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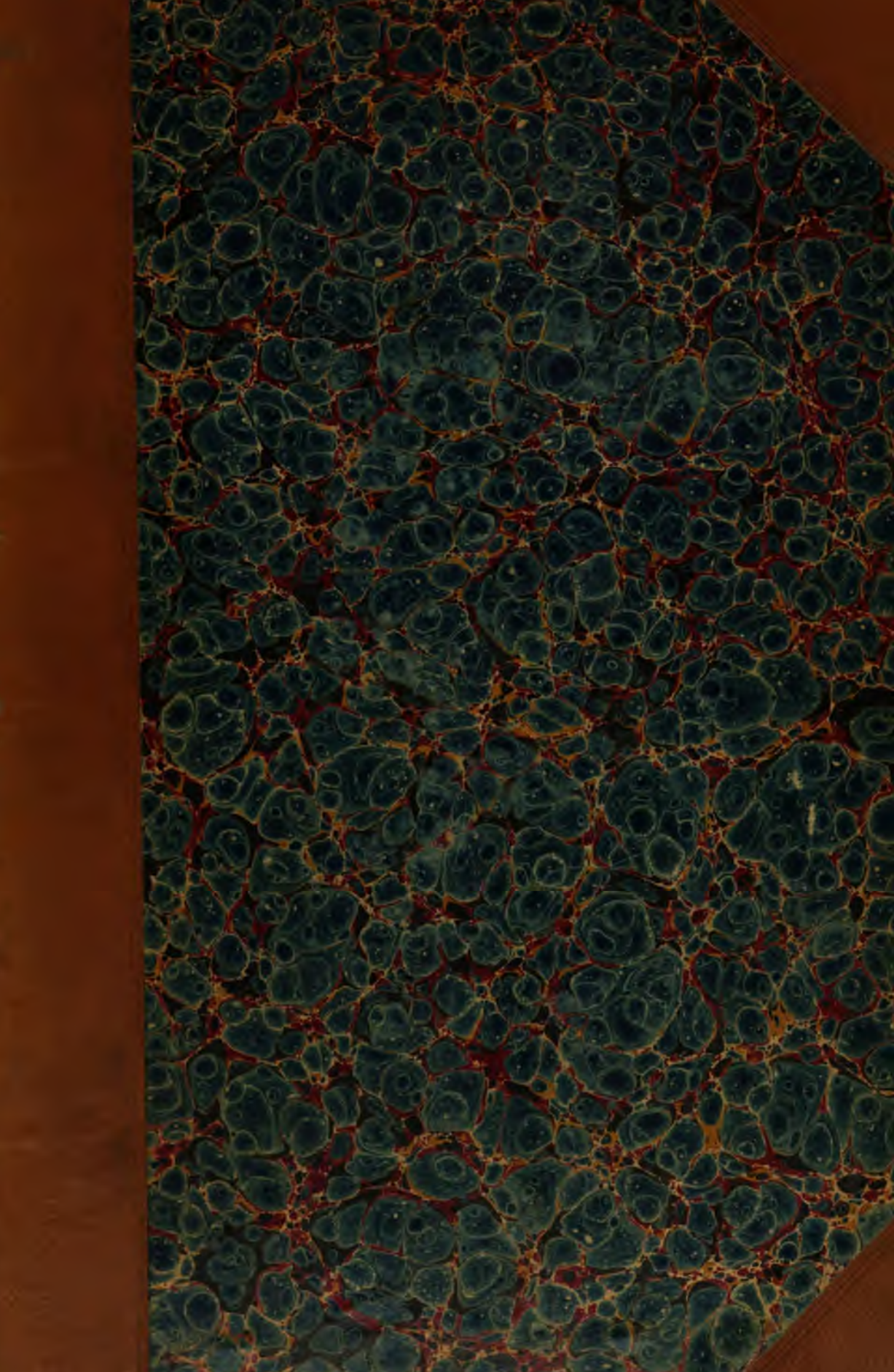
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THE
JURIST.

VOL. XVI.—PART II.

CONTAINING

ORIGINAL ARTICLES ON LEGAL SUBJECTS,
ALL IMPORTANT STATUTES,
THE RULES AND ORDERS OF THE VARIOUS COURTS,
THE GAZETTES, CAUSE LISTS,
AND MISCELLANEOUS LEGAL INFORMATION,

FOR

THE YEAR 1852:

WITH AN

ALPHABETICAL LIST OF BANKRUPTS,

AND

INDEX OF PRINCIPAL MATTERS.

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1853.

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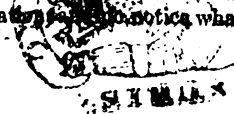
LONDON, JANUARY 17, 1852.

THE case of *Monypenny v. Dering*, which is reported in equity in 7 Hare, 568, and at law in 16 M. & W. 418, is one of those which exhibit strongly the mischief of the practice, in which Courts of equity have long indulged, of sending cases to law wherever there is any serious difficulty in the construction of a written instrument. This case was originally heard in Chancery in November, 1845, when Wigram, V. C., sent a case to the Court of Exchequer. The Court of Exchequer gave their opinion in January, 1847. On this being brought before the Court of Chancery on the equity reserved, that Court sent the case for a further opinion to the Court of Common Pleas. The Court of Common Pleas differed in material points from the Court of Exchequer; and the case coming back to Wigram, V. C., in 1850, his Honor had to decide, of course, almost as if no opinion of a Court of law had been taken, since it cannot be said that two conflicting opinions could much assist the judgment of the Court; they would be much more likely to perplex it. But assuming that they did assist the Court of Chancery, still it comes to this, that the cause has been heard four times, and it is of course still liable to be taken, by way of appeal, to two Courts more, the last of which will be a Court of law as well as equity, and capable of calling in the assistance of all the judges, if it should require them. Surely a less expensive and less dilatory mode might be followed than this, where it is necessary for an equity judge to have assistance; for if the time of the common-law judges is to be taken up at all in assisting the minds of equity judges, it would be just as easy to call in the assistance of one or two of them to sit and hear the cause with the judge in equity, whenever the case is one likely to prove materially difficult for a purely equitable mind, and then one hearing would answer the same purpose as the three or four which arise out of the existing practice of sending cases to law.

Our principal object, however, in alluding to this case has not been so much to use it by way of illustration, as to comment upon some portions of the judg-

ment of the Vice-Chancellor—an exceedingly elaborate and important one, but which, if it is good law, cuts down, as it seems to us, to a considerable extent, the doctrine of implication in the creation of estates tail. The clause in the will of the testator in the cause, on which this part of the judgment turns, is very short. The testator gave certain estates to trustees, on trust to sell for payment of debts, &c., and, subject thereto, he directed the trusts to be, “to permit my brother, Phillips Monypenny, to receive and take the rents, issues, and profits thereof, for and during the term of his natural life, without impeachment of waste; and from and immediately after his decease, upon trust for the first son of the body of the said Phillips Monypenny, for and during the term of his natural life; and from and immediately after his decease, upon trust for the first son of the body of such first son, and the heirs male of his body; and in default of such issue, upon trust for all and every other the son and sons of the body of my said brother, Phillips Monypenny, severally and successively, according to seniority of age, for the like interests and limitations as I have before directed respecting the first son and his issue; and in default of issue of the body of my said brother, Phillips Monypenny, or in case of his not leaving any at his decease, upon trust for my brother, Thomas Monypenny;” with various remainders over.

At the date of the will Phillips Monypenny had no children, and he died after the testator, without issue, having suffered a recovery. The question was, what estate he took; if he took an estate tail, either immediately vested in possession, or in remainder expectant on the failure of his own issue, certain persons took under that recovery; if he took only for life, those persons took nothing, and the question then was as to the effect of the limitations over to Thomas Monypenny. We shall confine our observations to the estate taken by Phillips Monypenny. The Court of Exchequer (16 M. & W. 418) seems to have taken it for granted that Phillips Monypenny took only an estate for life; for the whole judgment is directed to the question whether his sons took estates tail by implication, or whether they took whatever



is taken of any argument in favour of an estate tail in Phillips Monypenny. The Court of Common Pleas certified that Phillips Monypenny took an estate for life; and of that opinion was ultimately Vice-Chancellor Wigram. Before the Vice-Chancellor, on the final hearing, it appears that counsel argued that Phillips Monypenny took an immediate estate tail in possession. What cases were cited expressly in support of this particular argument, does not appear by the report. It would be inferred from the observations of the Vice-Chancellor, (p. 597), that none were cited. But this can hardly be the case, as some cases which do bear upon the point were cited. There is, however, one which we will presently mention, which seems expressly in point, and which was not cited.

The reason given by his Honor for rejecting the construction which would give an immediate estate tail to Phillips Monypenny was, that "it would have the effect of destroying estates well given as the will stands." But that reason, if it be correct, with reference to the language of the will, is directly controverted by the case of *Wight v. Leigh*, (15 Ves. 565), which does not appear to have been cited. In that case, the devise of the testatrix's "Surrey estate" was (after some previous limitations, on which nothing turned) to the plaintiff; and after his death, to his first and other sons; and in default of male issue, she gave the said estates to the eldest and other daughters of the plaintiff in fee. The question was, what estate the plaintiff took; and Sir W. Grant held, that he took an immediate estate tail, on the ground that the testatrix intended to prefer the male issue of somebody, either of the plaintiff or of his first and other sons, to the daughters; and that such intention could only be effectuated by holding the plaintiff, the father, to take an immediate estate tail by implication. Now; here the estates for life (as they were then held) to the sons, were clearly as well given as the estates to the sons of Phillips Monypenny in *Monypenny v. Dering*, and the Court did defeat them by giving an estate tail to the father.

So, in *The Attorney-General v. Sutton*, (1 P. Wms. 764), (which was cited in *Monypenny v. Dering*, though whether on this precise point does not appear), where the devise was to A. for life, remainder to the first son or issue male of his body lawfully to be begotten, and to the heirs male of the body of such son; remainder to his second son and his issue male in tail, (not carrying the limitations over to the third or other sons); and then came this clause—that, immediately after the death of A. without issue male of his body, the premises should go over; and it was held that A. took an estate tail. The force of this case, as bearing upon *Monypenny v. Dering*, is, however, impaired by the circumstance, that there were other passages in the will shewing a strong intention to give A. an estate tail.

But supposing these cases not to apply, or not to be now law—though there is, we believe, no authority overruling them—is there ground, in the case under discussion, for saying that the implication of an immediate estate tail in Phillips Monypenny does destroy estates well given by the will? Does not that assumption beg the question, whether the intention expressed is not to give an estate tail by implication to Phillips Monypenny, preceding the limitation to his sons? It

is to be observed, that the mode of expressing the limitation, in default of issue of Phillips Monypenny, is not, in terms, the usual mode of limiting a remainder. There are not the usual words, "from and after the decease of Phillips Monypenny," but simply "and in default of issue of Phillips Monypenny;" and wherefore should this be read as a remainder, for the express purpose of defeating the implication, and so defeating the obvious intention, that the remainder over, at least to Thomas, should not take effect as long as there were any issue of Phillips, when it may as well be read, by reason of the omission of words strictly implying a remainder, as, by implication, an estate preceding the limitation to Phillips Monypenny's sons?

Moreover, in any view of the case, the only estate well given by the will, which could be defeated by giving an immediate estate tail to Phillips Monypenny, is the estate for life to the first son of Phillips Monypenny. For all the subsequent remainders preceding, in point of allocation, the words "and in default of issue of Phillips Monypenny," are not well given, being, in fact, estates not capable of taking effect, and therefore not capable of being defeated, since they have been held by all the three Courts, and are manifestly, void for remoteness. Nor, indeed, as applied to the first son of Phillips Monypenny, would it be strictly correct, either, we apprehend, legally or substantially, to say, that even admitting an estate for life to him, preceding any estate tail in his father, to have been well given, such estate is defeated by giving the father a prior estate tail. It is true that such a construction would give the father a power to defeat any estate in his first son; but, per formam doni, the first son would take, if his father took an estate tail, a greater estate than an estate for life, viz. a vested estate tail in remainder; so that his estate would rather be merged in a higher one, than defeated.

More might be said on the decision on this point, but our limited space prevents us from doing more than throwing out these cursory observations, in a case to which we may, en passant, refer our young conveyancing readers, as one in which they will find much excellent learning to repay a careful perusal.

Reviews.

Chitty's Collection of Statutes, with Notes thereon; intended as a Circuit and Court Companion. The Second Edition, containing all the Statutes of Practical Utility in the Civil and Criminal Administration of Justice, to the present Time. By W. N. WELBY, Esq., and EDWARD BEAVAN, Esq., Barristers at Law. In Three Volumes. Vols. I and II.

[Sweet; Stevens & Norton. 1851.]

LORD BACON, in his proposal for amending the laws of England, advises the discharging "the books of those statutes wherein the case by alteration of time is vanished; as Lombards, Jews, Gauls, halfpence, &c.," and "the reducing of concurrent statutes, heaped one upon another, to one clear and uniform law." The work before us surpasses all that was anticipated by the illustrious law reformer of the Elizabethan era, and proves that the codification of the law, considered

worthy of State interference in other countries, may be effectually accomplished in this by private skill, industry, and learning.

This is no mere skeleton of the bulky and unwieldy giant commonly called "Statutes at Large," but the very body itself, stripped, however, of useless incumbrances, and reduced to fair and manageable proportions. Not only are all statutes of practical importance so classified as to afford the greatest facilities for reference, and enable a correct view to be taken of the acts bearing upon a given subject or in *pari materia*, but they are also fully illustrated, in the form of a running commentary, by the judicial exposition which has been given to them from the period of their enactment until the present time. We have the oracle and its interpretation side by side.

It is precisely with respect to this branch of our jurisprudence that codification is most desirable. The common law consists of principles which, although bent and modified in their application to ever-varying combinations of facts, are not in themselves very numerous; nor are they difficult to be understood or remembered, inasmuch as they are, in a great measure, conformable to natural reason and justice. The "*lex scripta*," however, contains but little that the reason of man would arrive at by arguments of an *à priori* character; it is an immense mass of arbitrary enactments scattered over six centuries of our history: they are sometimes special, sometimes general in their application; permanent or temporary in their duration; often ambiguous in phraseology, and always embarrassed by qualifications, exceptions, and the probability of their being affected by other statutes. Well might Bacon say, "Sure I am there are more doubts that rise upon our statutes, which are a text-law, than upon the common law, which is no text-law."

Any mere review of the elaborate work before us can give but an imperfect idea of its character and contents; we will, however, attempt to describe its general features. The two volumes which have appeared (each over 1100 pages) are to be very shortly followed by a third, which will complete the work. The principal classification is alphabetical, and extends at present to "Lands Clauses Consolidation Act." The subordinate arrangement is chronological; thus, under the head "Companies" (independently of the Winding-up Acts) follow in order 1 Vict. c. 73; 7 & 8 Vict. c. 110; and 10 & 11 Vict. c. 78. Important statutes are set out at length, omitting only the formal parts, and such as are repealed or expired. Merely the title is given of such statutes as relate to the subject, but are, in fact, unimportant. The decisions upon each statute are collected in the notes to the different sections.

To illustrate the practically useful character of the work, it may be sufficient to state, that statutes on the following subjects (among many others) are contained in the two volumes:—

Arrest, eight statutes.
Attornies, twenty-five statutes.
Bankruptcy, (the Consolidation Act, with the numerous decisions in the notes, occupies about 370 pages).
Bills of Exchange, thirteen statutes.
Companies, (from p. 609 to 714).
Copyright, sixteen statutes.
Corporations, forty-three statutes.
Costs, nineteen statutes.
County Courts, which occupy thirty-five pages.
Evidence, twenty-five statutes, to which another is now to be added.

Executors and Administrators, thirty-one statutes.
False Imprisonment and Habeas Corpus, eleven statutes.

Frauds.

Friendly Societies.

Gaming.

Insolvency.

Insurance, ten statutes.

Interpleader.

Justices of the Peace.

Landlord and Tenant, forty-two statutes.

Lands Clauses Consolidation Act.

The head of "Customs and Excise" is very properly omitted from this edition, as it would have added considerably to the bulk of the work, and it is not a subject of general reference. "Criminal Law" is treated of at the commencement of the second volume; this part is separately paged, so that it may be detached from the rest of the work and bound by itself, as a manual for circuit and sessions. It extends over 263 pages, and the statutes (including Lord Campbell's late acts) occur under the following subdivisions:—

Pleading and procedure generally.

Offences against the State.

Offences against Public Justice.

Offences against Public Peace.

Offences against Public Morals and Police.

Offences against Public Trade.

Larceny.

Arson and Malicious Injuries to Property.

Forgery and False Personation.

Offences against the Person.

We may mention, that at p. 57 a portion of note (b) evidently belongs to note (a); and the opinion there expressed, that probably the jury should be resworn to inquire concerning the previous conviction, under sect. 9 of the 14 & 15 Vict. c. 19, has been since decided to be erroneous. (*Reg. v. Kay*, 15 Jur., part 1, p. 1066; *Reg. v. Shuttleworth*, Id. 1066).

As instances of the very able and complete manner in which the authorities bearing upon the statutes have been collected and arranged, we refer our readers to the note on reputed ownership subjoined to the 125th section of the Bankrupt Law Consolidation Act, (pp. 237—245); the notes to the Joint-stock Companies Act (pp. 615—631) and Companies Clauses Act, (pp. 638—667); and the notes on Criminal Law at the commencement of the second volume. These are dissertations upon the respective subjects, rather than mere notes, but at the same time the limits within which they are kept shew that the main object of the work has never been lost sight of.

We believe that this work, together with the recent edition of Saunders's Pleading and Evidence by Mr. Lush, will be found to contain a body of law available for all useful and practical purposes, which will not be found in any other books approaching them in portability or price.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Thomas Martineau, of Birmingham; Joseph Peers, jun., of Ruthin, Denbighshire.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed James Lewis, of the city of Rochester, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Kent.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Sir James Emerson Tennent, Knt., for the borough of Lisburn, in the room of Sir Horace Beauchamp Seymour, K.C.H., deceased.

Court Papers.

EQUITY CAUSE LISTS, HILARY TERM, 1852.

** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjoined—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Pts.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

APPEALS.	
Saunders v. Hamilton (Ap)	Jones v. Price } (Ap)
Powell v. Dodson } (Cau., Ap,	Price v. Maclean } (Ap)
Dodson v. Powell } pt. heard)	Scrivenor v. Smith (Ap)
Percival v. Caney (Ap)	Monypenny v. Dering } (Ap)
Ogle v. Morgan (Ap)	Same v. Monypenny } (Ap)
Lets v. Corn Exchange Co.	Kent v. Jackson } (Ap)
(Ap)	Same v. Pennell } (Ap)
Spooner v. Vane (Ap)	M'Calmont v. Rankin } (3
Chappell v. Rees (Ap)	Same v. Turner } Aps)
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Railway Co. (Ap)	Strong v. Strong (Ap)
Kingsford v. Ball (Ap)	Pollard v. Doyle } (Ap)
Stump v. Gaby (Ap)	Kearns v. Same } (Ap)
Wyke v. Rogers (Ap)	Mayor of Rochester v. Lee
Cutts v. Salmon (Ap)	(Ap)
Gibbon v. Fletcher (Ap)	Navalahaw v. Brownrigg (Ap)
	Henderson v. Eason (Ap).

Before the LORDS JUSTICES, at Lincoln's Inn.

APPEALS.	
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Bell v. Rea } (Ap)	Kynaston v. Lancashire and
Rea v. Bell } (Ap)	Yorkshire Railway Co. (Ap)
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Gates v. Lord Dunboyne } (3	Webb v. Portsmouth Railway
Wellesey v. Wellesey (Ap)	Co. (Ap)
Evans v. Evans (Ap)	Whicker v. Hume } (Ap)
Barnett v. Sheffield (Ap)	Hume v. P��p�� } (Ap)
Same v. Same	Norris v. Wright (Ap)
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North Staffordshire Railway	Paterson v. Scott (Ap)
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Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.
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Maynard v. Higgins	Heath v. Baker
Burt v. Westbrook (Cl)	*Nugee v. Dean (Cl)
*Porter v. Hannam (Cl)	Burrows v. Walls
Gandy v. Hodges (Cl)	Reeves v. Trenchard (Cl) <i>E. T.</i>
*Grand Trunk or Stafford and	*Mousley v. Agar
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Wright v. Lamb (Cl)	Burroughs v. Browne
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Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

Clements v. Bowes (D)	Lilley v. Medlycott (2 causes)
Le Blanc v. Ord (E to answ.)	Attorney-Gen. v. Andrews
Salmon v. Dean (E as to insuf.)	Gibson v. Gibson
Green v. Green (E to answer)	Galland v. Watson (F D)
Da Keyne v. Flint (E to ans.)	Lord v. Weightwick (E, F D)
Hambrook v. Smith (E to ans.)	Chapels Enlargement Society
Campbell v. Hewlett (E to an.)	v. Barlow
Miller v. Middleton (Old E)	Jones v. Morrall (F D)
Hardingham v. Thomas (E)	Bickford v. Bickford (E)
Preston v. Liverpool Railway	Sewell v. Monypenny
Co. (D)	Johnson v. Farris (Cl)
Same v. Same (Leeman's D)	Miles v. Durnford
Pugh v. King (F D, C)	Whitwell v. Vipan (2 Cls)
Nelson v. Hopkins	Birch v. Joy (E)
Deighton v. Wheeler	Stapleton v. Stapleton (Cl)
Alliborne v. Walker (3 causes)	Same v. Same (Sp. case) }
Fidkin v. Webb (F D)	Gray v. Gray

- Bennet v. Burrell
 Hand v. Wells (Cl)
 Eales v. Pitt
 Rackstraw v. Meacher (F D, Ptn)
 Thorold v. Bailey (Cause, Ptn)
 Pierce v. Griffiths (F D)
 Atkinson v. Gylby (E, F D)
 Barker v. Attorney-Gen.
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Parkyn v. Wightwick
 Collett v. Newnham
 Owen v. Derbyshire (Cl)
 Alice Fletcher v. Moore
 Bird v. Bird (F D, C)
 Brown v. Paul
 Fletcher v. Gerrard (2 causes)
 Goodale v. Goodale
 Emans v. Greenhill
 Wood v. Dench
 Alice Fletcher v. Mulliner }
 Ellis Fletcher v. Windsor }
 Windsor v. Milliner (2 causes)
 Windsor v. Windsor (2 causes)
 Morrison v. Richardson
 Swainson v. Muncaster (F D, C)
 Jackson v. Pearson (Cl)
 Fotheringham v. Smale (F D, C)
 Parsons v. Benn (F D, C)
 Brown v. Heath (Cl)
 Welch v. Coles (Cl)
 Harvey v. Stracey (F D, C)
 Turner v. Lang (F D, C)
 Bond v. Strother (F D, C)
 Bell v. Bell (F D, C)
 Ord v. Schneider
 Lloyd v. Lloyd (F D, C)
 Bodenham v. Hoskins (2 cau.)
 Coleman v. Howard
 Vanzeller v. Parrott
 Blake v. Phibbs (F D, C)
 Robson v. Lord Brougham and Vaux
 Geib v. Dibley (Re-hearing)
 Petre v. Petre
 Barton v. Dixon (5 causes, F D, C)
 Att.-Gen. v. Cother (F D, C)
 Lander v. Weston
 Kay v. Holder (F D, C)
 Babbage v. Wicks (3 causes, F D, C)
 Notley v. Palmer
 Jones v. Walker (F D, C)
 Clowes v. Waters (E)
 M'Gill v. Shuter (F D, C)
 Boote v. Barker
 Smith v. Smith (F D, C)
- Pinkerton v. Andrew
 Clark v. Berrington (2 causes)
 Gelling v. Lowden (2 causes)
 Bailey v. Case
 Ashton v. Jones (F D, C)
 Saper v. Deavin
 Barnard v. Roberts (F D, C)
 Pitt v. Slade (3 causes)
 St. John v. Phelps
 Cullum v. Upton (F D, C)
 Silver v. Stein (Cl)
 Att.-Gen. v. Earl of Fingall
 Davenport v. Crackenthorpe (F D)
 Sewell v. Moxsy (Cl)
 Marahall v. Moxsy (Cl)
 Fruster v. Bull (Cl)
 Freeman v. Freeman (Cl)
 Harroway v. Wright (Cl)
 Jackson v. Swinburn (Cl)
 Thomas v. Knight (Cl)
 Lloyd v. Peers
 Bartlett v. Harris
 Ford v. Earl of Chesterfield (4 causes)
 North v. White (E)
 Colyer v. Colyer (Cl)
 Archibald v. Hartley (Sp. ca.)
 Gelson v. Gelson (F D, C)
 Skipworth v. Skipworth
 Parkin v. Thorold
 Groves v. Lane (Cl)
 Frusher v. Frusher (Cl)
 Bennett v. Cooke (Cl)
 Moore v. Rees (Cl)
 Lake v. O'Hara (F D, C)
 Hanson v. Hartley (Cl)
 Ayles v. Cox (E)
 Lowe v. White
 Warde v. Warde
 Langley v. Hall
 Morgan v. Sayce
 Taylor v. Nixon (Cl)
 Elkington v. Aplin (F D, C)
 Newland v. Newland (3 causes)
 Abraham v. Smith
 Putt v. Putt (F D, C) SA
 Rowley v. Whyte
 Bridge v. Bridge
 Major v. Major (E, F D)
 Same v. Same (E, F D)
 Wright v. Bigg (Cl)
 Wood v. Smith } (F D, C)
 Caton v. Caton }
 Bradstreet v. Baxter (P C)
 Gladding v. Nevill
 Mitchell v. Beaumont
 Abrey v. Newman
 Herbert v. Bradford (Cl)
 Attorney-Gen. v. Twelve Governors of Crediton.
- Calvert v. East and West India Docks and Birmingham Junction Railway Co.
 Pomeroy v. Ayrshford
 Sowden v. Marriott (F D, C)
 Dutton v. Lowndes
 Hedges v. Hedges (E, F D)
 Lockwood v. Fenton
 Egremont v. Lee (F D, C)
 Attorney-Gen. v. Munro (E, F D)
 Rittson v. Sturdy
 Vincent, Bart., v. Hunter
 Lee v. Barker
 Hume v. Bentley (E)
 Hunter v. Nockolds
 Cutler v. Olive (Special case)
 Strutt v. Braithwaite
 Woods v. Robinson
 Boreham v. Bignall (F D, Ptn)
 Cox v. Sturgis
 Cooke v. Cunliffe (Eq. resd.)
 Ridley v. Ridley
 Crackenthorpe v. Jouning (F D, Ptn)
 Davies v. Davies
 Lees v. Lees
 Nedby v. Nedby (F D, C)
 Cooke v. Courteney
 Richards v. Courthred (F D, C)
 Ware v. Polhill
 Constable v. Bull (F D, C)
 Heyne v. Tyler (E)
 Waugh v. Waugh (F D, C)
 Blair v. Ormond (F D, C)
 Winter v. Innes (E, F D, C)
 Pyatt v. Nixon
 Wood v. Ridgway (2 causes)
 Wilson v. Bennett (Sp. case)
 Moss v. Moss
 Warren v. Warren
 Bailey v. Brookhouse (F D) }
 Barnes v. Same (2 Cls) }
 Ridgway v. Wood
 Wood v. Talley
 Bridger v. Bridger
 Att.-Gen. v. Barker (F D, C)
 Carr v. Smallpiece (E)
 Stone v. Tompson (F D, C)
 Winnall v. Dart
 Whitgrave v. Sturgis
 Hunter v. Marton
 Davey v. Miller (F D, C)
 Durnford v. Miles
 Thorp v. Harvey (F D, C)
 Davies v. Goode
 Gabb v. Comely
 Coomer v. Bromley
 Swainson v. Muncaster (F D, C)
 Jones v. Lloyd (E)
 Sayre v. Cramp
 Thistlethwayte v. Garmier (Sp. case)
 Coleridge v. Colleton (F D, C)
 Osmond v. Fisher
 Webb v. Ledicott (F D, C)
 Gregory v. Smith (F D, C)
 Horn v. Coleman (3 causes)
 Calhoun v. Bridger (F D, C)
 Seawin v. Burton (F D, C)
 Ricards v. Troup (Cl)
 Shields v. Jenks (Cl)
 Perry v. Heys (2 causes)
 Jones v. Jones (F D, C)
 Gooday v. Colchester & Stour Valley Railway Co.
 Neave v. Campbell (F D, C)
 Williams v. Nalder
 Hutchinson v. Newark
 Cary v. Parkes
- Hay v. Willoughby (F D, C)
 Hope v. Threlfall
 Ashley v. Alldew (F D, C)
 Bath v. Hippealey (F D, C)
 Bell v. London and North-western Railway Co.
 Daniel v. Davies
 Jarrett v. Eastern Union Railway Co. (Cl)
 Berry v. Same (Cl)
 Good v. Butler (F D, C)
 Dixon v. Fletcher (Cl)
 Peel v. Watten (Cl)
 Windle v. Newton
 Black v. Gouldsmith (F D, C)
 Jones v. Powell (Cl)
 Wild v. Gladstone
 Ker v. Ruxton (F D, C)
 Lachlan v. Reynolds (E, F D, C)
 Harwood v. Birstall (3 causes)
 Parker v. Parker (Cl)
 Bennett v. Hallam
 Stewart v. Frankland (Cl)
 Beresford v. Barker
 Williams v. Jones
 Williams v. Lomas
 Pierce v. Dawson (Cl)
 Kenyon v. Buckley (F D, C)
 Kemp v. Latter
 Hagley v. Gummer
 Bovington v. Adams (Cl)
 Brace v. Foulkes (Cl)
 Newman v. Cook (Cl)
 Lucas v. Lucas (Cl)
 Bowden v. Knight (Cl)
 Locke v. Cruickshanks (Cl)
 Lewis v. Marsh (F D, C)
 Shortridge v. Bosanquet
 Helm v. Garmston (Cl) SA
 Cross v. Sprigg (F D, C)
 Ward v. Swift (F D, C)
 Ward v. Swift (3 causes)
 Hunt v. Roberts (F D, C)
 Bagshaw v. Macneil (F D, C)
 Edwards v. Gelling
 Parnell v. Porter (F D, C)
 Wilkes v. Slaney (E, F D, C)
 Trail v. Bull (E)
 Tracy v. Cutress (2 causes)
 Sparrow v. Hunt (Cl)
 Edmondson v. Modaley (Cl)
 Ridler v. Bendall (Cl)
 Gascayne v. Gascayne (Cl)
 Brown v. Heavens (F D, C)
 Laird v. Macgregor (Cl)
 Roderick v. Brandon (Cl)
 Foster v. Taylor (F D, C)
 Hudleston v. Whelpdale (F D, C)
 Porter v. Watts (2 Cls)
 Basham v. Hopkins (2 causes) 4th day of causes
 Elnaston v. Hale (F D, C)
 Ashwin v. Ashwin (Sp. case)
 Gibbins v. Taylor (2 causes)
 Trail v. Bull (Cl)
 Cole v. Loader
 Arundell v. Arundell (F D, C)
 Crosse v. Webb (F D, C)
 Croly v. Weld (Cl)
 Spencer v. Brown (Cl)
 Williamson v. Plumer (F D)
 Clarke v. Bignold (Cl)
 Smith v. Parkes
 Miller v. Cooper
 Meakin v. Meakin
 Gatty v. Ryder
 Close v. Gordon
 Bathurst v. Coxon
 Same v. Eason
- Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.*
 Penny v. Christmas (E)
 Stent v. Thomas (E)
 Potts v. Thames Haven Dock and Railway Co. (Cl)
 Derbyshire v. Home }
 Hoare v. Derbyshire }
 King v. Savery (Part heard)
 Shipman v. Chattock (2 causes, part heard)
 Cato v. Irving (Special case)
 Taylor v. Frobisher (Sp. case)
 Phillipson v. North
 Wright v. Moore
 Cuming v. Bishop (F D, C)
 Cocker v. Horn
 Powys v. Martin
 Rigbye v. Morris
- Caird v. Tomkyns (F D, C)
 Smith v. Ricardo
 Farrance v. Veley (F D, C)
 Hyett v. Pocock (2 causes)
 Bolton v. Williams (2 causes)
 Molesworth v. Taylor
 Lee v. Holmes
 Wheeldon v. Perkins (F D, C)
 Pearce v. Watkins
 Coomber v. Baugh
 Ward v. Leigh }
 Leigh v. Ward }
 Adkins v. Bliss
 Baldwin v. Baldwin (F D, C) }
 Milnes v. Same (Cause, Ptn) }
 Harrison v. Round
 Ware v. Watson (2 causes)

Bathurst v. Hannah
 Donald v. Bather
 Coudrey v. Powell (Cl)
 Smith v. Compton (F D, C)
 Cocks v. Cook
 Harborne v. Harborne (E, F D)
 Holland v. Evans (F D, C)
 Davey v. Bailey (2 causes)
 Hughes v. Griffiths (Cl)
 Cook v. Boss (Cl)
 Grace v. Smith (Cl)
 Senior v. Dickenson (F D, C)
 Turner v. Roberts (Cl)
 Whitehead v. Thompson
 Penny v. Riky (F D, C)
 Lord v. Lord (Cl)
 Tribe v. Newland (Cl)
 Walker v. Jones
 Jones v. Hargreaves (Cl)
 Fyke v. Franklin
 Daniel v. Brown (Cl)
 Fish v. Rowbotham (2 Cls)
 Cormack v. Copous (3 causes)
 Tuck v. Child
 Cooper v. Sleight (F D, C)
 Maxwell v. Maxwell (Sp. ca.)
 Spear v. Spear
 Hales v. Plowden
 Arnold v. Arnold (F D, C) S A
 Clegg v. Kekewich (2 causes)
 Penny v. Harris (Cl)
 Stephenson v. Jones
 Jepsen v. Broad (Cl)
 Prendergast v. Holme (Cl)
 Johnstone v. Shaw (E, F D)
 Vincent v. Vincent (F D, C)
 S A
 Drant v. Vause (7 causes, F D, C)
 Blacklock v. Harland
 Smallwood v. Thompson (Cl)
 S A

Kennington v. Houghton (E)
 Harrison v. Eldon (Cl)
 Lake v. Eastern Counties Railway Co.
 Robertson v. Small (Cl)
 Digance v. Digance (F D, C)
 S A
 Gray v. Haig
 Paine v. Larchin (Cl)
 Morton v. Verity
 Brown v. Gordon
 Giles v. Castle (Cl)
 Cambray v. Draper (F D, C)
 Heaton v. Dearden (4 causes)
 Crick v. Babbs (F D, C)
 Clay v. Rufford (R)
 Price v. Macaulay (2 Cls)
 Smith v. Holland
 Williamson v. Parker (F D, C)
 Glover v. East (F D, C)
 Budgett v. Adams (Cl)
 Collison v. Hayes } (Cause,
 Welsby v. Hayes } Cl)
 Dixon v. Cooke (Cl)
 Smith v. Williams (F D, C)
 Ashling v. Baker (Cl) S A
 Cocking v. Kennerley
 Cocking v. Hitchin
 Pritchard v. Smith
 Pritchard v. Frank
 Pritchard v. Jones
 Bagshaw v. Winter (Cl)
 Mastron v. Mastron (Cl)
 Salumper v. Lynn
 Salumper v. Lynn
 Salumper v. Weeks
 Trotter v. Vining (Cl)
 Worthington v. Wiginton
 Guardians, &c. of Scolcoate's
 Union v. Robinson (Cl)
 Pickthall v. Braithwaite.

Bradley v. Groom } (F D, C)
 Bradley v. Bradley }
 Soar v. Dalby (Cause)
 Newman v. Knight } (F D, C)
 Newman v. Ball }
 Castelli v. Mayor, &c. of London (Cl) S O
 Wason v. Waring (Cause)
 Burgess v. Sturgis (Cl) S O
 Attorney-Gen. v. Guildford Hospital (Cause)
 Henderson v. Kipling (Cl)
 Horlock v. Wilson
 Horlock v. Sawyer } (Cause)
 Horlock v. Horlock } (Cause)
 Horlock v. Sawyer } (Cause)
 Horgan v. Danborough (Cl)
 Clowes v. Beck (Cause)
 Jones v. Bowen (6 titles, F D, C)
 Stratton v. Lawrence (Cl)
 Reeves v. Baker } (Caus.)
 Reeves v. Loscombe }
 Att.-Gen. v. Atkinson (Cause)
 Denis v. Denis (Cl) S O

Jones v. Foxall }
 Jones v. Chamberlain } (Cause)
 Hensman v. Weir (Cause)
 Montagu v. Montagu } (Ca.)
 Montagu v. England }
 Stansfield v. Hobson (Cl)
 Hipkin v. Mears (Cl)
 Baynton v. Hooper (E, F D, C)
 Att.-Gen. v. Gilbert } (F D, C)
 Att.-Gen. v. Birmingham Grammar-sch. } (C)
 Thomas v. Pinnel (Cl)
 Attorney-General v. Colegrave (Cause, Ptn)
 Edwards v. Edwards (Sp. ca.)
 Floyd v. Sard (Cl)
 Forder v. Bain (Cl)
 Coulthurst v. Carter (Sp. ca.)
 Clarke v. Chatfield (3 causes, F D, C)
 Cable v. Cable (Cause)
 Heath v. Clunes (Cl)
 Bray v. Bridport (3 titles, E).

