



THE
NEW ZEALAND GAZETTE.

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SECOND ANNUAL REPORT OF INSPECTOR IN BANKRUPTCY.

To their Honors

The CHIEF JUSTICE and the JUDGES of the SUPREME COURT of NEW ZEALAND.

THE Accountant in Bankruptcy begs respectfully to lay before the Court his second Annual Report, applicable to the year ending 30th November, 1869.

The following notes are submitted as containing the general results which have been deduced from the information before the Accountant in Bankruptcy.

The Accountant has again to regret that the Returns furnished to him are not so complete as he could have wished, but they exhibit a decided improvement on those of 1867-8.

Attached to this Report are five Appendices which show:—

- I. Return showing the trades or callings of adjudicated Bankrupts in the Colony of New Zealand, for the years ending 30th day of November, 1868, and the 30th day of November, 1869, in each Province or District; and also showing the total of each trade or calling for the same years.
- II. Return showing the aggregate amount of liabilities of adjudicated Bankrupts, the maximum and minimum amount thereof, and the relative limits of the amounts of the same, for the period since the commencement of "The Bankruptcy Act, 1867," to the 30th day of November, 1869.
- III. Return showing the number of Estates in which funds have been realized, the number of Estates in which no funds have been realized, and the aggregate amount of assets realized by Trustees in Estates of adjudicated Bankrupts; the maximum and minimum amounts so realized; the aggregate funds remaining in the hands of Trustees, the maximum and minimum thereof, and the number of Estates in which Dividends have been paid or declared, since the commencement of "The

Bankruptcy Act, 1867," to the 30th November, 1869.

- IV. Return showing the number of Estates of adjudicated Bankrupts which have been administered by the Provisional Trustee, the number which have been administered by Trustees elected by the Creditors, the number in which Supervisors have been appointed, and the number in which no Supervisors have been appointed, from the commencement of "The Bankruptcy Act, 1867," to the 30th November, 1869.
- V. Return showing the number of adjudicated Bankrupts discharged since the commencement of "The Bankruptcy Act, 1867," to 30th November, 1869; the number awaiting discharge, the number whose discharge has been suspended, the number changed from Bankruptcy to Arrangement, and the number lapsed or otherwise disposed of.

These Tables, especially I. and II., will show in how far bankruptcy has extended to certain sections of the community, in reference to whom special legislation may be considered necessary. These will no doubt be useful in the event of the Legislature deeming it necessary to amend the present Bankruptcy Law.

Taking the Provinces in alphabetical order, it will be seen that in Auckland bankruptcies have not been common among the producing classes, but have been chiefly confined to distributors and consumers. Canterbury presents a contrast in this particular, by including in her list of bankrupts a large number of farmers and settlers; while Otago has also a considerable number of miners who have sought relief from your Honorable Court.

In Westland, North and South, more than one half of the bankruptcies are of persons who belong almost exclusively to the distributing class.

The bankruptcies in the other Provinces do not present any very marked features.

Looking at the occupations of the bankrupts, it will be seen that from four classes of the community, namely,—hotel keepers and publicans, storekeepers, farmers, and miners, are drawn over three-eighths of the entire number of persons who have become bankrupt during the last two years. The remainder comprises one hundred and twelve other callings or occupations, from “agents,” numbering twenty-six, to bailiffs, bookbinders, &c., (comprising thirty-one different callings,) in each of which there has been only one bankrupt.

As it would scarcely be fitting in this Report to deduce from these Returns a comparative estimate of the commercial soundness of each Province, the Accountant has refrained from doing so; but he cannot leave this part of the subject without noticing the fact that, although there is a large increase in the number of bankrupts in almost every district, yet the gross liabilities are proportionately not so great as they were during the year ending 30th November, 1868.

It is, however, greatly to be regretted that there should be, in a Colony like New Zealand, with a population of under 250,000, a larger number of Bankruptcies annually than there is in Scotland, with a population of over 3,000,000.

The last Annual Return I have received from the Accountant in Bankruptcy, Scotland, shows that 452 Estates were sequestrated; while in this Colony there were, during the year ending 30th November, 1869, 520 persons adjudicated bankrupts. This is the more to be regretted when it is considered that of 821, the total number of bankruptcies for the two years ending 30th November, 1869, there were 360 cases in which the liabilities did not exceed £300, while the assets recovered are merely nominal.

