by means of a small skiff in a secret fissure of the rocks, until fifty armed men were landed. According to the previous orders, when the last of the clan had left the vessel, the crew eased away the sheets, and with a fair wind, stood due south, and running into the Killeries, anchored under shelter of the heights, which rising precipitously from the water's edge, landlock that singular inlet.

The first care of the band was to conceal the skiff by which they effected their landing. This from the numerous caverns which the eternal action of the waters of the Atlantic had worn on the face of the rock, was easily effected. Many of these fissures were known to the O'Malleys, who, at different periods, had used them as places of concealment; in one of these the skiff was deposited, and a secret council of the leaders was then held to determine the future proceedings.

The island of Cahir is a barren rock, in circumference about an English mile. It is uninhabited now, but at that time was celebrated for its chapel and cross, as well as a spacious cemetery, in which the adjacent islanders, besides several of the mainland families, when the weather would permit, always interred their dead. There had formerly been a small monastic establishment on the island, but the difficulty with which the rock was approached or quitted in the winter, had induced the holy community to prefer a residence upon terra firma, where the place, if not so sacred, was infinitely more accessible. Consequent on the desertion of the brotherhood, the edifice fell to decay: it was now only used as a burying-ground or place for penance. A solitary friar—a moody melancholy man, was the sole occupant of Cahir; and, save in summer, when a few sheep were sent from the other islands to be pastured on the short herbage which grew in the fissures of the rock, or pilgrims and fishermen occasionally landed for penance or fresh water, Cahir was totally deserted, and left to the care of the gloomy ascetic, who for months, when the weather had been tempestuous, lived upon this barren speck amid the ocean, without hearing a sound but the screaming of the seabirds and the howling of the storm.

To secure the monk was the first step—the next, to conceal the armed band until the Macmahons had landed and commenced their act of penance. Guided by a clansman who knew the island perfectly, the lady and her followers ascended to the surface of the rock, and, lighted by the moon stood before the low door which conducted through the ruined chancel to the cell occupied by the solitary churchman.

Having struck a spark, a torch was lighted, and the party approached the humble resting place of the ascetic. Disturbed by the tread of many feet, the old man, with terror and surprise, perceived his couch of dry seaweed surrounded by a group of strange and ferocious looking men. Mustering resolution, he demanded the purpose of their untimely coming. An order to be silent, and an assurance that no evil was intended, was the sole reply, and he was directed to rise and accompany two armed men, in whose custody it was intimated he must remain. Resistance would be useless. The monk obeyed, and, led by his captors, was placed in one of the numerous caverns with which the island abounds.

There was now no human being to observe or interrupt their plans. Availing themselves of their local acquaintance with the rock, the band divided, and a part advanced in a cliff that commanded the place of penance; while a chosen few, couched in a cave, not distant from the landing place, waiting, if necessary, to cut off all retreat, when their victims had disembarked. The Lady Grace, on a more distant part of the island, with a few attendants, was concealed effectually; while from her hiding-place an uninterrupted prospect of the ocean was commanded, and thus the approach of the doomed band would, from the time they doubled Achil Head, be visible.

Long before morning dawned every disposition was complete, and many an anxious eye was turned to the north, to watch the distant horizon. The mist rose slowly from the ocean, but not a sail was visible. The sun flung his beams across the sea, and the blue waters were still unbroken by aught but the play of water-fowls. An hour of intense anxiety wore on. Had the tale of the alleged traitor been a fable, or had the Red Macmahon feared to perform his religious vow? While doubts harassed the hidden band, a speck darkened the distant ocean; presently a larger object crossed the sunshine; sails rose fast above the water; and in a short time a galley was clearly seen, bearing by with a free wind for the island, which she must reach within an hour.