Causes transferred from the Book of Causes of the Vice-Chancellor Sir Richard T. Kindersley to the Book of Causes of the Right Hon. the Master of the Rolls, by order, dated the 23rd December, 1851.

Gabriel v. Stratton (Cause)
 Hardy v. Hull (F D, C)
 Panter v. Panter (Cause)
 Barlow v. Lantour
 Bush v. Windey } (E)
 Bush v. Windey } (E)
 Calvert v. Seabright (E)
 Middleton v. Middleton (F D, C)
 Frost v. Hilton (F D, C)
 Whitworth v. Brogden } (Ca.)
 Whitworth v. Brogden }
 Ball v. Barker (F D, C)
 Oddie v. Tattersall (F D, C)
 Aufreere v. Hill (E, F D, C)
 Brown v. Smith (E)
 Fazakerley v. Gillibrand (E, F D, C)
 Att.-Gen. v. Wilshere } (F D, C)
 Wilshere v. Harwood } (C)
 Holl v. Gedge (F D, C)
 Polley v. Seymour (6 titles, F D, C)
 Gleadow v. Official Manager of the Hull Glass Co. (F D, C)
 Goldesbrough v. Stockwell } (Cl)
 Stockwell v. Goldesbrough }
 Hiles v. Moore (3 tits. E, Ptn)
 Brady v. Munton (E)
 Brady v. Munton (Cause)
 Sturgis v. Arrowsmith (3 titles, F D, C)
 Randall v. Parkinson (4 titles, F D, C)
 Wilkinson v. Hartley (E, F D, C)
 Waldron v. Sloper (Cl)
 Clarke v. Font (F D, C)
 Konsit v. Stratford (F D, C, Ptn)
 Rose v. Gould (F D, C)
 Attorney-Gen. v. Trevalyan (5 titles, F D, C)
 Langton v. Duke of Portland (Cl)
 Gardner v. Smithson (Cl)
 Barron v. Lancesfield (Cause)
 Butterfield v. Heath (E)

Johnson v. Johnson (4 titles, F D, C)
 Davis v. Gray } (E)
 Gray v. Davis } (E)
 Rodney v. Rodney (3 titles, F D, C)
 White v. Jackson } (F D, C)
 White v. Jackson } (F D, C)
 Jackson v. Brooke (F D, C)
 Bell v. Rea (E)
 Wellesley v. Wellesley (5 titles, E)
 Boothby v. Graves (F D, C)
 Dennitt v. Elwick (Cl)
 Winter v. Elwick (Cl)
 Bird v. Smith } (F D, C)
 Bird v. Pitman }
 Lake v. Currie (E)
 Gregory v. Simmons (Cl)
 Long v. Watkinson (F D, C)
 Long v. Long (Cause)
 Williams v. Powell (3 titles, E)
 Williams v. Powell (3 titles, F D, C)
 Blakiston v. Browne (F D, C)
 Ellis Fletcher v. Windsor (Ca.)
 Thornton v. Ellis (F D, C)
 Thornton v. Ellis (Cause)
 Gray v. Gray (3 titles, F D, C)
 Cave v. Cave (Cause)
 Hitchcock v. Jaques (3 titles, F D, C)
 Brophy v. Bellamy (F D, C)
 Platel v. Stapleton } (Cl)
 Platel v. Stapleton }
 Case v. Durrant (Cl)
 Wellings v. Price (Cl)
 Best v. Tynte } (Cause)
 Best v. Tynte }
 Evans v. Evans (Cause)
 Holliday v. Overton (Cl)
 Turner v. Boulton (Cl)
 Houghton v. Houghton } (Ca.)
 Houghton v. Houghton }
 Ellis Fletcher v. Gerrard (Ca.)
 Phipps v. Stone (Cl)
 Sutton v. Smith } (Cause)
 Sutton v. Hayslem }
 Begg v. Trecothick (Cl)
 Tibbs v. Killingback (Cl)

Rolls Court.

JUDGMENTS RESERVED.
 Cockell v. Taylor } (Cause)
 Preston v. Collett }
 Collett v. Preston }
 Mortimer v. Watts (Sp. case)
PLEAS AND DEMURRERS.
 Dean and Chapter of Ely v. Gayford (6 Pts) S O
 Alfrey v. Alfrey (3 titles, E to Master's certificate)
CAUSES.
 Gas-light Co. v. Symonds (3 causes, F D, C) S O
 Morgan v. Morgan (3 causes, E, Ptn)
 Hale v. Bexley } (E, F D, C)
 Same v. Same } S O
 Attorney-Gen. v. Mayor of Gloucester S O
 Ross v. Ross
 London Gas-light Co. v. Spottiswoode S O to add parties
 Lord Stuart v. London and North-western Railway Co. (Cl) S O
 Peters v. Beer S O
 M'Donnell v. Hesilrige S O
 Weymouth v. Taylor S O
 Minn v. Stant (Cause) S O to add parties
 Att.-Gen. v. Chambers } S O
 Att.-Gen. v. Rees }
 Barton v. Terrell
 Baker v. Morgan (Cl)

Da Cunha v. Nichols (Cl) S O
 Hobden v. Molineux (Cause) S O
 Ball v. Brook (Cause)
 Nixon v. Phillips (Cl) S O
 Thomas v. Bell (Cl)
 Granville v. Betts } (Cause)
 Granville v. Betts } S O
 Waggitt v. Welch (Cl)
 Pearce v. Wrighton (Cl) S O
 Jackson v. Jackson (Sp. case) S O
 Barlow v. Worthington (Cl)
 Morgan v. Earl of Home (Cl)
 Reeves v. Seymour (Cl)
 Bush v. Perrin (Cause) S O
 Paul v. Roy (Cause)
 Annesley v. Mogg (Cause)
 Horlock v. Horlock (Cl)
 Toogood v. Robins } (Cause)
 Toogood v. Hernaman }
 Bryan v. Collins (Cause) S O
 Sanderson v. Cocker mouth Railway Co. (F D, C)
 Norfolk Railway Co. v. Bays (F D, C)
 Perry v. Fothergill (Cl)
 Money v. Jordan (Cause)
 Frere v. Eastern Union Railway Co. (Cl)
 Wallace v. Eastern Union Railway Co. (Cl)
 Saunders v. Eastern Union Railway Co. (Cl)

Cattley v. Vincent (Cause)
 Jackson v. Grant (Cause)
 Newman v. Baker (Cl)
 O'Brien v. Nugent (Cause)
 Greene v. Flowers (Cause)
 Collard v. Sampson (Cl)
 Mangin v. Mangin (Cause)
 Hamilton v. Baldwin (Special case)
 Phillips v. Lewis (F D, C)
 Shrewsbury and Birmingham Railway Co. v. London and North-western Railway Co. (Cause)
 Brodhurst v. Snow (Cl)
 Angerstein v. Martin (F D, C)
 Angerstein v. Martin (C)
 Blackburn v. Long (Cause)
 Perkins v. Underwood (F D, C)
 Ive v. King (F D, C)
 Ive v. Deverell (F D, C)

Hitchcock v. Beauclerk (Cl)
 Grieves v. Rawley (Cl)
 Challis v. Daniel (Cause)
 Burleigh v. Farratt (F D, C)
 Greene v. Flowers (Cause)
 Edmonds v. Goater (3 titles, E, F D, C)
 Turner v. Deane (Cl)
 Price v. Lovett (Cause)
 Browne v. Munro (Cause)
 Henderson v. Robson (Cl)
 Parker v. Carter (Cl)
 Stonor v. Stonor (Cause)
 Stonor v. Stonor (Cause)
 Stonor v. Camoys (Cause)
 Stonor v. Camoys (Cause)
 Blaikie v. Clark (Cause)
 Cock v. Clark (Cause)
 Morris v. Owens (Cl)
 Knott v. Cottet (E)
 Knott v. Prier (E, F D, C)
 Knott v. Morris (E, F D, C)

End of Transfer.

Ward v. Homfray (E)
 Ward v. Homfray (E)
 Smith & King (Cl)
 Baxter v. Baxter (4 titles, F D, C)

Timmons v. Lloyd (Cl)
 Twiss v. Marshall (Cl)
 Lord Truro v. Archbishop of Canterbury (Cause) *Sh*
 Mast v. Leith (Cause).

London Gazettes.

TUESDAY, JANUARY 18.

BANKRUPTS.

WILLIAM MOSS the younger, Stock-mills, Stock, Essex, miller, dealer and chapman, Jan. 22 at half-past 11, and Feb. 26 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Woodward, Billerica, Essex; Messrs. Linklater, 17, Sise-lane.—Petition filed Jan. 10.

ALFRED MARKWICK, Martin's-lane, Cannon-street, London, manufacturer, dealer and chapman, Jan. 24 and Feb. 27 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrence & Co., Old Jewry-chambers, London.—Petition dated Jan. 12.

HAROLD STANLEY, Gerrard-street, Soho, Middlesex, scrivener and bill broker, dealer and chapman, Jan. 27 at 2, and Feb. 26 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Miller, 10, Gray's-inn-place, Gray's-inn.—Petition filed Jan. 6.

EDWARD WICKINS, Faversham, Kent, linendraper, dealer and chapman, Jan. 27 at half-past 2, and Feb. 26 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Jan. 12.

ROBERT PLOWDEN WESTON, Wellington, Shropshire, surgeon and apothecary, Jan. 26 and Feb. 26 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Messrs. Wace, Shrewsbury; Smith, Birmingham.—Petition dated Jan. 8.

ISAAC GARDINER, Bristol, saddler and harness maker, dealer and chapman, Jan. 27 and Feb. 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed Jan. 8.

GEORGE MOON, Borrowby, near Thirak, North Riding of Yorkshire, corn miller, dealer and chapman, Jan. 23 and March 4 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Swarbreck, Thirak; Barr & Nelson, Leeds.—Petition dated Jan. 6; filed Jan. 7.

JOHN STEPHEN ORFORD and **WILLIAM KIRKHAM**, Manchester, paper hangers, dealers and chapmen, (under the style or firm of J. S. Orford & Co., and which said William Kirkham also lately carried on business at Manchester on his own separate account as a plasterer and painter, and fringe manufacturer), Jan. 23 and Feb. 13 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Cooper & Son, Manchester; Brisley, 4, Pancras-lane, London.—Petition filed Jan. 1.

JAMES PHILIP TAIT LAZARUS, Horbury, Yorkshire, Stewart-street, Spitalfields, Middlesex, and Onde Schams, Amsterdam, Holland, merchant, dealer and chapman, Jan. 29 and March 4 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Clough & Bantoft, Huddersfield; Courtenay & Compton, Leeds.—Petition dated Dec. 30; filed Dec. 31.

JAMES COOPER, Liverpool, butcher, Jan. 21 and Feb. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Greatley, Liverpool.—Petition filed Jan. 6.

MEETINGS.

Lyon Samuel, (not *Solomons*, as advertised in last Tuesday's Gazette), Bury-street, St. Mary-axe, London, jeweller, Jan. 17 at 12, Court of Bankruptcy, London, last ex.—*Thomas Ellis*, Cambridge, spirit merchant, Jan. 23 at 11, Court of Bankruptcy, London, and ac.—*Charles Wheeler*, St. Martin's-lane, Middlesex, woollendrapery, Jan. 24 at 11, Court of Bankruptcy, London, and ac.—*S. Aekis*, Eastcheap, London, corn factor, Jan. 24 at 12, Court of Bankruptcy, London, and ac.—*Nicholas D'Arcy*, Pall-mall East, Middlesex, hotel keeper, Jan. 23 at 12, Court of Bankruptcy, London, and ac.—*J. Hill*, Thorne, Yorkshire, wine merchant, Jan. 24 at 12, District Court of Bankruptcy, Sheffield, and ac.—*Wm. Waterman*, Wicker, Sheffield, Yorkshire, grocer, Jan. 24 at 12, District Court of Bankruptcy, Sheffield, and ac.—*William Mullinger Higgins*, Birmingham, laceman, Jan. 24 at 11, District Court of Bankruptcy, Birmingham, and ac.—*Chas. Watt*, Southampton-st., Pentonville, Middlesex, baker, Feb. 6 at 12, Court of Bankruptcy, London, div.—*C. Mackenzie*, Lower Crown-st., Westminster, Middlesex, bookbinder, Feb. 3 at 1, Court of Bankruptcy, London, div.—*Robt. Robson*, Newcastle-upon-Tyne, manufacturer of plaster of Paris, Feb. 5 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward Churton, Holles-street, Cavendish-square, Middlesex, bookseller, Feb. 3 at 12, (and not Jan. 3, as advertised in last Friday's Gazette), Court of Bankruptcy, London.—*Edw. Evans*, Paddington-green, Middlesex, nurseryman, Feb. 5 at 2, Court of Bankruptcy, London.—*Wm. Miller*, Hawley-place, Kentish-town, Middlesex, baker, Feb. 4 at 12, Court of Bankruptcy, London.—*Joseph Smith*, Altrincham, Cheshire, joiner, Feb. 5 at 12, District Court of Bankruptcy, Manchester.—*Robert Jackson*, Nottingham, butcher, Feb. 6 at 12, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Henry Aldrich, Ipswich, Suffolk, corn merchant.—*John Horwell*, Lower Marsh, Lambeth, Surrey, cheesemonger.—*Ann Elizabeth Hickman*, Cannon-st.-road, St. George's in the East, Middlesex, undertaker.—*Wm. Powell*, Jeffery's-st., Camden-town, Middlesex, builder.—*Robert Andrew Taylor*, Dunston, Durham, Epsom salts manufacturer.—*W. Hackett*, Leicester, dealer in pianofortes.—*Thomas Goddard*, Derby, brush manufacturer.

PETITIONS ANNULLED.

George Haynes, Leek, Staffordshire, draper.—*David Hood*, Chorley, Lancashire, bleacher.

SCOTCH SEQUESTRATIONS.

James Jamieson, Paisley, draper.—*Daniel M'Dougall*, Kilmarnock, confectioner.—*Geo. R. Baxter & Son*, Dundee, grocers.—*Fraser, M'Vean, & Co.*, Glasgow, calico printers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Atkinson, Halifax, Yorkshire, stonemason, Jan. 23 at 10, County Court of Yorkshire, at Halifax.—*Samuel Iredale*, Halifax, Yorkshire, woollen manufacturer, Jan. 23 at 10, County Court of Yorkshire, at Halifax.—*T. Howard*, Deal, Kent, grocer, Jan. 21 at 11, County Court of Kent, at Deal.—*James Mallalieu*, Hattersley, Cheshire, gamekeeper, Jan. 21 at 12, County Court of Cheshire, at Hyde.—*John Brook Durrans*, Huddersfield, Yorkshire, hatter, Jan. 22 at 10, County Court of Yorkshire, at Huddersfield.—*Jas. Gerrard*,

Hulme, Manchester, salesman, Jan. 23 at 11, County Court of Lancashire, at Manchester.—*Richard Rees*, Llanely, Carmarthenshire, cabinet maker, Jan. 27 at 2, County Court of Carmarthenshire, at Carmarthen.—*T. Needham* the younger, Keadby, Althorpe, Lincolnshire, innkeeper, Jan. 26 at 1, County Court of Yorkshire, at Thorne.—*John Ridgway*, Keadby, Althorpe, Lincolnshire, butcher, Jan. 26 at 1, County Court of Yorkshire, at Thorne.—*Sarah Kirkham*, Wigan, Lancashire, out of business, Jan. 16 at 10, County Court of Cheshire, at Birkenhead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 28 at 11, before the CHIEF COMMISSIONER.

Wm. Cawcott, John-street, East-st., Walworth, Surrey, grocer.—*Wm. F. Wells*, George's-terrace, Lewisham-road, Greenwich, Kent, schoolmaster.—*John H. Marshall*, Great Winchester-st., London, chief engineer in the Royal Navy.

Jan. 28 at 10, before Mr. Commissioner LAW.

Wm. Cooper the younger, Chad's-row, Gray's-inn-road, King's-cross, Middlesex, common brewer.

Saturday, Jan. 10.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Abraham Kell, Claygate, Thames Ditton, Surrey, labourer, No. 62,580 T.; *Samuel Dodson*, assignee.—*H. Wolferstan*, Steyning, Sussex, chemist, No. 74,469 C.; *Richard Hayward*, assignee.—*John Spenceley*, Kingston-upon-Hull, licensed victualler, No. 74,003 C.; *James G. Carill*, assignee.—*Rich. Gibbs*, South Littleton, Worcestershire, farmer, No. 74,383 C.; *Wm. Rodd* and *John K. Hastings*, assignees.—*Samuel Wood*, Bridgewater, Somersetshire, furniture broker, No. 74,264 C.; *Samuel Daunton*, assignee.