The results are reported in the following order:—

I.

The number of orders of adjudication made during the year ending 30th November, 1869, has been 520
 Whereof there have been made by the Supreme Court 391
 And by the District Court 129
 So that during the year 75 per cent., or thereabouts, have been made by the Supreme Court, and 25 per cent., or thereabouts, by the District Courts; and the whole shows an increase in number over the previous year of about 75 per cent.

The following is a note of the adjudications made during the year, classified according to the Provinces and Districts to which they are applicable:—

	Adjudged by the Supreme Court.	Adjudged by the District Court.	Total.
Auckland	71	...	71
Canterbury	134	...	134
Nelson and Marlborough	20	...	20
Otago and Southland	109	11	120
Taranaki and Hawke's Bay	9	...	9
Wellington and Wanganui	48	...	48
Westland North (including Grey-mouth and Westport) ... ..	...	118	118
Westland South ... ..	...	...	...

II.—General Account of Bankruptcies in Dependence at 30th November, 1868.

Number of bankrupt estates wound up by division of funds during the year ending 30th November, 1869	36
Ditto ditto by discharge of trustees without dividend, no assets	Nil.
Ditto ditto by composition	3
Annulled	3
Remaining in dependence at 30th November, 1869	778

III.—Results of Adjudications wound up by Composition during the year ending 30th November, 1869.

During the year there have been settlements by composition in three adjudications.

The highest rate of composition reported is twelve shillings and sixpence in the pound. The lowest rate of composition reported is two shillings in the pound.

IV.—Discharges in favour of Bankrupts.

The number of discharges granted applicable to this year is 490. Of these discharges three followed on composition settlements, and the remainder (487) were granted without composition.

In thirty cases the final discharge was suspended for periods varying from fourteen days to two years. Awaiting discharge, 153.

V.—Discharges in favour of Trustees granted during the year ending 30th November, 1869.

There have been no discharges of Trustees in Bankruptcy reported during the year.

VI.—Proceedings of Accountant in cases of complaint against Trustees, in terms of Section 227.

Several complaints having been made regarding the management of estates and the conduct of trustees, the Accountant, at the request of the Government, made a visit of inspection to the various Provinces of the Colony.

In one Province the provisional trustee, being also sole trustee, had to be removed; and the trustees in other Provinces whose accounts were examined, were directed to keep books of account in such manner as the Accountant hopes will remove grounds of complaint for the future. An alteration was also made by which the trust funds in each estate would be kept in a separate Bank account and only applied to purposes appertaining to the particular trust. Prior to the visit of the Accountant, this unfortunately had not been done, and considerable confusion had been the result of making common cash of funds derived from a large number of separate estates.

Appended is an alphabetical list of persons adjudged bankrupt to the 30th November, 1869, together with a tabulated statement showing the condition of every estate.

GEO. BRODIE,

Accountant in Bankruptcy.

Office of Accountant in Bankruptcy,
 Dunedin, 7th June, 1870.

Appendix I.—continued.

RETURN showing the Trades or Callings of Adjudicated Bankrupts—continued.

Trade or Calling.	Auckland.		Canterbury.		Nelson.		Otago and Southland.		Wellington and Wanganui.		Taranaki and Hawke's Bay.		Westland North, Greymouth.		Westland North, Westport.		Westland South.		Totals.	
	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.	1868.	1869.
Schoolmasters and Teachers...	2	2	...	...	1	2	...	...	1	...	...	...	...	...	...	...	4	4
Sheepfarmers and Stockowners	1	5	...	...	1	...	...	1	2	...	...	...	...	...	...	...	4	8
Station Managers	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1
Storemen	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Sawyers	1	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	3
Saw Mill Owners	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Seedmen	1	...	...	...	...	...	...	...	...	...	...	1
Stearine Makers	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Stationers and Booksellers	1	...	...	...	...	...	...	1	...	1	...	2	2
Spinsters	1	...	...	2	...	...	1	1
Tobaccoonists	1	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	1
Tailors	1	...	...	...	1	...	...	...	1	...	...	...	...	...	...	...	2	1
Theatrical Managers	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Theatrical Lessees	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...
Framway Proprietors	1	...	...	...	1	...
Timber Dealers	1	...	...	3	...	...	...	...	...	...	...	1	...	...	...	4	1
Turners	1	...	...	...	...	...	...	...	...	...	...	...	1	...
Undescribed	1	...	...	...	1	...	2	...	...	...	...	...	3	...	...	...	7
Veterinary Surgeons	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	2
Watchmakers	1	...	...	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	3
Widows	1	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	3
Well Sinkers	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2
Wool Scourers and Sorters	1	...	...	1	1	...	...	...	...	...	...	...	...	...	...	1	2
Wine and Spirit Merchants	1	...	...	1	2	...	...	...	...	...	...	...	...	...	...	1	2
Wheelwrights	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Zinc Workers	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1
TOTALS	20	71	59	134	8	20	82	120	28	48	13	9	3	23	41	24	47	71	301	520