It was indeed the devoted band that bore away for Cahir. Confident in the secrecy of their intended pilgrimage, they swept past the island, where they believed their deadly enemies were engaged in their accustomed avocations, and ignorant that their foes were on the sea. The bark they had caused to watch the preceding day off the castle of Cormac Dhu, had met them with the intelligence that all within the island was quiet, and that the galleys were hauled upon the beach for shelter or repairs. No wonder the Macmahons considered that their voyage to Cahir was unsuspected; and without a single fear they came swiftly towards the landing-place. Not a sail was on the sea; not a living thing appeared upon the rock; they lowered their canvas, dropped anchor, and in a few minutes their skiff was rowing merrily to the shore, laden with the chief and his fellow penitents. Again the boat returned to the galley, and the remainder of the company quitted the vessel for the rock.

While the Red Leader and his followers were debarking, a feeling of intense agony reared to agitate the widow of De Lacy. Until she saw them fairly on the rock, she dreaded lest some expected occurrence might alarm them; and her victims, even yet, escape the toils. But there was no cause to apprehend discovery. Her plans were coolly and effectually arranged, and the chief and his followers having hauled the skiff upon the beach, followed the path over the loose stones which led to the ruins and the cross.

There was not a sound heard upon that deserted islet, but the steps of the Macmahons, as they fell on the rock-worn footway before the rude cross of stone they threw aside their belts, and placed their weapons in a heap, prepared for the promised act of penitential devotion. Sixteen of the Red clan were already kneeling before the altar, when suddenly a stream of fire issued from the cliff, and rushing from their concealment in the ruins among the adjacent rocks, their fierce and implacable enemies hemmed them in on every side; and before the wretched victims could gain their weapons, or form for mutual defence, not a man remained unhurt but Connell. No quarter was asked or given; the wounded were dispatched with unsparring cruelty; and, save the chief, who had been secured, by the especial command of the widow of De Lacy, of a score who left the bark, in a brief space not one remained alive.

Bound with a sword-belt, and almost stupefied by the sudden and desperate slaughter of his followers, Connell Macmahon kept his eyes bent upon the ground. He had no chance of escape or hope of mercy—he knew the ruthless hands that held him, and conscious of his own foul deed, he could expect no pity from his enemies. If his glance left the earth for a moment, it rested on the corpses of his companions, or met the fierce and unrelenting looks of the O'Malleys who surrounded him. His heart died within him, and when a slight movement among his guards roused his attention, and a deep peculiar voice commanded him to look up, his countenance blanched as if a spectre blasted him, for before him stood the widow of his victim—the wife of the murdered Englishman, Hubert de Lacy.

With a desperate exertion, the doomed chief endeavored to summon resolution for the event he knew to be inevitable, and when the daughter of Cormac Dhu, seated on a loose stone, commanded the culprit to be placed before her, Red Connell advanced with tolerable composure.

"Dost thou recollect me," was the first question that the stern dame directed to her devoted prisoner.

"I am before the Lady of Clare Island," was the dogged reply.

"Even so—her whom thou mad'st a widow. At this blessed hour, but twelve-

months past, I was a happy wife, and my unborn babe could boast, in the person of a gallant gentleman, a living father.—Where wert thou, Red Macmahon, on the anniversary of this hapless day?—Does thy memory fail, and shall Grace O'Malley jog it?—Still silent?—then hear me—I will but feign a tale—Fancy to thyself a wild and mountain glen—a knight and his few followers basely trepanned, surprised, taken at false vantage, and overdone by numbers. Still though oppressed, the noble youth fought gallantly; at last a felon shot stretched him on the earth, and his recreant assassin placed his coward foot upon his prostrate rival. He scowled on the dying knight—'Was not my bullet, in this wild glen, young Sassenach, truer than thine among the moonlit rock of yonder islands? Her who slighted me for thee, thou shalt never see again:—and, mark me! ere a year rolls over, Connell Macmahon shall share that proud one's bed, or he shall be as lonely as thyself, my fallen enemy!—And thou did'st strive to keep thy promise, as yonder shorn wretch! and she spurned a corpse with her foot, whose mutilated head proclaimed him the Macmahons' envoy, when Connell sent his last insulting message—'proved to his cost.'—Yet thou shalt keep thy promise, and sleep, if the sea be deeper than the shrine of our Lady of Grace, lowlier than thy fallen enemy. He died upon his bed—a bosom that loved but him, and ne'er shall love another, pillowed his drooping head. These lips received his parting sigh. Five hundred clansmen stood around his bier. Masses were sung, and nought that could honour his gallant corpse was forgotten. What will his murderer's fate be? Look, Connell Macmahon, seest thou the halter swinging from yon ruined window? There read thy doom—thine shall be a felon's death—thine shall be a felon's grave!"