Saturday, Jan. 10.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

John Sanderson, Blackfriars-road, Surrey, umbrella manufacturer: in the Queen's Prison.—*Wm. Hea*, Northumberland-court, Northumberland-st., Strand, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Stephen William Burrige*, Stone's-end, Newington-causeway, Surrey, manager to a licensed victualler: in the Queen's Prison.—*Daniel Coulter*, Rochester, Kent, brewer: in the Debtors Prison for London and Middlesex.—*Charles Wm. Bevan*, New Bridge-st., Blackfriars, London, manager of an insurance company: in the Debtors Prison for London and Middlesex.—*Nathan C. Hammond*, Tennyson-st., York-road, Lambeth, Surrey, feather-bed and mattress manufacturer: in the Debtors Prison for London and Middlesex.—*Elizabeth Collett*, widow, King's-road-cottage, Asylum-terrace, Chelsea, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Edward Elstone*, Princess-st., Stamford-st., Blackfriars-road, Surrey, omnibus proprietor: in the Debtors Prison for London and Middlesex.—*Richard Scott*, Oxford-street, Stepney, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Thos. Smith*, Church-st., Chelsea, Middlesex, wine merchant: in the Debtors Prison for London and Middlesex.—*David H. Hammond*, Norwich-court, Fetter-lane, London, broker: in the Debtors Prison for London and Middlesex.—*William Ann Chenery*, widow, St. John's Wood-terrace, St. John's Wood, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*John Willsher*, Grove-place, Lisson-grove, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Brockbank*, Church-street, Lambeth, tobacco manufacturer.—*John Mair*, Vassall-terrace, Holland-road, Brixton, Surrey, traveller to a warehouseman: in the Debtors Prison for London and Middlesex.—*Samuel Eleworth*, Little Horton, near Bradford, Yorkshire, provision dealer: in the Gaol of York.—*Wm. Higginson*, Manchester, butcher: in the Gaol of Lancaster.—*Isaac Lintern*, Bitton, near Bristol, Gloucestershire, farmer: in the Gaol of Gloucester.—*Robert Courage*, New-

castle-upon-Tyne, tallow chandler: in the Gaol of Newcastle-upon-Tyne.—*William Ewen*, March, Isle of Ely, Cambridgeshire, grocer: in the Gaol of Cambridge.—*James Holroyd*, Southwram, Halifax, Yorkshire, woollen waste dealer: in the Gaol of York.—*Thomas Lester*, Carnarvon, grocer: in the Gaol of Carnarvon.—*George Smith*, Bristol, Somersetshire, assistant to a butcher: in the Gaol of Bristol.—*George Henry Wright*, Clarence-terrace, Haggerstone, Middlesex, maltster: in the Gaol of Hertford.—*Robert Inman*, Salford, Lancashire, dealer in paper hangings: in the Gaol of Lancaster.—*George Inman*, Salford, Lancashire, dealer in paper hangings: in the Gaol of Lancaster.—*Joseph Rutherford*, Newcastle-upon-Tyne, shoemaker: in the Gaol of Newcastle-upon-Tyne.—*R. Symonds*, Great Yarmouth, Norfolk, house agent: in the Gaol of Norwich.—*Nicholas Smirk*, Bishopwearmouth, Durham, sail maker: in the Gaol of Durham.—*Nicholas Smirk* the younger, Sunderland, Durham, sail maker: in the Gaol of Durham.—*T. W. Tipler*, Rugby, Warwickshire, newspaper reporter: in the Gaol of Coventry.—*John H. Harrison*, Bristol, Somersetshire, dealer in manures: in the Gaol of Bristol.—*Thomas Dixon*, Newcastle-upon-Tyne, innkeeper: in the Gaol of Newcastle-upon-Tyne.—*John Cheshire* the elder, Monks Ferry, near Birkenhead, Cheshire, salt proprietor: in the Gaol of Chester.—*John Cartwright*, Hulme, Manchester, boiler maker: in the Gaol of Lancaster.—*Edu. Tunstall*, Llangollen, Denbighshire, broker: in the Gaol of Ruthin.—*Wm. Hodgson*, Lancaster, butcher: in the Gaol of Lancaster.—*John Sadler*, Liverpool, letter-press printer: in the Gaol of Lancaster.—*John Lloyd*, Manchester, provision dealer: in the Gaol of Lancaster.—*Thos. Lucas*, Ashton-in-Mackerfield, Lancashire, farmer: in the Gaol of Lancaster.—*Robt. Wood*, Stubley, near Rochdale, Lancashire, bookkeeper: in the Gaol of Lancaster.—*James Rowbottom*, Manchester, ale dealer: in the Gaol of Lancaster.—*Geo. Callender*, Birkenhead, near Liverpool, woollendrapery: in the Gaol of Lancaster.—*Chas. Phillips*, Liverpool, tobacconist: in the Gaol of Lancaster.—*John Openshaw*, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—*Samuel Bradley*, Preston, Lancashire, confectioner: in the Gaol of Lancaster.—*G. Crofts*, Exmouth, Devonshire, shoemaker: in the Gaol of St. Thomas the Apostle.—*Thomas Parrott*, Plymouth, Devonshire, chemist: in the Gaol of St. Thomas the Apostle.—*H. Cartwright*, Manchester, boiler maker: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 27 at 11, before the CHIEF COMMISSIONER.

James M. Mallan, Gower-street, Bedford-square, Middlesex, dentist.

Jan. 28 at 10, before Mr. Commissioner LAW.

H. T. Gray, Stepney-green, Middlesex, ropemaker.

Jan. 29 at 11, before Mr. Commissioner PHILLIPS.

Joseph Sumner, New Quebec-street, Portman-square, Middlesex, out of business.—*Thomas Horefall*, Dyer's-buildings, Holborn, London, commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Jan. 29 at 10.

Joseph Rutherford, Newcastle-upon-Tyne, shoemaker.—*Wm. Inness*, Newcastle-upon-Tyne, out of business.—*Thos. Dixon*, Newcastle-upon-Tyne, innkeeper.—*Robert Courage*, Newcastle-upon-Tyne, tallow chandler.

MEETINGS.

John Dodsley, Nottingham, assistant at a brewery, Feb. 2 at 12, Lea's, Nottingham, sp. aff.—*Edwin Revell*, Lloyd's-row, St. John's-road, Clerkenwell, Middlesex, silversmith, Jan. 29 at 1, Spyer & Son's, 30, Broad-street-buildings, London, sp. aff.

FRIDAY, JANUARY 16.

BANKRUPTS.

FRANCIS FREDERICK WOODS, Pelham-terrace, Brompton, and Little Portland-street, Oxford-street, Middlesex, builder and contractor, Jan. 23 at half-past 12, and Feb. 24 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Lewis, 15, Wilmington-square.—Petition dated Dec. 12.

JOHN BRISTOW, Lewes, Sussex, tea dealer and tobacconist, dealer and chapman, Jan. 26 at 12, and Feb. 26 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Cotterill, 32, Throgmorton-street.—Petition filed Jan. 14.

WILLIAM HOUSTON, St. James's-terrace, Harrow-road, Paddington, Middlesex, builder, plasterer, dealer and chapman, Jan. 31 and Feb. 28 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lawrance & Co., Old Jewry-chambers, London.—Petition dated Jan. 14.

WILLIAM DALTON, Charlotte-street, Pimlico, Middlesex, grocer, dealer and chapman, Jan. 28 at half-past 1, and Feb. 27 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Hughes, 15, Bedford-street, Covent-garden.—Petition filed Jan. 8.

JAMES INGRAM, Southampton, seedsman, nurseryman, florist, dealer and chapman, Jan. 31 at half-past 12, and Feb. 28 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lawrance & Co., Old Jewry-chambers, London.—Petition dated Jan. 13.

THOMAS URQUHART ANDERSON, Wellington, Shropshire, mercer and draper, dealer and chapman, Jan. 28 and Feb. 18 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Knowles, Wellington; Slaney, Birmingham.—Petition dated Jan. 10.

JOHN VARLEY, Manchester, chemist and druggist, dealer and chapman, Jan. 28 and Feb. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Robinson, Huddersfield.—Petition filed Jan. 12.

MEETINGS.

John Richards, George-yard, Lombard-street, London, metal broker, Jan. 29 at 1, Court of Bankruptcy, London, pr. d.—*T. Dixon*, Bradford, Yorkshire, iron merchant, Feb. 6 at 11, District Court of Bankruptcy, Leeds, pr. d.; at 12, aud. ac.—*The Bromley Hill Iron and Coal Company*, Bream, Forest of Dean, Gloucestershire, manufacturers of iron, Feb. 3 at 11, District Court of Bankruptcy, Bristol, pr. d.—*Joseph Tratt*, Berners-street, Oxford-street, Middlesex, plumber, Jan. 29 at 11, Court of Bankruptcy, London, ch. ass.—*Edw. Jones*, Strand, Middlesex, woollen draper, Feb. 4 at 1, Court of Bankruptcy, London, aud. ac.—*Richard Seymour*, Downham, Cambridgeshire, grocer, Feb. 4 at 12, Court of Bankruptcy, London, aud. ac.—*John C. Sandford*, Paternoster-row, London, stationer and bookseller, Feb. 4 at 1, Court of Bankruptcy, London, aud. ac.—*Thomas Stephen Curties*, York-street, Westminster, Middlesex, cheesemonger, Feb. 3 at half-past 12, Court of Bankruptcy, London, aud. ac.—*William Simmonds*, Brighton, Sussex, grocer, Jan. 29 at 11, Court of Bankruptcy, London, aud. ac.—*William Holmes*, Crober's Cottages, Bedford-st., All Saints', Poplar, Middlesex, builder, Jan. 27 at 2, Court of Bankruptcy, London, aud. ac.—*Robert Miller Forbes*, Great St. Helen's, London, provision merchant, Jan. 29 at 11, Court of Bankruptcy, London, aud. ac.—*George Moredey Mowbray*, Hove, Sussex, builder, Jan. 29 at 11, Court of Bankruptcy, London, aud. ac.—*John Knight* the elder and *John Knight* the younger, Walham-green, Middlesex, butchers, Jan. 29 at 12, Court of Bankruptcy, London, aud. ac.—*Josiah Joseph Hatch*, Friday-st., London, wholesale furrier, Jan. 29 at 1, Court of Bankruptcy, London, aud. ac.—*Augustus Radcliffe* the younger, Chichester-place, Gray's-inn-road, Middlesex, window glass merchant, Jan. 29 at 11, Court of Bankruptcy, London, aud. ac.—*Michael M'Donnell*, Liverpool, shipowner, Jan. 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jacob Jenkins Nicholas*, Newport, Monmouthshire, timber merchant, Feb. 5 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Feb. 7 at 12, div.—*Thomas Bray*, Haseley, Warwickshire, miller, Feb. 4 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 11 at half-past 11, div.—*John Jowett* and *Thomas Jowett*, Cross Cheaping, Coventry, Warwickshire, grocers, Feb. 18 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 19 at half-past 11, div.—*Joseph Lichfield* the younger, Bir-

mingham, pork butcher, Jan. 29 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Smith*, Leeds, Yorkshire, ironfounder, Jan. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*R. Baxter*, Sheffield, Yorkshire, merchant, Feb. 7 at 11, District Court of Bankruptcy, Sheffield, aud. ac.; at 12, div.—*J. Beach*, Bradford, Yorkshire, apothecary, Jan. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Thompson*, Leeds, Yorkshire, china dealer, Jan. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Lodge*, Starbotton, Kettlewell, Yorkshire, miner, Feb. 9 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Feb. 10 at 11, fin. div.—*Joseph Watson*, Guisborough, Yorkshire, maltster, Feb. 2 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thos. Barrett*, Oxford, timber merchant, Feb. 10 at 11, Court of Bankruptcy, London, div.—*G. Mahon* and *Wm. Stephen Mummery*, Avery-row, Bond-st., Middlesex, paper stainers, Feb. 10 at 12, Court of Bankruptcy, London, div.—*Charles Lee*, Marlborough Cottages, Marlborough-road, St. John's-wood, Middlesex, jeweller, Feb. 10 at 11, Court of Bankruptcy, London, div.—*Nath. Bowdler*, Cotton-st., Poplar, Middlesex, licensed victualler, Feb. 10 at half-past 11, Court of Bankruptcy, London, div.—*George Garrahm*, Rougham, Suffolk, farmer, Feb. 6 at 11, Court of Bankruptcy, London, div.—*Edmund Sheffield*, Crisp-st., Poplar, Middlesex, builder, Feb. 7 at 1, Court of Bankruptcy, London, div.—*Nicholas D'Arcy*, Pall-mall East, Middlesex, hotelkeeper, Feb. 7 at 1, Court of Bankruptcy, London, div.—*Peter Van den Ende*, Strood, near Rochester, Kent, woolstapler, Feb. 7 at 1, Court of Bankruptcy, London, div.—*Wm. Pashley* and *Francis Pashley*, Sheffield, Yorkshire, table-knife manufacturers, Feb. 7 at 12, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Short, Weedon Beck, Northamptonshire, wine merchant, Feb. 6 at 11, Court of Bankruptcy, London.—*George Wakeling*, Chelmsford, Essex, auctioneer, Feb. 6 at 11, Court of Bankruptcy, London.—*Alfred Lyon*, Saffron Walden, Essex, draper, Feb. 6 at 12, Court of Bankruptcy, London.—*William Young*, Newport, Monmouthshire, victualler, Feb. 17 at 11, District Court of Bankruptcy, Bristol.—*Jacob Jenkins Nicholas*, Newport, Monmouthshire, timber merchant, Feb. 7 at 11, District Court of Bankruptcy, Bristol.—*Samuel Lichfield*, Birmingham, druggist, Feb. 10 at 1, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Marriotti, Gracechurch-street, London, oil and Italian warehouseman.—*Edwin Parke Quadling*, Ipswich, Suffolk, railway carriage builder.—*William Stephen Mummery*, Avery-row, Bond-street, Middlesex, paper stainers.—*Henry Canniford*, Ottery St. Mary, Devonshire, innkeeper.—*Edward William Cherrill*, Ramsgate, Kent, cabinet maker.—*Henry Ward*, Holbeach, Lincolnshire, draper.—*Jacob Dove*, Leeds, Yorkshire, currier.

SOOTER SEQUESTRATIONS.

William Geddes & Co., Glasgow, wholesale druggists.—*George Cooke*, Glasgow, drysalter.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Howells, Sedgley, Staffordshire, timber dealer, Jan. 30 at 12, County Court of Worcestershire, at Dudley.—*Francis Edward Walker*, Bilston, Staffordshire, saddler, Jan. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*William Henry Bill*, Tettenhall, Staffordshire, commission agent, Jan. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Fletcher*, Wolverhampton, Staffordshire, out of business, Jan. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*Richard Downs*, Wolverhampton, Staffordshire, labourer, Jan. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*John Crowder*, Stanstead, Kent, farmer, Feb. 3 at 12, County Court of Kent, at Maidstone.—*Wm. Budd*, Westbury, Wiltshire, farm bailiff, Feb. 3 at 12, County Court of Wiltshire, at Westbury.—*Eaton White*, Norton Bavant, Wiltshire, corn dealer, March 1 at 12, County Court of Wiltshire, at Warminster.—*George*

Hudson, Holme-upon-Spalding Moore, Yorkshire, innkeeper, Jan. 21 at 10, County Court of Yorkshire, at Howden.—*Joseph Ridgley*, Bourn, near Carlton, Cambridgeshire, butcher, Jan. 29 at 10, County Court of Cambridgeshire, at Cambridge.—*Ann Reynolds*, widow, Cambridge, confectioner, Jan. 29 at 10, County Court of Cambridgeshire, at Cambridge.—*John Bailey*, Long Stow, Cambridgeshire, grocer, Jan. 29 at 10, County Court of Cambridgeshire, at Cambridge.—*Williams Adeock*, Methwold, Norfolk, watchmaker, Jan. 29 at 11, County Court of Norfolk, at Thetford.—*Isaac James Place*, Lakenheath, Suffolk, farmer, Jan. 31 at 11, County Court of Suffolk, at Mildenhall.—*Ray Robinson*, Wortham, Suffolk, miller, Jan. 30 at 11, County Court of Suffolk, at Eye.—*Alfred Thorby Smith*, Woodbridge, Suffolk, baker, Jan. 24 at 10, County Court of Suffolk, at Woodbridge.—*George Henry Stote*, South Stoneham, Hampshire, baker, Jan. 27 at 10, County Court of Hampshire, at Southampton.—*Edward Francis May*, Southampton, engraver, Jan. 27 at 10, County Court of Hampshire, at Southampton.—*George Parsons*, Baddesley, Hampshire, farmer, Jan. 27 at 10, County Court of Hampshire, at Southampton.—*G. Gladwell*, Troston, Suffolk, shopkeeper, Jan. 26 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Samuel Lockwood*, Bury St. Edmund's, Suffolk, out of business, Jan. 26 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Hercules Angel*, Chippenham, Buckinghamshire, carpenter, Feb. 13 at 10, County Court of Berkshire, at Windsor.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 30 at 11, before the CHIEF COMMISSIONER.

Henry J. L. Augarde, Buckingham-road, West Hackney, Middlesex, out of business.—*Daniel Couller*, Rochester, Kent, in no employment.

Jan. 30 at 10, before Mr. Commissioner LAW.

George Puddy, Panton-street, Haymarket, Middlesex, boot maker.

Jan. 31 at 11, before Mr. Commissioner PHILLIPS.

Ann Green, spinster, Southampton-buildings, Holborn, Middlesex, carpenter.—*Richard Scott*, Oxford-street, Stepney, Middlesex, carpenter.

Feb. 2 at 10, before Mr. Commissioner LAW.

Moses Jacobs, Berwick-st., St. James's, Middlesex, glass chandelier maker.—*David Henry Hammond*, Norwich-court, Fetter-lane, London, licensed broker.—*Robert D. Sterry*, Queen's-road, Bermondsey, Surrey, out of employ.—*A. W. Snever*, Mark-lane, London, clerk to a wine merchant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Jan. 29 at 10.

Wm. Ewen, March, Isle of Ely, grocer.

At the County Court of Lancashire, at LANCASTER, Jan. 30 at 11.

William Higginson, Manchester, butcher.—*John Duncan*, Manchester, cabinet maker.—*John Cartwright*, Hulme, Manchester, boiler maker.—*Hen. Cartwright*, Hulme, Manchester, boiler maker.—*G. Callender*, Birkenhead, near Liverpool, out of business.—*John C. Taylor*, Castle Hill, Lancaster, out of business.—*Joseph T. Hobson*, Liverpool, commission agent.—*Joseph H. Goddard*, Lancaster, out of employment.—*George Inman*, Salford, Manchester, out of business.—*Robert Inman*, Salford, Manchester, out of business.—*John Pickles*, Hollins, near Oldham, provision-shop keeper.—*John Sadler*, Liverpool, letter-press printer.—*Charles Phillips*, Liverpool, tobacconist.—*Thomas Lucas*, Ashton-in-Mackerfield, near Warrington, farmer.—*Samuel Bradley*, Preston, out of business.—*Benj. Hall*, Staleybridge, out of business.—*John Lloyd*, Manchester, out of business.—*John Openshaw*, Hulme, Manchester, out of business.—*Robert Wood*, Stubley, near Rochdale, out of employment.—*James Rowbottom*, Manchester, out of business.—*Elizabeth Redfearn*, widow, Hollingworth, near Rochdale.—*Thomas Kay*, Heywood, near Bury, labourer.—*J. Lewis*, Hulme, Manchester, tailor.—*James Pimm*, Salford, landscape gardener.

At the County Court of Gloucestershire, at BRISTOL, Feb. 4 at 11.