Appendix II.

RETURN showing the Aggregate Amount of Liabilities of Adjudicated Bankrupts, the Maximum and Minimum Amount thereof, and the relative limits of the amounts of the same, for the period since the commencement of "The Bankruptcy Act, 1867," to the 30th day of November, 1869.

Province or District.	Aggregate Amount of Liabilities of Adjudicated Bankrupts.	Maximum Amount.	Minimum Amount.	Number of Cases wherein the Amount was											Total.
				Not exceeding £100.	Exceeding £100 and not exceeding £200.	Exceeding £200 and not exceeding £500.	Exceeding £500 and not exceeding £1,000.	Exceeding £1,000 and not exceeding £2,000.	Exceeding £2,000 and not exceeding £3,000.	Exceeding £3,000 and not exceeding £5,000.	Exceeding £5,000 and not exceeding £10,000.	£10,000 and upwards.	Not stated.		
Auckland	£ 91,337 s. 6 d. 5	£ 23,487 s. 10 d. 0	£ 67 s. 2 d. 0	3	35	18	13	12	3	4	1	1	...	90	
Canterbury	201,889 11 11	47,689 4 5	27 0 0	17	65	28	26	17	3	1	5	3	12	177	
Nelson	35,244 6 9	10,367 1 4	118 9 0	...	5	9	3	7	2	1	...	1	...	23	
Otago and Southland	198,322 16 7	52,462 4 2	35 10 3	32	71	33	26	12	5	2	1	5	9	196	
Wellington and Wanganui	85,420 16 9	20,700 0 0	96 0 0	1	20	15	16	12	4	4	...	1	1	74	
Taranaki and Hawke's Bay	12,636 2 3	3,371 8 9	143 11 6	...	1	2	3	1	3	...	...	...	12	22
Westland North {	Grey mouth	15,583 17 0	4,126 5 2	42 8 0	6	7	7	3	...	1	1	...	...	25
	Westport	32,797 8 11	2,669 3 0	92 8 0	2	19	13	8	10	2	...	...	3	57
Westland South	32,124 19 8	2,756 16 4	23 9 0	26	50	12	9	2	3	...	...	...	13	116

Appendix III.

RETURN showing the Number of Estates in which Funds have been realized, the Number of Estates in which no Funds have been realized, and the aggregate Amount of Assets realized by Trustees in Estates of adjudicated Bankrupts; the maximum and minimum Amounts so realized; the aggregate Funds remaining in the hands of Trustees; the maximum and minimum thereof; and the Number of Estates in which Dividends have been paid or declared,—since the commencement of “The Bankruptcy Act, 1867,” to the 30th November, 1869.