She waved her hand—without a moment's respite, the wretched murderer was placed beneath the ruins. The fatal cord was bound about his neck, and, in a few minutes Connell Macmahon was a dead man.

While the deed of death was transacting the Lady Grace issued her command for the removal of the bodies, and they were accordingly borne to the landing place, and committed to the deep. The skiff that transported them when living from the galley, was now employed to convey their corpses to an ocean grave. Last of the band, the chief, when life was extinct, was towed from the shore, the murderer's body sank in the deep sea, and the last chief of the Macmahons perished, the victim of a woman.

Every means were used to remove the sanguinary traces of the late slaughter; but evident tokens remained upon the rocks, that told too plainly a scene of blood had there been recently transacted. One difficulty occurred, and that was the disposal of the monk. Although he had not witnessed the morning's desperate deed, shots and the clash of weapons must have betrayed him that some violence was done. To do injury to the guiltless monk was never contemplated by the clan; and yet to leave him on the rock would be, for many reasons, objectionable. Accordingly, it was determined that the ascetic should be conveyed to Clare Island; and there was little reason to doubt that he would speedily become reconciled to his change of residence.

Obedient to a concerted signal, the galley at twilight left the Killeries, where she remained at anchor, and bore up for the landing-place of Cahir. The Lady Grace, with her military retainers and the astonished monk, were speedily embarked. Taking the vessel that had borne the Macmahons to their fate in tow, the galley stood out to sea, to gain an offing from the land; the bark was next scuttled, and being deeply ballasted with stones, she soon filled rapidly. When nearly sinking, a match was applied to the sails and rigging, which being thickly coated with tar and grease, instantly caught fire, and blazed furiously. She was then abandoned, and in less than a quarter of an hour, the scathed hull sunk in the depths of the ocean, and was hidden by the same waves that rippled over the mangled corpses of her crew.

While the galley of Clare Island stood out from the blazing wreck, the lady watched the progress of its destruction; but when the waters filled the hull, and the flames suddenly disappeared, the daughter of Cormac Dhu proudly raised her head, and muttered, as her dark eye lightened, and her brow flushed, "De Lacy, thou art nobly avenged at last!"

Colonial Secretary's Office, Sydney, 23rd March, 1838.

His Excellency the Governor has been pleased to appoint JOHN RYAN BRENNAN, Esquire, to be a Magistrate of the Territory and Third Police Magistrate for the Town and Port of Sydney, in the room of Adolphus William Young, Esquire resigned. By His Excellency's Command, E. DEAS THOMSON.

Colonial Secretary's Office, Sydney, 20th March, 1838.

His Excellency the Governor has been pleased to appoint LIEUTENANT HORATIO ROBERT MATDWELL GULSTONE, and LIEUTENANT JAMES DEAVES MORRIS, both of the 80 Regiment of Foot, to be Assistant Engineers and Superintendents of Ironed Gangs, the former at Errinna, and the latter at Seventeen-Mile Hollow, under the provisions of the Acts of Council 3rd William IV., No. 3, and 8th William IV., No. 3. and 8th William IV., No. 1. By His Excellency's Command, E. DEAS THOMSON.

Colonial Secretary's Office, Sydney, 26th March, 1838.

TO CABINETMAKERS, CLOCKMAKERS, AND OTHER. TENDERS will be received at this Office, until noon of Monday, the 9th of April, from persons willing to Contract for the supply of certain Articles of Furniture, and a Clock for the Sydney Police. Tenders to be endorsed "Tender for Furniture, &c. Sydney Police Office," and to contain the names of two responsible persons willing to become Sureties for the due performance of the Contract. Forms of Tender and further particulars may be obtained at the Office of the Colonial Architect, Hyde Park. By His Excellency's Command, E. DEAS THOMSON.