George Smith, Bristol, assistant to a butcher.

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LONDON, JANUARY 24, 1852.

A QUESTION, not without practical importance in the present state of our judicature, has been suggested to us by a correspondent, viz. whether the Court of Chancery has power to restrain a husband from suing in a county court, to recover a legacy left to his wife. The arguments suggested in favour of the interference of equity are as follows:—

"Before the county courts came into operation, the ecclesiastical courts and the courts of equity had jurisdiction to decree and enforce the payment of a legacy, unless the executor had assented thereto; but it was, and still is, a rule of the latter courts, in the event of a legacy being left to a feme covert, and the husband suing for it in the ecclesiastical court, to restrain him from doing so, for the simple reason that that court—i. e. the ecclesiastical court—cannot compel him to make any settlement on his wife, in consideration of the legacy received by him.

"Thus far the jurisdiction is too well settled to admit of doubt—i. e. so far as extends to spiritual courts—but does it not also extend to the newly-created county courts? In order to answer this question, as well as to shew the reasons upon which that answer is founded, let us first look to the section of the act investing these courts with jurisdiction in legatory matters. By sect. 65 of the 9 & 10 Vict. c. 96, it is enacted, 'that the jurisdiction of the county courts under this act shall extend to the recovery of any demand not exceeding the sum of 20*l.*, [afterwards extended to 50*l.*], which is the whole or part of the unliquidated balance of a partnership account, or the amount or part of the amount of a distributive share under an intestacy, or of any legacy under a will.'

"The wording of the latter portion of this section is very general, and upon first examination would seem to include any pecuniary legacy not exceeding in amount the sum of 20*l.*, (now 50*l.*) But let us first inquire what was the state of the law when this statute came into operation. At that time no court of common law had jurisdiction in legatory matters, (unless, indeed, the executor had first assented to the bequest), and no such jurisdiction was vested in any court of legislative creation; the spiritual court had originally an exclusive jurisdiction; but subsequently, upon a ground that we shall hereafter see, the courts of equity gained a concurrent jurisdiction, and indeed something more, viz. to restrain the adjudication of the ecclesiastical judge. Such jurisdiction was originally gained on the ground that the relief afforded by the ecclesiastical court was defective—that complete justice could not be dealt out to the parties, or rather to a party who was only before the court by representation of her husband: not that the jurisdiction of the spiritual court was ill founded, or badly defined, but simply because the remedy there administered was inadequate to the due discharge of justice, or adverse to the interest of an innocent party not completely represented.

"Such was the foundation of the equitable jurisdiction, and such it still remains, unless the words of this statute control its efficacy, or alter or partially abrogate it. But there appears nothing which expressly, or perhaps impliedly, infringes upon the equitable jurisdiction: the statute does not say that the authority of those courts shall be taken away, altered, or limited; it simply gives a new remedy; it says, in so many express words, 'that a legacy to a certain amount shall be recoverable.' The question then arises, by whom, and under what (if any) restriction? There is nothing

that points to the proper parties to sue, or even refers to them, or abridges or extends the remedy for the recovery, or varies the vesting of the legacy when recovered. Equity attaches a certain restriction on the husband if he seeks to recover it: there is nothing in this statute limiting this restriction: the Court of Chancery consults the intention of the donor, and inquires who is, in fact, the object of his bounty; and when that is discovered, it will control the husband's legal remedy, or, in other words, ingraft upon it certain equitable rights, which will render the relief somewhat more conformable to the evident intention of the testator, and not allow his bounty to be diverted into a foreign channel.

"It will, no doubt, be contended on the other side, that to hold that the Court is invested with such an authority, would be, in effect, to consider the equity judge capable to alter, or partially repeal, the express provisions of the Legislature; or, at least, to ingraft upon it such provisions as to annul their beneficial effect, by materially curtailing the jurisdiction of the county court judge.

"But to this it may be answered, that such jurisdiction must be exercised according to the well-established rules of law and equity which are at present existing, and which must, consequently, be judicially noticed by inferior tribunals until they are abrogated. Moreover, the mere fact of conferring a degree of authority or jurisdiction on a newly-created tribunal does not, per se, displace the former jurisdiction. The new remedy is merely cumulative, and not destructive of the old.

"Take the case of interpleader, or the still more recently acquired right by the courts of common law to grant a discovery, in which formerly the courts of equity had almost exclusive jurisdiction; but the fact of courts of law subsequently gaining a concurrent jurisdiction was not sufficient to oust their *right* to decree the sought-for relief or discovery.

"So, in the case we are considering, is not the remedy subject to the former rules of law, by which it was qualified, and rendered more conformable to natural reason and justice?

"It is not contended that a legacy cannot be recovered in these courts—upon this the statute is express—but that, in the particular case of a legacy left to a *feme covert*, there is a certain well-defined *rule of property* of which the inferior judge is bound to take notice: that he has not sufficient machinery to carry that rule into effect: that a partial administration of justice (that is, so far only as the husband is concerned) would work a manifest hardship, as well as control a well-established rule: that it would, in effect, control the authority of courts of equity: that, had it been the intention of the Legislature to have controverted such rule or controlled such power, they would *expressly* have said so: that, in the absence of such express declaration, it cannot be assumed that it was the legislative will to revoke rights so long vested in the suitor, or authority so long exercised by the court.

"On the other hand, it may further be contended, that by the County Courts Extension Act, the power of the Court of Chancery to restrain proceedings in those courts is, if it ever existed, virtually taken away; but

that act (sect. 22) says, that 'the judges of the superior courts of common law' *shall have jurisdiction*, not that the judges in equity *shall not*. There is, in fact, nothing express upon this subject in either statute, and to subvert a rule of equity of such practical importance, implication alone cannot be resorted to."

The point discussed by our correspondent is, as we have observed, not unimportant. As the jurisdiction of the county courts extends now to 50*l.*, a sum of material amount to families in humble circumstances, it might be of great value to such persons to have it established, that a proceeding by a husband in the county court, to recover his wife's legacy, may be restrained, unless he consents to make out of it some provision for his wife.

We incline, however, rather to think that the County Courts Act did intend to prevent such equitable jurisdiction. In the first place, the statute in which the definition of the jurisdiction of the county courts is found, is the original statute, in which the amount recoverable is limited to 20*l.*; and it is scarcely possible to suppose, that even if equity would direct a settlement of the whole of the wife's property—which, except under special circumstances, it never does—the Legislature intended to subject to the machinery of a settlement, and investment in the names of trustees, a sum productive of so small an annual income as about 13*s.* per annum. But supposing that we are not to gather the intention from the original County Courts Act alone, but from both acts with reference to the larger sum of 50*l.*,—which unquestionably would, in many families in humble life, be worth securing, under some restrictions, for the advantage of the wife and children,—still, we apprehend, first, that the words of the statute are too strong to be construed as admitting any interference of equity; and, secondly, that if the words were less clear, the general intention of the statute does oust any equitable interference.

The words are, the recovery of "*any legacy*." Now, if the husband could be restrained from proceeding to recover his wife's legacy, it would not be true that the court had jurisdiction to give the recovery of any legacy, since the only person having any title to sue would be the husband; and if he could be stayed, the legacy would not be recoverable at all in the county court. But further, it must be gathered that the Legislature did intend that this particular kind of legacy should be included in the jurisdiction.

For whether the jurisdiction of equity would or would not extend to stay, in the superior courts, an action at law by a husband for recovery of his wife's legacy, it is not called in aid to prevent such proceeding. The rule of common law is, that a court of law will not itself entertain an action by a husband to recover his wife's legacy—not that such an action will lie, subject to the party to it being personally restrained from proceeding by equitable interference; (*Deeks v. Strutt*, 5 T. R. 690); in which case it was held that the courts of law have not such jurisdiction. (See also the cases referred to in 2 Wms. Exors. 1373).

Therefore, if in the superior courts an action at law does not lie, the Legislature, in the County Courts Act, saying that an action in the county court shall lie, plainly means to give a new common-law jurisdiction,

and to make a distinction between legacies not exceeding and those which do exceed 50*l*.

Further, and lastly, having regard to the expensive character of Chancery proceedings, it can scarcely be thought that the Legislature intended to make sums of so small an amount, as even the highest amount recoverable in a county court, the subject of a suit in equity, in which the costs, which would of course have to come out of the estate, could by no possibility be kept below one-half of its total amount.

COURT OF QUEEN'S BENCH.

HILARY TERM.—15 VICTORIA.—Jan. 21, 1852.

This Court will hold sittings on Monday the 2nd, Tuesday the 3rd, Monday the 9th, and Tuesday the 10th days of February next, and will on those days take, in the first instance, the cases of New Trials from the country remaining undisposed of in the New Trial Paper, and then cases in the Special Paper, and afterwards cases in the Crown Paper. And the Court will also hold a sitting at twelve o'clock at noon on Saturday the 21st day of February next, and give judgment in cases previously argued.

BY THE COURT.

COURT OF EXCHEQUER.

HILARY TERM.—15 VICTORIA.—Jan. 22, 1852.

This Court will hold sittings on Friday and Saturday the 6th and 7th days of February next, and also on Monday the 9th, Tuesday the 10th, Wednesday the 11th, and Thursday the 12th days of the same month, and will at such sittings proceed in disposing of the business then pending in the Paper of New Trials, and also in giving judgment in all matters then standing for judgment.

FREDERICK POLLOCK.
JAMES PARKE.
E. H. ALDERSON.
T. J. PLATT.

London Gazettes.

TUESDAY, JANUARY 20.

BANKRUPTS.

FRANCIS RUFFORD HEWLETT, Leyton, Essex, cow-keeper, dealer and chapman, Jan. 31 and March 11 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Butler, jun., 134, Tooley-street, Southwark.—Petition dated Jan. 17.

GEORGE COLLIER, Landport, near Portsea, Southampton, draper, dealer and chapman, Jan. 30 at half-past 1, and March 5 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Sole & Co., 68, Aldermanbury.—Petition dated Jan. 15.

JOHN GEORGE MARSH, Church-street, Minories, London, carpenter and builder, dealer and chapman, Feb. 4 at half-past 11, and March 2 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Marten & Co., 31, Commercial Sale-rooms, Mincing-lane.—Petition filed Jan. 16.

JOHN O'DONNELL, Sheffield, Yorkshire, grocer, dealer and chapman, Feb. 7 and March 6 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Fretson, Sheffield.—Petition dated Jan. 13; filed Jan. 14.

MARY ANN KEELL, Liverpool, coffee-house keeper, Feb. 2 and March 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. H. & J. Forshaw, Liverpool.—Petition filed Jan. 16.

ROBERT YOUNGMAN, Waterbeach, Cambridgeshire, miller, dealer and chapman, Jan. 31 at half-past 11, and Feb. 28 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. J. & C. Cole, 4, Adelphi-terrace, Strand; Pike, Old Burlington-street.—Petition dated Jan. 8.

JOHN AMERY, Chelmsford, Essex, hotel and livery-stable keeper, trader, dealer and chapman, Feb. 3 at 2, and March 2 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Jan. 6.

JAMES POTTER, Birmingham, mill manufacturer, Jan. 31 and Feb. 21 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Duignan & Hemmant, Walsall; Smith, Birmingham.—Petition dated Jan. 17.

WILLIAM HAYWOOD, Birmingham, grocer, dealer and chapman, Jan. 31 and Feb. 21 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Ryland & Martineau, Birmingham.—Petition dated Jan. 16.

JOSEPH KETTON, Middlesbrough, Yorkshire, grocer and provision dealer, Jan. 30 and March 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Tolson & Co., Bradford; Blackburn, Leeds.—Petition dated and filed Jan. 5.

RICHARD HANSELL BELL and **ERRINGTON BELL**, South Shields, Durham, paper manufacturers, dealers and chapmen, (trading under the style or firm of R. H. & E. Bell), Feb. 4 and March 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Lawrence & Co., 25, Old Fish-street, Doctors'-commons, London.—Petition filed Jan. 15.

MEETINGS.

Joseph Radford, Appleby, Westmoreland, draper, Feb. 2 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Edw. Martyn* and *Henry Martyn*, Aldgate High-street, London, woollendrapers, Jan. 31 at 1, Court of Bankruptcy, London, last ex.—*Wm. Powell*, Jeffery's-st., Camden-town, Middlesex, builder, Jan. 30 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Garraham*, Rougham, Suffolk, farmer, Jan. 30 at half-past 11, Court of Bankruptcy, London, aud. ac.—*W. Pashley* and *Francis Pashley*, Sheffield, Yorkshire, table-knife manufacturers, Jan. 31 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*James Tordoff*, Pudsey, Yorkshire, woollen cloth manufacturer, Feb. 9 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Feb. 10 at 12, div.—*Charles May*, Norwich, *Wm. Leopold Metcalfe*, Great Yarmouth, Norfolk, and *Charles James Metcalfe*, Roxton, Bedfordshire, soap manufacturers, Feb. 12 at 12, Court of Bankruptcy, London, div.—*George Laws*, Waltham Abbey, Essex, linen-draper, Feb. 3 at 1, Court of Bankruptcy, London, div.—*Richard Seymour*, Downham, Cambridgeshire, grocer, Feb. 10 at 12, Court of Bankruptcy, London, div.—*Philip Rufford*, *Charles Rufford*, and *Charles John Wragge*, Stourbridge, Worcestershire, bankers, Feb. 10 at half-past 10, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

R. W. Jearrad the younger, Oxford-street, Middlesex, carpenter, Feb. 10 at 2, Court of Bankruptcy, London.—*James Clark*, Upwell, Cambridgeshire, miller, Feb. 11 at 1, Court of Bankruptcy, London.—*Jabez Grimble*, Sydney-sq., White-chapel, Middlesex, builder, Feb. 12 at half-past 11, Court of Bankruptcy, London.—*Gabriel Cook*, Tottenham-court-road, Middlesex, furniture dealer and looking-glass manufacturer, Feb. 12 at half-past 1, Court of Bankruptcy, London.—*William Jones*, Castle-street, Finsbury, Middlesex, cabinet maker, Feb. 12 at 2, Court of Bankruptcy, London.—*Charles Ward*, Liverpool, miller, Feb. 12 at 11, District Court of Bankruptcy, Liverpool.—*John Horrocks*, Liverpool, stone merchant, Feb. 13 at 11, District Court of Bankruptcy, Liverpool.—*John Young Smith*, Newcastle-upon-Tyne, insurance broker, Feb. 10 (and not Feb. 5, as before advertised) at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be granted, unless an Appeal be duly entered.

Charles Isaacs, Bristol, furrier.—*Pearce Manasseh Hadley*

Cardiff, Glamorganshire, corn merchant.—*John Harrison*, Great St. Helen's, London, drysalter.—*James Wylde*, Wood-street, London, and Lock's-fields, Walworth, Surrey, stock manufacturer.—*Thomas Edward Slate*, King's Head-court, London, and Hatton-garden, Middlesex, bookbinder.—*Alexander Gibson*, Lower Mitcham, Surrey, calico printer.—*Thomas Buckland*, Queenshithe, London, wine merchant.—*Thomas Barber*, Cambridge, schoolmaster.—*Charles John Hubbard*, Crutched-friars, London, and Safron Walden, Essex, hop merchant.—*John Lane*, High-street, Marylebone, Middlesex, tailor.—*James Taylor*, Rochdale, Lancashire, cotton spinner.—*Daniel Henus Waldron*, Birmingham, grocer.—*John Fletcher*, Netherton, Dudley, Worcestershire, publican.—*James Whitaker* and *Joseph Crowther*, Buslingthorpe, near Leeds, Yorkshire, stuff dyers.

SCOTCH SEQUESTRATIONS.

Alexander Anderson, Macduff, Gomerie, Banffshire, shoemaker.—*William Murchie*, Glasgow, haircloth manufacturer.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Jos. Pullin, Newark-upon-Trent, Nottinghamshire, grocer, Feb. 7 at 11, County Court of Nottinghamshire, at the County Sessions Rooms.—*Joseph Freeman*, Morcott, Rutlandshire, farmer, Feb. 7 at 10, County Court of Rutlandshire, at Uppingham.—*George Liddall*, Corner-hall, Boxmoor, Hemel Hempstead, Hertfordshire, baker, Jan. 23 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*William Garrett*, East Retford, Nottinghamshire, hatter, Feb. 6 at 11, County Court of Nottinghamshire, at East Retford.—*John Walker*, Sheffield, Yorkshire, slater, Feb. 4 at 12, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 30 at 11, before the CHIEF COMMISSIONER.

William Knight, Lodge-lane, Finchley-common, Finchley, Middlesex, baker.—*John William Feger*, Church-row, Aldgate, London, engraver.

Jan. 30 at 10, before Mr. Commissioner LAW.

Gerard Barry, Carlisle-street, Soho-square, Middlesex, doctor of medicine.—*Ernest Charles Jones*, Hardwick-lodge, Petersburgh-terrace, Bayswater, Middlesex, barrister at law.—*Mary Ann Browne*, widow, East Surrey-place, Commercial-road, New Peckham, Surrey, out of business.

Jan. 31 at 11, before Mr. Commissioner PHILLIPS.

John Luff, Chapel-street, Stockwell, Surrey, bricklayer.—*William Balkin*, Bryan-place, Caledonian-road, Islington, Middlesex, pianoforte key maker.—*Henry Duncon Bird*, Pomona-place, King's-road, Fulham, Middlesex, painter.—*Robert Snell*, Rhodeswell-road, Salmon's-lane, Limehouse, Middlesex, out of business.

Feb. 2 at 10, before Mr. Commissioner LAW.

Gerard Debney, Thomas-street, Back Church-street, St. George's-in-the-East, Middlesex, out of business.

Feb. 4 at 11, before the CHIEF COMMISSIONER.

Charles Aspinlow, King-street, Long-acre, Middlesex, assistant to a licensed victualler.—*Thomas George Sardi*, Upper George-street, Bryanston-square, Middlesex, gentleman.—*John Hourigan*, Old Norfolk-street, New-road, White-chapel, Middlesex, selling yeast on commission.

Feb. 4 at 10, before Mr. Commissioner LAW.

William Ward, Great Chart-street, Hoxton New-town, Middlesex, chandler's-shop keeper.

Saturday, Jan. 17.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Rhodes, Horleydown, Surrey, shipbroker, No. 62,565 T.; *John Pearson*, assignee.—*Charles Gibbons Mat-*

thews, Littledean-hill, Gloucestershire, collier, No. 74,475 C.; *Nehemiah Marfell*, assignee.—*Thos. Windlow*, South Shields, Durham, cabinet maker, No. 74,005 C.; *Thomas William Wawn*, assignee.—*Francis Perry*, Kingsbridge, Devonshire, captain in the army, No. 40,909 C.; *Samuel Sturgis*, new assignee, *Richard Lovell Brown*, removed.