Province or District.	Number of Estates in which Funds have been realized.	Number of Estates in which no Funds have been realized.	Aggregate Amount realized.			Aggregate Amount of Funds remaining in hands of Trustees.			Maximum and Minimum Amount in hand.			Number of Estates in which Dividends have been paid or declared.									
			£	s.	d.	£	s.	d.	£	s.	d.		£	s.	d.						
Auckland	17	73	4,281	11	1	1,730	0	0	5	13	0	2,167	8	3	1,483	9	9	0	1	4	...
Canterbury	78	99 ^a	13,224	1	1	2,782	7	7	1	14	6	4,249	10	6	588	18	8	0	5	0	31
Nelson	22	6	5,748	17	10	1,904	17	7	2	10	0	2,345	16	4	588	0	6	6	0	0	11
Otago and Southland	77	119 ^b	6,751	17	5	2,596	15	10	0	6	0	1,563	12	6	272	13	0	0	5	0	9
Wellington and Wanganui	29	45 ^c	6,410	16	3	3,579	8	10	1	14	10	1,291	4	9	326	10	11	0	1	0	9
Taranaki and Hawke's Bay	7	15 ^d	1,333	3	0	762	4	6	16	3	6	655	4	3	534	0	1	1	16	0	5
Westland North { Greymouth	12	13	322	5	10	130	3	3	1	0	0	28	8	6	15	0	0	5	9	0	6
Westland North { Westport	11	43 ^e	1,269	14	3	264	14	0	8	0	0	434	8	4	250	0	0	3	14	0	8
Westland South—Hokitika	26	89 ^f	1,416	7	3	200	10	0	4	10	6	376	14	0	188	7	8	3	5	8	16

- a. Including twelve cases in which no Statements have been furnished by Trustees.
- b. Including nine cases in which no Statements have been furnished.
- c. Returns incomplete.
- d. Returns incomplete. Twelve cases in which no Returns have been furnished by Trustees.
- e. Including three cases in which no Returns have been furnished.
- f. Including thirteen cases in which no Returns have been furnished.

Appendix IV.

RETURN showing the Number of Estates of adjudicated Bankrupts which have been administered by the Provisional Trustee; the Number which have been administered by Trustees elected by the Creditors; the Number in which Supervisors have been appointed, and the Number in which no Supervisors have been appointed,—from the commencement of “The Bankruptcy Act, 1867,” to the 30th November, 1869.

Province or District.	Estates administered by Provisional Trustee.	Estates administered by Trustees elected by Creditors.	Estates in which Supervisors have been appointed.	Estates in which no Supervisors have been appointed.	Remarks.
Auckland	86	4	11	79	Proceedings lapsed in one case.
Canterbury	171	6	66	111	
Nelson	28	...	7	21	
Otago and Southland	183	13	17	179	
Wellington and Wanganui	50	24	23	51	
Taranaki and Hawke's Bay	3	18	17	4	
Westland North { Greymouth	24	1	3	22	
Westland North { Westport	49	6	5	50	
Westland South—Hokitika	106	9	100	6	

Appendix V.

RETURN showing the Number of adjudicated Bankrupts discharged since the commencement of “The Bankruptcy Act, 1867,” to 30th November, 1869; the Number awaiting Discharge; the Number whose Discharge has been suspended; the Number changed from Bankruptcy to Arrangement; and the Number lapsed or otherwise disposed of.

Province or District.	Number of Bankrupts Discharged.	Number awaiting Discharge.	Number whose Discharge has been suspended.	Changed from Bankruptcy to Arrangement.	Lapsed or otherwise disposed of.
Auckland	72	18	1	1	...
Canterbury	172	17	9	1	3
Nelson	20	7	...	1	...
Otago and Southland	152	49	30	1	...
Wellington and Wanganui	47	26	5	1	2
Taranaki and Hawke's Bay	17	2	...	...	3
Westland North { Greymouth	22	2	3	...	2
Westland North { Westport	53	6	1	5	1
Westland South	80	26	...	2	10

DISSOLUTION OF PARTNERSHIP.

NOTICE is hereby given, that the Partnership between the undersigned Patrick Francis Smyth and John Corr, in the trade or business of Storekeepers, at Westport, in the Province of Nelson, in New Zealand, under the firm of "P. F. Smyth and Co.," was this day dissolved by mutual consent; and in future the business will be carried on by the said John Corr on his separate account. The said John Corr will pay and receive all debts owing from and to the said Partnership in the regular course of business.

Witness our hands this 24th day of June, 1870.

P. F. SMYTH,
JNO. CORR.

Witness—William Pitt, Solicitor, Westport, N.Z.
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STATEMENT of the Affairs of "The Golden Crown Extended Gold Mining Company, Registered," for the half-year ended 30th May, 1870, in accordance with section 13 of "The Mining Companies Limited Liability Act Amendment Act, 1869."

