



THE

NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, SATURDAY, AUGUST 19, 1865.

ORDER IN COUNCIL,

G. GREY, Governor,

At the Government House, at Wellington, this nineteenth day of August, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the "Court of Appeal Act, 1862," it is enacted that the Court shall hold its sittings at such times and places as shall be from time to time fixed by the Governor in Council, and proclaimed in the Government *Gazette* sixty days at least before the times so fixed respectively:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, doth hereby fix that a sitting of the Court of Appeal of New Zealand shall be held within the Supreme Court, in the City of Wellington, and the Province of Wellington, upon the twenty-fourth day of October, one thousand eight hundred and sixty-five, at eleven of the clock in the forenoon.

FORSTER GORING,
Clerk of the Executive Council.

Warrant Appointing a Polling Place in Province of Marlborough.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand, and Vice-Admiral of the same, &c., &c., &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:—

WHEREAS by an Act of the General Assembly intituled "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor, by Warrant under his hand, from time to time, to appoint polling places for each electoral district within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such polling places at any time to abolish, and to appoint

other polling places in lieu thereof: And whereas by another Act of the General Assembly, intituled "The Provincial Elections Act, 1858," it is enacted that, subject to certain provisions therein contained, every election of the Superintendent or of a Member of the Provincial Council of a Province shall be conducted in the manner prescribed by "The Regulation of Elections Act, 1858," aforesaid, and all the provisions of the said last-mentioned Act shall apply to the elections of Superintendents and Members of Provincial Councils:

Now know ye, that I, Sir George Grey, the Governor of the said Colony, in pursuance of the power and authority in me vested by the said Acts, do hereby appoint the following place to be an additional polling place for the districts of Pelorus, for the election of Members of the Provincial Council of the Province of Marlborough, namely—

The COURT HOUSE at Deep Creek.

Given under my hand, at Government House, at Wellington, this eighteenth day of August in the year of our Lord one thousand eight hundred and sixty-five.

G. GREY.

By His Excellency's command,

J. C. RICHMOND,
Colonial Secretary.

In the Supreme Court of New Zealand: Otago and Southland District.

In the matter of the petition of Alfred George Fisher, and George William Moss, trading, &c.

UPON reading the petition for the sequestration of the joint and separate estate of the said Alfred George Fisher and George William Moss, filed in this matter, and the schedules thereunto annexed, and upon reading the affidavit of the said Alfred George Fisher, sworn in this matter on the 13th day of May, 1865, and the paper writing thereunto annexed, and also the affidavit of the said George William Moss, sworn in this matter on the said 13th day of May, 1865, and the paper writing thereunto annexed, and upon hearing Mr. Barton, of

counsel for the said petitioners, Alfred George Fisher and George William Moss, and of counsel for William Isaac, Louis Thoneman, and Edward Bowes Cargill, proposed as trustees of the joint estate for the benefit of the creditors entitled to a distribution thereof, and of counsel for Charles Alexander Pritchard, proposed as trustee of the separate estate of the creditors entitled to a distribution of the said last mentioned estate, and of counsel for Frederick Joseph Moss, proposed as trustee of the separate estate of the said George William Moss, for the benefit of the creditors entitled to a distribution of the said last mentioned estate, it is ordered that the said Alfred George Fisher and George William Moss, or the Registrar of this Court on their behalf respectively, do by deed, assign, transfer, and make over, all the real and personal property, estate and effects of them the said Alfred George Fisher and George William Moss, and all other property, estate and effects to which or any part of which they are or were at the time of the presentation of the said petition jointly entitled unto the said William Isaac, of Dunedin, merchant, Louis Thoneman, of same place, merchant, and Edward Bowes Cargill, of same place, merchant, upon trust for the collection and conversion into money of the said joint property, estate and effects, and for the distribution of the net proceeds thereof *pro rata*, and subject to existing legal priorities (if any) amongst such of the creditors of the said petitioners jointly as shall duly prove their respective debts by affidavit within three months after the date of the registration of the said deed in this Court, and upon further trust to pay and apply the surplus (if any) of the said proceeds to such person or persons as shall be the trustee or trustees for the time being of the separate estate and effects of the said Alfred George Fisher and George William Moss respectively, in the proportion and according to the respective rights and interests of the said Alfred George Fisher and George William Moss respectively, of and in the said surplus at the time of the presentation of the said petition: And it is further ordered that the said Alfred George Fisher forthwith, or the Registrar of this Court on his behalf, do by deed, assign, transfer, and make over all the real and personal property, estate and effects of and to which the said Alfred George Fisher is or was at the time of the presentation of the said petition solely and separately entitled unto the said Charles Alexander Pritchard, of Dunedin, merchant, upon trust for the collection and conversion into money of the said last mentioned property, estate and effects, and for the distribution of the net proceeds thereof *pro rata*, and subject to existing legal priorities (if any) in the first place amongst such of the separate creditors of the said Alfred George Fisher as shall duly prove their respective debts by affidavit within three months after the date of the registration of the said last mentioned deed, and in the next place, upon further trust, to pay and apply the surplus (if any) to the trustee or trustees for the time being of the joint estate and effects of the said Alfred George Fisher and George William Moss, to be by them distributed in manner herein-

before mentioned amongst the said joint creditors of the said Alfred George Fisher and George William Moss, whose debts (duly proved in manner aforesaid) shall then still remain unsatisfied; And it is further ordered that the said George William Moss, or the said Registrar on his behalf, do in like manner assign, transfer, and make over all the real and personal property, estate and effects of and to which the said George William Moss is or was at the time of the presentation of the said petition solely and separately entitled unto the said Frederick Joseph Moss, of Dunedin, merchant, upon trust for the collection and conversion into money of the said last mentioned property, estate and effects, and for the distribution of the net proceeds thereof *pro rata*, and subject to existing legal priorities (if any) amongst such of the separate creditors of the said George William Moss as shall duly prove their respective debts by affidavit within three months after the date of the registration of the said last mentioned deed, and upon further trust to pay and apply the surplus (if any) to the trustee or trustees for the time being of the joint estate and effects of the said Alfred George Fisher and George William Moss, to be by them distributed in manner hereinbefore mentioned amongst the said creditors of the said Alfred George Fisher and George William Moss, whose debts (duly proved in manner aforesaid) shall then still remain unsatisfied.

Dated this fifteenth day of May, 1865.

By the Court,

(L.S.)

ROBERT CHAPMAN,
Registrar.

In the Supreme Court of New Zealand: Otago and Southland District.

In Insolvency.—In the matter of the petition of Thomas Walsh, trading in copartnership with one Henry Walsh, under the style of "Walsh Brothers," of Dunedin, in the Province of Otago, as boot and shoe merchants, a debtor, and in the matter of "Debtors and Creditors Act, 1862."

UPON reading the petition of the abovenamed insolvent, and upon hearing Mr. William James Dempsey, of counsel for the interim sequestrator herein, and upon examining the insolvent and the said sequestrator, it is ordered that the Registrar of the Supreme Court do convey to John Alexander Ewen, all the real and personal estate of the insolvent whether in possession, expectancy, or reversion, or otherwise, subject to the usual trusts for the benefit of creditors; it is further ordered that the costs of the interim sequestrator incurred by him in discharge of his duties as sequestrator, of and attendant upon this rule, be taxed by the proper officer and paid by the Registrar of the Supreme Court out of the funds in his hands to the credit of the estate.

Dated this fifteenth day of May, 1865.

By the Court,

(L.S.)

ROBERT CHAPMAN,
Registrar.

Smith and Dempsey, Dunedin,
solicitors for John Alexander Ewen,
the interim sequestrator.