Saturday, Jan. 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Bycroft, Hamilton-st., Camden-town, Middlesex, organ builder: in the Queen's Prison.—*Ebenezer Hartnall*, Wormwood-st., Broad-st., London, out of business: in the Debtors Prison for London and Middlesex.—*George H. Hall*, Poland-st., Oxford-st., Middlesex, clerk to the Great Western Railway Company: in the Debtors Prison for London and Middlesex.—*Richard Knight*, Plaistow, Essex, mercantile clerk: in the Debtors Prison for London and Middlesex.—*Wm. Coleman*, Hemming's-row, St. Martin's-lane, Middlesex, shirt maker: in the Debtors Prison for London and Middlesex.—*Joseph Smith*, Bayham-terrace, Camden-town, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Lamen Zox*, Great Queen-street, Lincoln's-inn-fields, Middlesex, selling goods on commission: in the Debtors Prison for London and Middlesex.—*John S. Williams*, Waterloo-place, Pall-mall, Middlesex, civil engineer: in the Debtors Prison for London and Middlesex.—*Charles Gildersleeves*, Minories, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*W. Porter*, Capland-street, Lisson-grove, Middlesex, plasterer: in the Debtors Prison for London and Middlesex.—*Francis Groves*, Tower-st., Waterloo-road, Surrey, carman: in the Gaol of Horsemonger-lane.—*Henry A. P. Barlow*, Sion-cottage, London-wall, London, wine merchant: in the Debtors Prison for London and Middlesex.—*George Woods*, Dalston, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Nicolo M. Pignatorre*, Grove-terrace, Kentish-town, Middlesex, gentleman: in the Queen's Prison.—*Edward Jones*, Grove, Highgate, Middlesex, wine merchant: in the Gaol of Surrey.—*Laurence Fish*, Blackburn, Lancashire, chemist: in the Gaol of Lancaster.—*Joseph H. Goddard*, Lancaster, commission agent: in the Gaol of Lancaster.—*Joseph T. Hobson*, Liverpool, commission agent: in the Gaol of Lancaster.—*Wm. Harriman*, Park-row, Greenwich, Kent, chemist: in the Gaol of Maidstone.—*Benjamin Hall*, Staleybridge, Lancashire, licensed victualler: in the Gaol of Lancaster.—*W. Lymer*, Liverpool, shoemaker: in the Gaol of Lancaster.—*Thomas Kay*, Bury, Lancashire, labourer: in the Gaol of Lancaster.—*Joseph Moffatt*, Manchester, clog maker: in the Gaol of Lancaster.—*James Pimm*, Salford, Lancashire, landscape gardener: in the Gaol of Lancaster.—*Eliz. Redfeare*, widow, Hollingworth, near Rochdale, Lancashire: in the Gaol of Lancaster.—*John C. Taylor*, Lancaster, merchant: in the Gaol of Lancaster.—*John Thomas*, Llanguennech, Carmarthen-shire, mariner: in the Gaol of Carmarthen.—*G. Walsley*, Blackburn, Lancashire, stonemason: in the Gaol of Lancaster.—*George W. Taylor*, Aston, Warwickshire, architect: in the Gaol of Coventry.—*Joseph J. Keyte*, Birmingham, builder: in the Gaol of Coventry.—*John Kershaw*, Leeds, Yorkshire, retailer of beer: in the Gaol of York.—*Matthew Booth*, Kirkburton, near Huddersfield, Yorkshire, fancy waistcoat-piece manufacturer: in the Gaol of York.—*William Stowton*, East Greenwich, Kent, retailer of beer: in the Gaol of Maidstone.—*Richard Cottam*, Blackburn, Lancashire, moulder: in the Gaol of Lancaster.—*Wm. Brown*, Mapperley, Kirk Hallam, Derbyshire, labourer: in the Gaol of Derby.—*Charles Jackson*, Dudley, Warwickshire, draper: in the Gaol of Coventry.—*Thomas Little*, Durham, joiner: in the Gaol of Durham.—*J. M. Sheraton*, Sunderland, Durham, grocer: in the Gaol of Durham.—*James Wrapp*, Aston Manor, Warwickshire, salesman of cattle: in the Gaol of Coventry.—*Elizabeth Scholes*, Longsight, near Manchester, beer-house keeper: in the Gaol of Lancaster.—*David James D. Bennet*, Sunderland, Durham, hat manufacturer: in the Gaol of Durham.—*George Bailey*, Bristol, mason: in the Gaol of Bristol.—*Wm. Liddle*, Hartlepool, Durham, joiner: in the Gaol of Durham.—*Nicholas G. Johnstone*, Warwick, out of business: in the Gaol of Warwick.—*Peter Frith*, Staveley, Derbyshire, shoemaker: in the Gaol of Derby.—*Joseph Wharton*, Hud-

dernfeld, Yorkshire, steam-engine maker: in the Gaol of York.

(On Creditor's Petition.)

John Thompson, Birthwaite, Windermers, Westmoreland, coal agent: in the Gaol of Appleby.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 3 at 11, before the CHIEF COMMISSIONER.

Henry Bird, Arundel House, Fulham, Middlesex, surgeon.—*Richard Rycroft*, Hamilton-street, Camden-town, Middlesex, organ builder.

Feb. 5 at 11, before Mr. Commissioner PHILLIPS.

John Grant, King's Sutton, Northamptonshire, grazier.—*John Mair*, Vassal-terrace, Holland-road, Brixton, Surrey, traveller to a warehouseman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, Feb. 3.
Charles W. Morton, Louth, grocer.

At the County Court of Kent, at MAIDSTONE, Feb. 3 at 12.

Henry Banes, Brompton, shoemaker.—*Jas. Charlesworth* the younger, Great Tower-street, London, and Sheerness, general dealer.—*Eliz. Coody*, Sheerness, out of business.—*B. Field* the younger, Tonbridge Wells, watchmaker.—*William Harriman*, Greenwich, chemist.—*Wm. Stowton*, East Greenwich, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, Feb. 9 at 9.

William Reeves, Mansfield, lime burner.—*James Bywater*, Blooms-grove, Radford, near Nottingham, out of business.—*J. Aram*, Chilwell, dealer in bread.

INSOLVENT DEBTORS' DIVIDENDS.

J. Buckhurst, Alfred-street, Stroud's-vale, Battle-bridge, Middlesex, carpenter: 2s. 8½d. in the pound.—*S. Fogden*, Old Ford-lane, Old Ford, Bow, Middlesex, tidewater in the Customs: 8s. 6d. (making 20s.) in the pound.—*Leighton P. Saberry*, deceased, Raven-street, Whitechapel-road, Middlesex, clerk in the Customs: 1s. 1¼d. in the pound.—*Joseph Griffin*, Weston, near Bath, Somersetshire, farmer: 4s. 8½d. in the pound.—*Richard Dean Reed*, Broughton, Glamorganshire, gentleman: 1s. 0½d. in the pound.—*George Beenham*, Datchett, Buckingham-hire, plumber: 20s. in the pound.—*Wm. Dredge*, Mount P'asant, East-road, City-road, Middlesex, carpenter: 1s. 6d. in the pound.—*Phillip Ales. Harris*, Great Bell-alley, Moorgate-street, London, linendraper: 1s. in the pound.—*Alexander Henry Ring*, Frederick-street, Gray's-inn-road, Middlesex, boat builder: 1s. 7½d. in the pound.—*James Thomas*, Mountfield, near Hurst Green, Sussex, publican: 1s. 4d. in the pound.—*James Shearman*, St. George-street, St. George's-in-the-East, Middlesex, shoemaker: 2s. 5½d. in the pound.—*George Eccles*, Little Newport-street, Leicester-square, Middlesex, grocer: 2s. 11½d. in the pound.—*John Scott*, Grosvenor-street, Millbank, Middlesex, wheelwright: 2s. 7½d. in the pound.—*John Watson*, Dover-place, New Kent-road, Southwark, Surrey, pianoforte maker: 3s. 2d. in the pound.—*George Cordall*, Paul-street, Luke-street, Finsbury, Middlesex, cheesemonger: 9½d. in the pound.—*Chas. Fred. Nicholls*, Pall-mall, Middlesex, tailor: 8d. in the pound.—*W. H. M. Nicholls*, Pall-mall, Middlesex, tailor: 1s. 2½d. in the pound.—*F. A. Forster*, Cobourg-place, Queen street, Hammersmith, Middlesex, schoolmaster: 2s. 3½d. in the pound.—*Wm. Dickson*, Tillotson-place, Waterloo-bridge-road, Surrey, clerk in Somerset House: 1s. 9½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

F. T. Gell, Devonshire-street, Portland-place, Middlesex, attorney-at-law, Feb. 4 at 11, Walker & Harrison's, Southampton-street, Bloomsbury, Middlesex, sp. aff.

FRIDAY, JANUARY 23.

BANKRUPTS.

WILLIAM DAVIS PRITCHARD and **DANIEL PRITCHARD**, High-street, St. Marylebone, Middlesex, coach-smiths and ironmongers, dealers and chapmen, Feb. 2 at half-past 1, and March 5 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. George & Compton Smith, 5, Southampton-buildings, Holborn.—Petition filed Jan. 20.

THOMAS HARRIS and **JOHN BURLS**, Eagle Brewery, Hampstead-road, Middlesex, brewers, dealers and chapmen, (trading in partnership under the style or firm of Harris, Burls, & Co.), Jan. 31 at 1, and March 6 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside, London.—Petition dated Jan. 21.

GEORGE POTTER, Grosvenor-basin, Picnic, Middlesex, and Wouldham and Burham, Kent, lime burner, dealer and chapman, Feb. 6 at 2, and March 20 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Matthews, 2, Arthur-street West, London-bridge.—Petition dated Jan. 21.

GEORGE FLINT, Lombard-street, London, hosier and outfitter, dealer and chapman, Feb. 5 at 1, and March 4 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Goddard & Eyre, Wood-street, Cheapside.—Petition filed Jan. 20.

FREDERICK LONG, Vere-street, Oxford-street, Middlesex, importer of foreign lace, dealer and chapman, Feb. 5 at 2, and March 2 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition filed Jan. 19.

THOMAS FOOTMAN, Wolverhampton, Staffordshire, buckster, dealer and chapman, Feb. 9 and March 3 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Smith, Walsall; James, Birmingham.—Petition dated Jan. 21.

JOHN HURLEY, Birmingham, linendraper, dealer and chapman, Feb. 10 and March 1 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Mottram & Co., Birmingham; Depree, Lawrence-lane, Cheapside, London.—Petition dated Jan. 16.

ROBERT SQUIRE JAMES, Leeds, Yorkshire, wholesale ironmonger, dealer and chapman, Feb. 5 and March 4 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Benson, Birmingham; Courtenay & Compton, Leeds.—Petition dated Jan. 7; filed Jan. 5.

WILLIAM BELSHAW, Ancoats, Manchester, joiner and builder, Feb. 9 and March 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Rowley, Manchester.—Petition filed Jan. 20.

JAMES HENRY GILLAN, Liverpool, commission merchant and general agent, (heretofore carrying on business with William Thomas Moule, Liverpool, as commission merchants and general agents), Feb. 5 and March 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Greatley, Liverpool.—Petition filed Jan. 21.

MEETINGS.

George Cooper, Northampton, linendraper, Feb. 5 at 1, Court of Bankruptcy, London, ch. ass.—*Sarah Clabbon*, Stapleford, Cambridgeshire, newspaper proprietor, Feb. 13 at 12, Court of Bankruptcy, London, last ex.—*Francis Dawson*, Great Yarmouth, Norfolk, draper, Feb. 13 at 11, Court of Bankruptcy, London, last ex.—*Henry Woolf* and *Isaac Lyons*, Cripplegate-buildings, London, umbrella manufacturers, Feb. 2 at 11, Court of Bankruptcy, London, last ex.—*Elijah Solomon*, Haydon-square, Minorics, Middlesex, jeweller, Feb. 6 at 11, Court of Bankruptcy, London, aud. ac.—*Charles Stuart Vowles*, New Windsor, Berkshire, scrivener, Feb. 12 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Alfred Young*, Woolwich, Kent, wine merchant, Feb. 10 at 1, Court of Bankruptcy, London, aud. ac.—*Williams Robinson*, West Lynn, Norfolk, grocer, Feb. 5 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Howard* and *James Gibbs*, Cork-street, Burlington-gardens, St. James's, Westminster, Middlesex, money scriveners, Feb. 5 at 11, Court of Bankruptcy, London, aud. ac.—*William Wilson*, Bristol, linendraper, Feb. 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Scale*, Briton Ferry Ironworks, near Neath, Glamorganshire, iron manufacturer, Feb. 20 at 11, Dis-

trict Court of Bankruptcy, Bristol, aud. ac.—*John Scott* and *John Scott* the younger, North Shields, Northumberland, shipowners, Feb. 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *John Scott*; Feb. 19 at 12, div.—*William Davison*, Newcastle-upon-Tyne, spirit merchant, Feb. 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Hugh M'Coll*, South Shields, Durham, bookseller, Feb. 26 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*M. Archer* and *Thomas Halsall*, Liverpool, timber merchants, Feb. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Alex. Canah*, Liverpool, provision dealer, Feb. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Edwards*, Liverpool, basket manufacturer, Feb. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Richardson*, Liverpool, cutter, Feb. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Avant*, Bridport, Dorsetshire, music-seller, Feb. 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 17 at 11, div.—*Francis Blamey*, Croft-handy, Gwennap, Cornwall, grocer, Feb. 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 17 at 11, div.—*John M. Banfield*, Devonport, Devonshire, and *John Lewis*, Bristol, wine merchants, Feb. 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 17 at 11, div.—*Jacob Dove*, Leeds, Yorkshire, currier, Feb. 16 at 11, District Court of Bankruptcy, Leeds, aud. ac. and first and fin. div.—*Ebenezer Thornton*, Huddersfield, Yorkshire, ironmonger, Feb. 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Feb. 13 at 11, div.—*James Sykes* and *Thos. Sykes*, Severhill Mill, Soyland, Halifax, Yorkshire, woollen manufacturers, Feb. 19 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Feb. 20 at 11, div.—*John Hine May*, Brecknock-terrace, Camden-town, Middlesex, draper, Feb. 13 at half-past 1, Court of Bankruptcy, London, div.—*Joseph S. Hodge* and *James Culpin*, New Oxford-st., Middlesex, tailors, Feb. 13 at 12, Court of Bankruptcy, London, div. sep. est. of *Joseph S. Hodge*.—*John Franckeiss*, Portsea and Landport, Southampton, woollendrapers, Feb. 13 at 1, Court of Bankruptcy, London, div.—*Francois F. Vouillon*, Princes-street, Hanover-sq., Middlesex, court milliner, Feb. 13 at 1, Court of Bankruptcy, London, div.—*Robert Turner*, Worthing, Sussex, draper, Feb. 13 at half-past 11, Court of Bankruptcy, London, div.—*John Reay* the younger, and *Henry Reay*, Mark-lane, London, wine merchants, Feb. 16 at 12, Court of Bankruptcy, London, div.—*John Chatterton* the younger, Derby, lead merchant, Feb. 6 at 12, District Court of Bankruptcy, Nottingham, aud. ac.; Feb. 20 at 12, div.—*Charles Crudgington* and *Thomas Southall*, Seabrook Ironworks, Tipton, Staffordshire, ironmasters, Feb. 14 at half-past 10, District Court of Bankruptcy, Birmingham, div. sep. est. of *C. Crudgington*.—*Wm. Wilson*, Bristol, linendrapers, Feb. 16 at 11, District Court of Bankruptcy, Bristol, div.—*Thos. Dixon*, Bradford, Yorkshire, iron merchant, Feb. 13 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Fenton, Avery-row, Bond-st., Middlesex, baker, Feb. 14 at 2, Court of Bankruptcy, London.—*Thomas Harrison*, Adde-street, London, trimming manufacturer, Feb. 13 at 11, Court of Bankruptcy, London.—*Robert Dodd*, Sheerness, Kent, builder, Feb. 17 at 11, Court of Bankruptcy, London.—*Benjamin Wyon*, Regent-st., Middlesex, engraver, Feb. 16 at 11, Court of Bankruptcy, London.—*Hugh M'Coll*, South Shields, Durham, bookseller, Feb. 26 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*William Davison*, Newcastle-upon-Tyne, spirit merchant, Feb. 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas P. Dixon*, Falmouth, Cornwall, printer, Feb. 19 at 1, District Court of Bankruptcy, Exeter.—*Joseph P. Godfrey*, Cullompton, Devonshire, paper maker, March 3 at 11, District Court of Bankruptcy, Exeter.—*James Richardson* the younger, Glasgow, Scotland, commission merchant, Feb. 16 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Neil Monies*, Liverpool, spirit merchant, Feb. 5 at 11, District Court of Bankruptcy, Liverpool.—*Charles Pigot*, Wigan, Lancashire, scrivener, Feb. 16 at 12, District Court of Bankruptcy, Manchester.—*John Phillips*, Birmingham, druggist, Feb. 17 at half-past 10, District Court of Bankruptcy, Birmingham.—*Richard Fowke*, Wolverhampton, Staffordshire, chemist, Feb. 16 at half-past 11, District Court of Bankruptcy, Birmingham.

—*Thos. Dixon*, Bradford, Yorkshire, iron merchant, March 5 at 11, District Court of Bankruptcy, Leeds.—*James Sykes* and *Thomas Sykes*, Severhill Mill, Soyland, Halifax, Yorkshire, woollen manufacturers, Feb. 20 at 11, District Court of Bankruptcy, Leeds.—*Thomas Dorrington*, Leeds, Yorkshire, cloth merchant, Feb. 13 at 11, District Court of Bankruptcy, Leeds.—*Thos. Carr*, Doncaster, Yorkshire, innkeeper, Feb. 14 at 12, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

John R. Taylor, Chancery-lane, and Red Lion-sq., Middlesex, stationer.—*Isaac Rowles*, Abingdon, Berkshire, innkeeper.—*Wm. Plaister* and *Mary Plaister*, Wickwar, Gloucestershire, and Bristol, cheese factors.—*Edw. T. Leeming*, Manchester, hosier.—*Edward Lacey*, Birmingham, looking-glass manufacturer.—*Thomas Bray*, Hasleley, Warwickshire, miller.—*John Tby*, Wolverhampton, Staffordshire, innkeeper.—*Thomas B. Brown*, Handsworth, Staffordshire, blister manufacturer.—*Thomas Wilson*, Lancliffe, Yorkshire, draper.—*J. H. O. Wilson*, Burton in Lonsdale, Yorkshire, draper.