Colonial Secretary's Office, Sydney, 23rd February, 1838.

His Excellency the Acting Governor directs it to be notified, with reference to the 17th section of the Act of the Colonial Legislature, 3 William IV., No. 3, that, after the present date, and until further Notice shall be given, a Court of Petty Sessions is to be held at Queanbeyan, in the County of Murray. By His Excellency's Command, E. DEAS THOMSON.

Colonial Secretary's Office, Sydney, 26th March, 1838.

TWENTY POUNDS REWARD, OR A CONDITIONAL PARDON. WHEREAS it has been represented to His Excellency the Governor, that great and wanton injury was done to "St. Andrew's Scots Church," near Bathurst-street, on the Evenings of Thursday, Friday, and Saturday last, by some person or persons unknown, by breaking about two hundred diamond panes of Glass, in the front and side windows, destroying the lead fastenings and stripping the Roman Cement from the walls; Notice is hereby given, that a Reward of TWENTY POUNDS will be paid to any free person or persons, who shall give such information as may lead to the conviction of the guilty parties; or if the informant be a prisoner of the Crown, application will be made to Her Majesty for the allowance to him of a Conditional Pardon. By His Excellency's Command, E. DEAS THOMSON.

Colonial Secretary's Office, Sydney, 22nd March, 1838.

His Excellency the Governor has been pleased to appoint Mr. HENRY HAPPEY BRAN, of Merton, to be a Commissioner of Crown Lands in the Colony of New South Wales, (to act within the boundaries of the said Colony) under the provisions of the Acts of the Governor and Council 4th William IV., No. 10, and 5th William IV., No. 12, and to execute the duties required by the 7th William IV., No. 4, and the Regulations founded thereon, contained in the Government Order of 1st October, 1836. By His Excellency's Command, E. DEAS THOMSON.

QUARTER SESSIONS. NOTICE is hereby given, that Courts of Quarter Session of the Peace, in and for the County of Cumberland, will be held at the Court House in Campbelltown, on Monday, the Seventh day of May next; at the Court House in Parramatta, on Monday, the Fourteenth day of May next; and at the Court House in Windsor, on Thursday the Seventeenth day of May next; at which respective times and places all Persons under recognizances to appear either as Prosecutors, Defendants, or Witnesses, or who may have appeals to interpose, or other business to transact, are desired to give their attendance at Ten o'clock in the forenoon. FREDERICK GARLING, Clerk of the Peace. Bathurst-street East, Sydney, March 6th, 1838.

Terms of Advertisements.—For eight lines and under 2s. 6d. and One Penny for every line above eight, for each insertion. —Orders with Advertisements must state how often they are to be inserted, or they will be continued until countermanded and charged accordingly.—All Letters must be Post Paid at the Office, No. 7, Colonnade, Bridge-street.

Edited, Printed, and Published every Wednesday and Saturday Morning, by the Proprietor WILLIAM JONES, No. 7, Colonnade, Bridge-street, Sydney.



ABSTRACT OF THE GOVERNMENT GAZETTE.

Colonial Secretary's Office, Sydney, 27th March, 1838.

IN pursuance of the Provisions of the twenty-first section of an Act of the Governor and Council of the 5th William IV., No. 16, entitled "An Act to repeal in part, and to amend and extend the Provisions of an Act intitled an Act to Establish a Savings' Bank in New South Wales, and to provide for the management thereof, and for the security of deposits therein," His Excellency the Governor has been pleased to appoint the following Gentlemen to Act as Trustees for the Receipt of Deposits, for the District of Bathurst, viz. :—

JOHN KINCHELA, Junior, Esquire; JOHN STREET, Esquire; JOHN PIPER Mc KENZIE, Esquire; JOHN LISCOMB, Esquire; GEORGE BUSBY, Esquire; and PETER M. ARTHUR, Esquire. By His Excellency's Command, E. DEAS THOMSON.