Name of Company: "Golden Crown Extended Gold Mining Company, Registered."

When formed, and date of registration: 28th June, 1869; 28th July, 1869.

Where business is conducted, and name of Legal Manager: 49 Queen Street, Auckland; Edward Pratt, Manager.

Nominal capital: £13,500.

Amount of paid-up scrip given to shareholders: £4,500.

Number of shares in which capital is divided: 4,500.

Number of shares taken: 4,500.

Amount of calls made: £2,025.

Total amount of subscribed capital paid up: £1,657 7s. 4d.

Number of shareholders at time of registration of Company: 91.

Amount of cash in hand: £5 12s. 9d.

Whether in operation or not: Operations at the claim have ceased, the claim having been sold off.

Total amount of dividends declared: None.

Number of shares unallotted: None.

30th May, 1870.

EDWARD PRATT,
Manager.

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STATEMENT of the Affairs of "The Marquis of Hastings Gold Mining Company, Registered," for the half-year ended 30th May, 1870, in accordance with section 13 of "The Mining Companies Limited Liability Act Amendment Act, 1869."

Name of Company: "Marquis of Hastings Gold Mining Company, Registered."

When formed, and date of registration: 23rd March, 1869; 23rd April, 1869.

Where business is conducted, and name of Legal Manager: 49 Queen Street, Auckland; Edward Pratt, Manager.

Nominal capital: £4,000.

Amount of paid-up scrip given to shareholders: £2,000.

Number of shares in which capital is divided: 4,000.

Number of shares taken: 4,000.

Amount of calls made: £600.

Total amount of subscribed capital paid up: £413 3s.

Number of shareholders at time of registration of Company: 20.

Amount of cash in hand: Nil.

Whether in operation or not: Abandoned.

Total amount of dividends declared: Nil.

Number of shares unallotted: Nil.

7th June, 1870.

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EDWARD PRATT,
Manager.

STATEMENT of the Affairs of "The Thames Crushing Company, Registered," for the half-year ended 28th June, 1870, in accordance with section 13 of "The Mining Companies Limited Liability Act Amendment Act, 1869."

Name of Company: "The Thames Crushing Company, Registered."

When formed, and date of registration: 19th March, 1868; 19th March, 1868.

Where business is conducted, and name of Legal Manager: 81 Queen Street, Auckland; J. Tonson Garlick, L.M.

Nominal capital: £5,000.

Amount of paid-up scrip given to shareholders: Nil.

Number of shares in which capital is divided: 1,000.

Number of shares taken: 751.

Amount of calls made: £3,755.

Total amount of subscribed capital paid up: £3,719 5s.

Number of shareholders at time of registration of Company: 40.

Amount of cash in hand: Nil.

Whether in operation or not: Not in operation.

Total amount of dividends declared: Nil.

Number of shares unallotted: 249.

29th June, 1870.

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J. TONSON GARLICK,
Manager.

STATEMENT of the Affairs of "The Onehunga Gold Mining Company, Registered," for the half-year ended 31st May, 1870, in accordance with section 13 of "The Mining Companies Limited Liability Act Amendment Act, 1869."

Name of Company: "Onehunga Gold Mining Company, Registered."

When formed, and date of registration: 5th July, 1869; date of registration, 21st July, 1869.

Where business is conducted, and name of Legal Manager: Grahamstown; David Philp, Legal Manager.

Nominal capital: £7,000.

Amount of paid-up scrip given to shareholders: £5,600.

Number of shares in which capital is divided: 700.

Number of shares taken: 700.

Amount of calls made: £6,767 18s.

Total amount of subscribed capital paid up: £6,624 14s. 11d.

Number of shareholders at time of registration of Company: 30.

Amount of cash in hand: Nil.

Whether in operation or not: In operation.

Total amount of dividends declared: Nil.

Number of shares unallotted: Nil.

10th June, 1870.

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DAVID PHILP,
Legal Manager.

NEW ZEALAND JUSTICE OF THE PEACE.

NOTICE TO PURCHASERS.

PURCHASERS of the above Work are informed that they will be furnished by the Author, at an early period after the present Session of the General Assembly, with notes of any substantial alterations made in the law affecting Justices of the Peace by the legislation of the Session.