SCOTCH SEQUESTRATIONS.

Andrew Briton, Cumnock, Ayrshire, auctioneer.—*Robert Cuthbert*, jun., Greenock, merchant.—*Robert Harper*, Glasgow, victualler.—*Wm. Cook*, Glasgow, tavern keeper.—*Colin Elder*, deceased, Knock, Island of Skye, Inverness-shire, tackman.—*John Ross*, Bonar-bridge, Sutherlandshire, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. S. Stubbs, Birmingham, tailor, Jan. 31 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Cudd*, Birmingham, thimble manufacturer, Jan. 31 at 10, County Court of Warwickshire, at Birmingham.—*Jas. Chamberlain*, Birmingham, butcher, Jan. 31 at 10, County Court of Warwickshire, at Birmingham.—*Sibiri Abbott*, Horncastle, Lincolnshire, blacksmith, Feb. 6 at 11, County Court of Lincolnshire, at Horncastle.—*Thos. Hopkins*, Finedon, near Higham Ferrers, Northamptonshire, painter, Feb. 12 at half-past 1, County Court of Northamptonshire, at Wellingborough.—*G. Moate*, Misterton, Nottinghamshire, farmer, Feb. 9 at 10, County Court of Lincolnshire, at Gainsborough.—*T. Baylis*, Worcester, baker, Feb. 4 at 10, County Court of Worcestershire, at Worcester.—*Wm. Parker*, Collyweston, Northamptonshire, Slater, Feb. 9 at 11, County Court of Lincolnshire, at Stamford.—*Richard Chippendale*, Old Accrington, Lancashire, tailor, Feb. 10 at 12, County Court of Lancashire, at Haslingden.—*S. Smith*, Grasby, near Birkenhead, Cheshire, tailor, Feb. 3 at 10, County Court of Cheshire, at Birkenhead.—*William C. Parkinson*, Nottingham, grocer, Feb. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*Christopher Edw. Buston*, Carlton, near Nottingham, railway labourer, Feb. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*M. Morley*, Ratcliffe-upon-Trent, Nottinghamshire, baker, Feb. 10 at 10, County Court of Nottinghamshire, at Bingham.—*Benj. Pitt*, Radford, Nottinghamshire, framework knitter, Feb. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*R. G. Bloxidge*, Whiston, Worcestershire, out of business, Feb. 4 at 10, County Court of Worcestershire, at Worcester.—*Chas. Hickin*, Wolverhampton, Staffordshire, lath manufacturer, Jan. 31 at 12, County Court of Staffordshire, at Wolverhampton.—*John Shorthose*, Duffield, Derbyshire, licensed victualler, Feb. 11 at 11, County Court of Derbyshire, at Wirksworth.—*T. A. Jackson*, Ravensworth, Yorkshire, grocer, Feb. 12 at 10, County Court of Durham, at Barnard Castle.—*Thos. Coster*, Chatham, Kent, bricklayer, Feb. 5 at 10, County Court of Kent, at Rochester.—*Wm. Southcott*, Exeter, innkeeper, Feb. 7 at 10, County Court of Devonshire, at the Castle of Exeter.—*W. T. Grigg*, Chatham, Kent, out of business, Feb. 5 at 10, County Court of Kent, at Rochester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 6 at 11, before the CHIEF COMMISSIONER.

Henry Roome, Brownlow-street, Queen's-road, Dalston, Middlesex, carpenter.

Feb. 6 at 10, before Mr. Commissioner LAW.

Thomas Michael, Castle-street, Holborn, Middlesex, compositor.—Geo. H. Kittos, Beaumont-street, Portland-place, Middlesex, clerk to the Peninsular and Oriental Steam Navigation Company.

Feb. 7 at 11, before Mr. Commissioner PHILLIPS.

Matthew Hawkbee, Cross-street, Middlesex, buttermaker.—John Ecclestone, Cambridge-road, Bethnal-green, Middlesex, retail dealer in beer.—Samuel F. Braines, Albemarle-street, St. John's-street, Clerkenwell, Middlesex, dealer in fish.—T. Jones the elder, London-road, Southwark, Surrey, cabinet-maker.—Thomas Jones the younger, London-road, Southwark, Surrey, bedstead maker.

Feb. 9 at 10, before Mr. Commissioner LAW.

Wm. Nunn the elder, London-street, Borough-road, Southwark, Surrey, farrier.

Feb. 9 at 11, before Mr. Commissioner PHILLIPS.

Joseph Ashcroft, Belmont-terrace, Clifton-street, Wandsworth-road, Surrey, plumber.—Joseph Reed Withers, Clipson-st., Fitzroy-square, Marylebone, Middlesex, clerk to a chinaman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 6 at 11, before the CHIEF COMMISSIONERS.

Thomas King, Gravesend, Kent, accountant.—J. Willeher, Grove-place, corner of Earl-st., Lisson-grove, Middlesex, fancy bread baker.—Richard Knight, Tower-street, London-fields, Hackney, Middlesex, stationer.—Lemen Zor, Great Queen-st., Lincoln's-inn-fields, Middlesex, selling goods on commission.

Feb. 6 at 10, before Mr. Commissioner LAW.

Alfred Thomas Baicheler, Dean-street, East-road, New North-road, Middlesex, out of business.

Feb. 7 at 11, before Mr. Commissioner PHILLIPS.

Wm. Ann Chenery, St. John's Wood-terrace, St. John's Wood, Middlesex, out of business.—Stephen Wm. Burridge, Bath-street, Clerkenwell, Middlesex, licensed victualler.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Feb. 7 at 10.

Thomas Parrott, Plymouth, chemist.—George Crofts, Exmouth, Littleham, boot maker.

At the County Court of Nottinghamshire, at NOTTINGHAM, Feb. 9 at 9.

George Hallam, Nottingham, coal higgler.—Wm. Hallam, Nottingham, horse dealer.

At the County Court of Cheshire, at CHESTER, Feb. 9.

John Cheshire the elder, Monk's Ferry, near Birkenhead, rock salt proprietor.—Charles Hall, Northwich, bookbinder.

At the County Court of Denbighshire, at RUTHIN, Feb. 12 at 11.

Edward Tunstall, Llangollen, broker.

At the County Court of Gloucestershire, at GLOUCESTER, Feb. 26.

Isaac Listern, Upton, Bitton, near Bristol, small farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Theo. Wilding, Liverpool, ship chandler, Jan. 26, between 10 and 2, Godfrey's, Liverpool: 2½d. in the pound.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Edward Sargent, of Birmingham; Charles Edward Rowcliffe, of Stogumber, Somersetshire; Thomas Robinson, of Huddersfield, Yorkshire.

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The Jurist

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LONDON, JANUARY 31, 1852.

THE numerous guaranties which formerly existed against the admission of biased and tainted testimony have been gradually removed; neither the strongest interest nor the foulest crime now stands in the way of a witness being heard; the contest turns mainly upon the credibility, and not the admissibility, of evidence; examinations upon the voir dire are almost obsolete; and the proposition of Jeremy Bentham, that no objection should be allowed to the competency of witnesses, (1 Rat. of Jud. Ev. 3), may be said to be established. This relaxation of long prevailing rules of evidence affords reasons for increasing, rather than diminishing, tests for trying the credit and the memory of witnesses; and the privileges of counsel in this respect should be enlarged rather than contracted, inasmuch as they are more valuable than ever for the exposure of defects in the honesty or memory of a witness. The case of *M^r Donnell v. Evans*, (not yet reported), which came before the Court of Common Pleas a week ago, has a direct bearing upon this subject; and we call the attention of our readers to the decision in that case, because we think that it has a tendency to impede the due administration of justice, and to interfere with the rights of cross-examining counsel. The facts were simply these:—At the trial of an action upon a bill of exchange, which the defendant asserted to be a forgery, the person whom he charged with having forged it was called by the plaintiff's counsel as a witness to prove that he saw the defendant accept the bill. The defendant's counsel, on cross-examination, put a letter into his hand, and asked him this question—"Did you not write this letter in answer to a letter charging you with forgery?" The question was rejected, upon the ground that the letter, said to contain a charge of forgery,

should be produced, or its non-production accounted for, before the witness could be asked a question involving a statement of its contents. The Court afterwards granted a rule nisi for a new trial, but ultimately discharged the rule, holding that the question was rightly rejected.

The following were the grounds of the judgment:—The rule laid down in *The Queen's case* (2 Br. & B. 284) was applicable, namely, that cross-examining counsel cannot be allowed, in the statement of a question, to represent the contents of a producible letter, and to ask the witness whether he wrote a letter to any person with such contents, but that the proper course is to shew the witness the letter, and then to ask him whether it is in his handwriting, and if he admit it, the letter must, at the proper time, be produced, and read as part of the evidence of the cross-examining counsel; that the best evidence in the possession of the party must be produced; that this letter might have been in the possession of the cross-examining counsel at the time he put the question, and no evidence was given by him to shew why the letter was not forthcoming.

With much deference for the learned judges who arrived at this conclusion, we think that the grounds of their decision are not sustainable.

In *The Queen's case* the distinction between an examination conducted with a view to establish a fact in a cause, and one conducted with a view to test the credit or memory of a witness, was not suggested to the judges, either by the nature of the case, which was a mere examination into the character of the Queen with a view to legislation, (which ultimately proved abortive), or by the form of the question, or by the argument before the House of Lords*. The answer of the judges

* Our best text-writers on the law of evidence are of opinion

was given expressly with reference to well-established rules, as old as the common law of the land, which could not be said of cross-examination merely with a view of testing a witness, inasmuch as rules relating to such cross-examination were certainly not then well established, although it was different with respect to evidence of facts in the cause. Again: the grounds of the decision in *The Queen's case*, that the best evidence should be produced of which the nature of the case admitted, and that the Court should be possessed of the whole, and not only of a part, of a document, although applicable to evidence in causâ, can hardly be said to apply to evidence extra causam*. The reason why there should be a distinction between the two modes of examination is manifest: a party must be supposed to come prepared to prove or to answer material parts of a cause, but he cannot be expected to be equally prepared against any witness who may suddenly be called against him, and of whom he may never have heard until he appears in the witness-box. In the one case, that which is in the nature of secondary evidence is rejected, because it presupposes the existence of better evidence in the party's possession, which is kept back. (See Gilb. Ev. 13). In the other, no such presumption arises.

Several instances of this distinction between these two modes of examination were suggested in argument before the Court of Common Pleas, but were denied or explained by the Court so as to deprive them of their distinguishable character. Thus, it was urged, that, in order to test a witness, you might ask him whether he had not been convicted, without producing the record of conviction; but this was denied by the Court. It certainly has been the practice to put such a question, as also to ask whether a witness has been bankrupt or insolvent; and it is stated in the text-books upon the subject to be a proper question. (See 2 Russ. Cr. 927, 931, 974; Ph. Ev. 937, 8th ed.)

Another instance was, that, to test a witness, you might ask him whether he had not made a statement to a third party; and if he denied it, and it was relevant to the issue, that you might call such third party to prove that he did make it; and it was said that this was a different kind of evidence to that which is admissible to prove a fact in the cause, and was in the nature of hearsay evidence. Cresswell, J., however, observed, that for the one object it was relevant evidence, and therefore admissible; but that in the other it was irrelevant evidence.

It was contended that the examination upon the voir dire afforded not only an analogous instance, but also an à fortiori argument; as a witness might, on such examination, be asked as to the contents of a written document without its production, although the object was wholly to exclude, and not merely to discredit, the witness. The Court, however distinguished the rule laid down as to the voir dire, upon the grounds

that it was an inquiry of a special nature, of which the Court, and not the jury, was the judge, and that evidence (as upon affidavit) was received by a Court sitting in banco, which could not be tendered to a jury. The grounds, however, given in the text-books for allowing this mode of examination on the voir dire are, that the opposite party might not know that a certain witness might be called, and that he might have difficulty in procuring the requisite documents*; and if these be the grounds, they are certainly applicable to a cross-examination for the purpose of discrediting a witness.

One peculiarity in the case we are considering was, that the letter, if it had been produced, would not probably have been admissible in evidence, as it was not relevant to the issue; (Tayl. Ev. 966); therefore the only effect of producing it would have been to shew it to the witness; but that would altogether have defeated the object of the question, which was, to test his credit or his memory.

If he could not have been contradicted, the answer of the witness would have been conclusive, whether in the affirmative or negative. If the letter could have been given in evidence, (and Maule, J., seemed to think that it could), and the witness had denied that he wrote it, then, to contradict him, it would undoubtedly have been necessary to produce the letter, and have the whole of it read. It might, however, have been very important for the defendant in either case to have had simply the answer of the witness; and it was such answer that he claimed a right to have.

It is difficult to see how the fact of the letter being in the possession of the defendant can make any difference as to the allowance of the preliminary question, the main point being, whether he is bound to produce it, or account for its non-production, except where it becomes necessary for the purpose of contradicting the witness. To hold that he is so bound will probably amount to a practical disallowance of questions on cross-examination as to the character of a witness, if it so happen that the question involves a reference to written documents instead of oral statements; for how can it be expected that a party will come to trial prepared with records of conviction, or letters, or other writings relating to persons of whose existence he may have been ignorant until they appeared as witnesses against him? And if the question cannot be put, is the testimony of those witnesses to go to the jury as credible and untainted testimony, although they may have been guilty of offences which they might be forced to admit in a court of justice, and which would cover them with infamy? The rule laid down in this case will govern criminal as well as civil causes, and therefore the life of a man may depend upon the testimony of such witnesses. If the rule henceforth to be adopted is the one laid down by the Court of Common Pleas, and if *The Queen's case* be considered binding, to such an extent as this, upon our Courts, it would appear to be a fit subject for legislative interference.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Isham Henry Edward Gill, of Liverpool, Gent., to be a Master Extraordinary in the High Court of Chancery.

* 2 Russ. Cr. 987; 1 Stark. Ev. 206, note (e); 1 Ph. Ev. 154.

that the rule in *The Queen's case* either does not extend, or ought not to extend, to cross-examination for the purpose of discrediting a witness. (See Ph. Ev. 932, 8th ed.; 2 Russ. 931; 1 Stark. Ev. 202; Best's Ev. 346; Tayl. Ev. 959).

* This branch of the question has been very ably discussed by Mr. Best in his book "On the Principles of Evidence," p. 346.

THE COST-BOOK SYSTEM OF MINING.

THE gold mining speculations at present before the public almost remind us of the mania for mining concerns which raged in London, and the empire generally, in 1824 and 1825, after the opening of Mexico and other parts of Spanish America to our intercourse. It is not for us, however, to hazard a conjecture as to their ultimate success.

We perceive that some of these inchoate companies propose carrying on operations under the *cost-book system* of mining. We think, therefore, that a few remarks, in the first place, on the peculiar character of cost-book mining companies, and, secondly, on what deviations from the cost-book system would probably subject such companies to the penalties for non-registration under the Joint-stock Companies Act, may not prove unacceptable to some of our readers.

Mines conducted on the cost-book principle occupy an intermediate position between joint-stock companies on the one hand, and ordinary trading partnerships on the other. The machinery of the Joint-stock Companies Act was considered inapplicable to many of these obscure associations, and consequently they were expressly exempted from the provisions of the same. They essentially differ also from ordinary trading partnerships, in not being founded on the consent of the parties, or *delectus personæ*, from which principle, as our readers know, the rights and obligations of ordinary trading partners are mainly derived. Companies which adopt the cost-book system of management are, for the most part, small associations, commencing with little capital, though with a full list of shareholders, wanting the stability of registered, commonly called, scrip companies.

The following is a description of the manner in which a mining company is usually formed in Cornwall or Devonshire, on the cost-book system, in its simplest form:—Permission is obtained from the owner of the land to work a lode; the adventurers then hold a meeting, and decide on the number of shares into which their capital is to be divided, and the number to be allotted to each; they appoint an agent, commonly called a purser, for managing the affairs of the mine; and enter in a book, called the "cost-book," the minutes of their proceedings, which are signed by all present. A license to try for ores for some short period is then obtained, followed, if the search be promising, by a sett, that is, a lease of the minerals, or a license to dig, or both, granted by the landowner to the purser, or to one or two of the adventurers, without any *expression of trust* on their part for the rest, or any other persons, for a term of years, usually twenty-one, stipulating for the annual payment of some portion of the ore raised. The purser manages the works, keeps the cost-book, in which he enters all the proceeds and disbursements of the mine, the names of the shareholders, together with the account for and against each, and the transfer of shares, whenever they are transferred; he makes calls, such as have been agreed to at a general meeting, and convenes those meetings by circular letters, at regular intervals, commonly of two months. These general meetings review the accounts and report of the purser, and pass resolutions, either declaring dividends, or authorising calls, and directing the mode of carrying on the mine. Any adventurer may relinquish his share, and with it his liabilities—at least, as far as his partners are concerned—by giving notice of relinquishment in writing to the purser, and settling his account with the mine.

There is a certain class of mines in Germany which is required by law to be managed much in the same manner.

Where mining companies are formed after the above

model, there is no difficulty in deciding that they are managed on the cost-book principle; but when some of these essential features are found wanting, or where others are introduced analogous to the joint-stock company's type, it becomes no easy matter to pronounce as to the real character of the concern. This leads us to the second head of our remarks, viz. as to what deviations from the cost-book system would probably subject such an association to the penalties of the Joint-stock Companies Act, for non-registration. If there be any deviation from the legitimate type of a cost-book society, it must assume the features either of an ordinary trading partnership or a joint-stock company. We have seen that they are principally distinguished from ordinary trading partnerships by the absence of *delectus personæ*. It was decided, after many doubts, that the mining partner had a right either to relinquish or transfer his share without the consent of his co-partners; and that, upon his death or bankruptcy, the law, instead of dissolving the partnership, would transfer it to his executors or assigns; and the power of partners to bind each other, by engagements entered into with non-partners, was restricted. Should a cost-book company endeavour to forbid or restrict the transfer of shares, without the consent of the whole association, it would introduce the principle of *delectus personæ*, and virtually become an ordinary trading partnership; the consequence would be, that such a partnership would come within the operation of the Joint-stock Companies Act, under that part of the 2nd section which enacts, that the term "joint-stock company" shall comprehend "every partnership which, at its formation, or by subsequent admission, (except any admission subsequent on devolution or other act in law), shall consist of more than twenty-five members."

But the deviations to be apprehended are in the direction of the joint-stock company type. It is abundantly clear that a company cannot escape from the provisions relating to trading and commercial companies, if they act as a joint-stock company, by merely calling themselves a company under the cost-book system, or keeping a cost-book, or entering into a deed of partnership declaring that the mine shall be conducted on the cost-book principle. Cost-book companies are excepted from the Joint-stock Companies Act. The 63rd section enacts, "that nothing in this act contained shall extend, or be construed to extend, to any partnership formed for the working of mines, minerals, and quarries, of what nature soever, on the principle commonly called 'the cost-book principle.'" The principal difference betwixt cost-book and joint-stock companies lies in this—that, in the former, control over the management of the concern is directly exercised by the *whole body* of shareholders; whereas, in the latter, all powers are in a great measure delegated to a representative body, commonly called a board of directors. It has been remarked that the most essential and peculiar features in the organisation of these mining societies are the keeping of a *cost-book*, containing the before-mentioned entries, and to which every adventurer has access; and the appointment of a purser, who acts as the servant of all, whose functions are purely executive, who is removeable at pleasure, and accountable to frequent meetings of all the shareholders, at which meetings only, the general affairs of the company are deliberated upon and regulated, dividends declared, or calls made. Whether the discharge of the purser's duties by more than one person, or by a committee, would constitute a material deviation from the cost-book system, would depend upon the nature of the acts performed. Provided their general scope did not exceed the ordinary functions of purser, there can be no doubt that they may be discharged by a committee of management, without essentially departing from the cost-book type. But should powers beyond those usually

exercised by the purser—for example, the borrowing monies, the drawing bills, or the making of calls, or auditing and passing accounts—be delegated to a board of directors, or a committee of management, or to a select body of shareholders by any other name, and the general meeting of shareholders be discontinued, and held at rare intervals, it seems equally clear that these would be material alterations in the cost-book system, and constitute also obvious deviations in the direction of joint-stock companies.

As we have touched generally on the law of cost-book companies, we take this opportunity of observing, that they come within the operation of the Winding-up Acts. It is enacted by the 2nd section of the Winding-up Act, 1848, "that all associations or companies, formed for the purpose of working mines or minerals, shall be liable to the operation of this act." Mr. Ludlow remarks that these words were inserted with a view to include mining companies on the cost-book principle. The 1st section, however, of the Winding-up Amendment Act, 1849, enacts, "that nothing in this act, nor in any act herein referred to, contained, shall extend, or be construed to extend, to any partnership, association, or company formed for the working of mines on the principle commonly called 'the cost-book principle,' within the said stannaries and jurisdiction of the said court, unless the owner or owners of one-tenth in value of the shares in any such mine, as shall appear on the cost-book, shall present a petition," &c. Mr. Wordsworth says* that the Winding-up Amendment Act places "mining partnerships, on the cost-book principle, on a special footing." We submit, however, that this special provision applies only to cost-book companies within the stannaries of Cornwall; and that associations conducted on this principle, without the jurisdiction of the Court of Stannaries, are included within the general operation of the Winding-up Acts. This provision is considered singular also, as introducing a test of value with respect to the petitioner, instead of a test of liability merely, which is the rule as respects all other associations subject to the Winding-up Acts.

The English law applies to a company established and directed in this country for carrying out operations in a foreign part. (See *The Madrid and Valencia Railway Company's case*, 3 De G. & S. 127). We conclude, therefore, by expressing our opinion, that a mining concern may be formed in this country on the cost-book principle for working foreign mines; and that even the functions of purser may be discharged by a committee of management without materially departing from this principle. Practically, however, it would be impossible for a scattered body of small shareholders to exercise individual and collective control over the concern, or to hold frequent general meetings; the committee of management must be necessarily invested also with such powers as virtually to make them a board of directors. We think, therefore, that these would constitute essential deviations from the cost-book principle, and would probably subject such a mining company to the penalties of the Joint-stock Companies Act, for non-registration.

COURT OF COMMON PLEAS.

HILARY TERM.—15 VICTORIA.—Jan. 26, 1852.

This Court will, on Wednesday the 4th, Thursday the 5th, Monday the 9th, and Tuesday the 10th days of February next, hold sittings, and will proceed in disposing of the business now pending in the Paper of New Trials, and in giving judgment in certain of the matters that will then be standing for the consideration of the Court.

JOHN JERVIS.

* Wordsworth's Law of Joint-stock Companies, 446, note 1, 6th ed.

London Gazettes.

TUESDAY, JANUARY 27.

BANKRUPTS.

- WILLIAM ABRAM COGAR, Newgate-street, London, and Quadrant, Regent-st., Middlesex, boot and shoe dealer, commission agent, dealer and chapman, Feb. 6 at half-past 1, and March 12 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Dennis, Northampton; Hensman, 25, College-hill, Cannon-street West.—Petition dated Jan. 26.
- GEORGE GULL and FRANCIS DEACON WILSON, Old Broad-st., London, Russia brokers, dealers and chapmen, Feb. 6 and March 10 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Murray, 10, London-st., Fenchurch-st.—Petition filed Jan. 21.
- JAMES BOXALL, Brighton, Sussex, coach maker, leather seller, dealer and chapman, Feb. 6 at 12, and March 5 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Kennett, Brighton; Sowton, 6, Great James-street, Bedford-row, London.—Petition dated Jan. 20.
- HENRY FRANCIS WOLLASTON, late of Cape Town, Cape of Good Hope, also Great St. Helen's, London, and now of Union-grove, Wandsworth-road, Surrey, merchant, Feb. 6 and March 13 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. J. & T. Gole, 49, Lime-street, London.—Petition dated Jan. 21.
- FREDERICK WINCH, Margate, Isle of Thanet, Kent, tailor, Feb. 6 at 12, and March 13 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. J. Allen & Allen, 17, Carlisle-st., Soho-sq.—Petition filed Jan. 21.
- WILLIAM PLATTS, Crawford-st., Marylebone, Middlesex, draper, dealer and chapman, Feb. 5 at 2, and March 11 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Ashurst & Son, Old Jewry.—Petition filed Jan. 17.
- LEON J. NERINCKX, Great Portland-street, Marylebone, Middlesex, laceman and silk mercer, Feb. 5 at 2, and March 9 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition filed Jan. 16.
- WILLIAM ROCK, Surrey-place, Surrey, printer and engraver, Feb. 12 at 1, and March 9 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Jerwood, 17, Ely-place, Holborn.—Petition filed Jan. 24.
- HENRY GLADWIN, Nottingham, draper, dealer and chapman, Feb. 6 and March 5 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. R. & H. Enfield, Nottingham.—Petition dated Jan. 16.
- EDWARD TINSLEY, Cradley-beath, Rowley Regis, Staffordshire, cooper, Feb. 11 and March 3 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Whitehouse, Dudley; James, Birmingham.—Petition dated Jan. 24.
- WILLIAM WOOD, Bristol, provision merchant, dealer and chapman, (trading under the firm of William Wood & Co.), Feb. 7 and March 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed Jan. 15.
- CHARLES BACON, Walton, Somersetshire, tailor and woollendrapier, Feb. 10 and March 3 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Hobbs & Son, Wells.—Petition filed Jan. 22.
- JAMES COPLAND, Barnstaple, Devonshire, tea dealer and draper, dealer and chapman, Feb. 10 and March 3 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Carter & Chanter, Barnstaple; Moore, Exeter.—Petition filed Jan. 16.
- HENRY POUND, Plymouth, Devonshire, builder, dealer and chapman, Feb. 9 at half-past 1, and March 18 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Surr & Gribble, Elworthy, and Lavers, jun., Plymouth.—Petition filed Jan. 22.
- EDWIN WALKER, Huddersfield, Yorkshire, woolstapler, dealer and chapman, Feb. 9 and March 8 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds.—Petition dated Jan. 22.
- SAMUEL BICKERTON, Liverpool, butcher, Feb. 10 and March 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Hore, Liverpool.—Petition filed Jan. 22.

WILLIAM LOUGHER, THOMAS LOUGHER, and DAVID LOUGHER, Plymouth, Devonshire, ironfounders, Feb. 9 at half-past 1, and March 18 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Lavers, jun., Plymouth; Pontifex & Moginie, 51, Andrew's-court, Holborn, London.—Petition filed Jan. 22.

WILLIAM JAMES FOULKES, Birkenhead, Cheshire, druggist, dealer and chapman, Feb. 10 and March 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Tyrer, Liverpool.—Petition filed Jan. 17.

JOHN JAMES RAYNER, Manchester and Fleetwood, Lancashire, tailor and woollendrapery, Feb. 6 and 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheap-side, London.—Petition filed Jan. 17.

GEORGE HOPKINSON, Liverpool, coach builder, dealer and chapman, Feb. 12 and March 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Cross, Liverpool; Low, 65, Chancery-lane, London.—Petition filed Jan. 26.

MEETINGS.

F. F. Vouillon, Princes-street, Hanover-square, Middlesex, Court milliner, Feb. 6 at 1, Court of Bankruptcy, London, aud. ac.—**Joseph Samuel Hodge and James Culpin**, New Oxford-street, Middlesex, tailors, Feb. 6 at half-past 11, Court of Bankruptcy, London, aud. ac. sep. est. of *J. S. Hodge*.—**John Franckiss**, Portsea and Landport, Southampton, woollen draper, Feb. 6 at 1, Court of Bankruptcy, London, aud. ac.—**John H. May**, Brecknock-terrace, Camden-town, Middlesex, draper, Feb. 6 at 1, Court of Bankruptcy, London, aud. ac.—**Hugh Bierns**, Carlton-villas, Edgeware-road, Paddington, Middlesex, builder, Feb. 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—**T. Salkeld**, Basinghall-street, London, warehouseman, Feb. 7 at half-past 12, Court of Bankruptcy, London, aud. ac.—**T. P. Dixon**, Falmouth, Cornwall, printer, Feb. 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 17 at 11, div.—**L. Farrands**, Nottingham, innkeeper, Feb. 20 at 12, District Court of Bankruptcy, Nottingham, aud. ac.—**R. Heath**, Manchester, *Wm. Welch and John H. Barber*, Burnley, Staffordshire, ironmasters, Feb. 21 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—**David Douglas**, Manchester, draper, Feb. 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 20 at 12, div.—**John Wright**, jun., and **George Lockwood**, Trinity-square, London, coal factors, Feb. 20 at 12, Court of Bankruptcy, London, div.—**Charles Cove**, Hornchurch, Essex, builder, Feb. 17 at half-past 12, Court of Bankruptcy, London, div.—**Wm. Pithey**, Philpot-lane, Fenchurch-street, London, merchant, Feb. 20 at half-past 11, Court of Bankruptcy, London, div.—**Robert Brown**, Gravel-lane, Southwark, Surrey, and St. Mary-at-Hill, London, basket maker, Feb. 20 at 11, Court of Bankruptcy, London, div.—**Robt. Till**, Worcester, grocer, Feb. 17 at 1, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 21 at 1, div.—**Thomas Goddard**, Derby, brush manufacturer, Feb. 27 at 12, District Court of Bankruptcy, Nottingham, aud. ac. and first and fin. div.—**A. M' Couchie**, Nottingham, draper, Feb. 20 at 12, District Court of Bankruptcy, Nottingham, aud. ac. and first and fin. div.—**William Craven**, Birkenhead, and Poulton-cum-Spital, Cheshire, road maker, Feb. 20 at 11, District Court of Bankruptcy, Liverpool, div.—**Thomas Ramsden**, Chester, timber merchant, Feb. 20 at 11, District Court of Bankruptcy, Liverpool, div.—**J. Fleetwood**, Liverpool, grocer, Feb. 20 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Samuel Churchill, Crisp-st., Poplar, and **Thos. Clayden**, St. Thomas's-road, Mile-end Old-town, Stepney, Middlesex, builders, Feb. 18 at half-past 1, Court of Bankruptcy, London.—**H. Pinhorn and R. Pinhorn**, Southampton, tailors, Feb. 18 at 1, Court of Bankruptcy, London.—**E. S. Howard** and **T. Stone**, Norwich, builders, Feb. 20 at 1, Court of Bankruptcy, London.—**Robert Brown**, Gravel-lane, Southwark, Surrey, and St. Mary-at-Hill, London, basket maker, Feb. 20 at 11, Court of Bankruptcy, London.—**Chas. H. Reynolds** and **C. Will**, Cornhill, London, outfitters, Feb. 17 at 11, Court of Bankruptcy, London.—**Daniel E. Montes**, Liverpool, broker, Feb. 20 at 12, District Court of Bankruptcy, Liverpool.—**J. Roberts**, Rhyll, Flintshire, innkeeper, Feb. 19 at 12, District

Court of Bankruptcy, Liverpool.—**John Warburton**, Liverpool, tailor, Feb. 17 at 11, District Court of Bankruptcy, Liverpool.—**Thomas Birch**, Chorlton-upon-Medlock, Manchester, common brewer, Feb. 18 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Charles Wheeler, St. Martin's-lane, Middlesex, woollen draper.—**Joseph Woodhams**, Tonbridge, Kent, grocer.—**Job Way**, Princes-road, Uxbridge-road, Middlesex, licensed victualler.—**Thomas Ekin**, Cambridge, spirit merchant.—**Henry Thompson**, Belper, Derbyshire, draper.—**Charles Read**, Great Grimsby, Lincolnshire, wine merchant.

SCOTCH SEQUESTRATIONS.

John Whitehead, Glasgow, mason.—**James M'Intosh**, Dundee, grocer.—**Alex. Templeton & Co.**, Dutch-mills, near Ayr, wool spinners.—**John Limerock**, Glasgow, smith.—**A. D. Campbell**, Edinburgh, stockbroker.—**Ruchanan, Ross, & Co.**, Dognartland, Dalry, Kilmarnock, calico printers.—**William Morrison**, Roundhill, Avondale, Lanarkshire, farmer.—**Jas. Ure**, deceased, Maryburgh Cottage, near Dingwall.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Bates, Liverpool, dealer in fish, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**John Suart**, Toxteth-park, near Liverpool, beer-house keeper, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Elizabeth Dutton**, Liverpool, retailer of butcher's meat, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Henry Perkes**, Liverpool, butcher, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Thos. Frederick Tyrer**, Edge-hill, near Liverpool, chemist, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**John Gray**, West Derby, Lancashire, market gardener, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Thomas Lloyd**, Liverpool, butcher, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Peter Vine**, West Derby, Lancashire, out of business, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Joseph Roberts**, Liverpool, beer-house keeper, Jan. 29 at 10, County Court of Lancashire, at Liverpool.—**Thos. Hibbs**, Warmley, Siston, Oldland, Bitton, Gloucestershire, tiler, March 17 at 11, County Court of Gloucestershire, at Bristol.—**Wm. Paynes**, Charlton, near Henbury, Gloucestershire, butcher, Feb. 18 at 11, County Court of Gloucestershire, at Bristol.—**Samuel Chapman**, Bedminster, Bristol, rag merchant, Feb. 18 at 11, County Court of Gloucestershire, at Bristol.—**Jas. Harding**, Bristol, baker, March 17 at 11, County Court of Gloucestershire, at Bristol.—**Joseph Taylor**, Portsea, Southampton, butcher, Feb. 13 at 10, County Court of Hampshire, at Portsmouth.—**Wm. Sample**, Bothal and Matten, Northumberland, farmer, Feb. 13 at 10, County Court of Northumberland, at Morpeth.—**James Scott Henderson**, Sunderland, Durham, merchant, Feb. 18 at 10, County Court of Durham, at Sunderland.—**Wm. Thompson**, Batley, Yorkshire, shop-keeper, Feb. 19 at 10, County Court of Yorkshire, at Dewsbury.—**Wm. Richmond Critten**, Great Yarmouth, Norfolk, grocer, Feb. 9 at 10, County Court of Norfolk, at Great Yarmouth.—**Morgan Rees**, St. Bride's Minor, Glamorganshire, collier, Feb. 12 at 10, County Court of Glamorganshire, at Cardiff.—**John Edwards**, Cardiff, Glamorganshire, grocer, Feb. 12 at 10, County Court of Glamorganshire, at Cardiff.—**David Black**, Cardiff, Glamorganshire, engineer, Feb. 12 at 10, County Court of Glamorganshire, at Cardiff.—**Isaac Thomas**, Cardiff, Glamorganshire, beer-house keeper, Feb. 12 at 10, County Court of Glamorganshire, at Cardiff.—**James Warner**, Chatham, Kent, bootmaker, Feb. 5 at 10, County Court of Kent, at Rochester.—**Thomas Carruthers**, Chorlton-upon-Medlock, Lancashire, out of business, Feb. 6 at 1, County Court of Lancashire, at Manchester.—**Henry Place**, Cardiff, Glamorganshire, grocer, Feb. 12 at 10, County Court of Glamorganshire, at Cardiff.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 11 at 11, before the CHIEF COMMISSIONER.

Samuel Butcher, De Beauvoir-place, Kingsland, Middle-

sex, coal dealer.—*Wm. Hendrick*, Nichol's-square, Hackney-road, Middlesex, brush maker.

Feb. 11 at 10, before Mr. Commissioner LAW.

George Potter, Wapping-wall, Shadwell, Middlesex, marine store dealer.

Saturday, Jan. 24.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Smith, Lancaster, contractor, No. 73,555 C.; *C. Bullen*, assignee.—*Moses Shallcross*, Brighton, Sussex, town carter, No. 74,483 C.; *Thomas Souch*, assignee.—*Robert Foster Wray*, Briggate, Leeds, Yorkshire, coffee-house keeper, No. 74,408 C.; *Richard Penrose*, assignee.—*William Eccles*, Leyland, near Chorley, Lancashire, out of business, No. 70,013 C.; *James Parker* and *Richard Parkinson*, new assignees, in the room of *Robert Parker*, deceased.—*William Hood*, Castle Donnington, Leicestershire, currier, No. 37,788 C.; *Tillemann Hodgkinson* *Obobart*, new assignee, in the room of *Thomas Fisher*, deceased.

Saturday, Jan. 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Geo. Brown, White Horse-lane, Stepney, Middlesex, linendraper: in the Debtors Prison for London and Middlesex.—*Charles Willmer*, Bexley-heath, Kent, baker: in the Debtors Prison for London and Middlesex.—*Robert Wilson*, Haymarket, Middlesex, butterman: in the Debtors Prison for London and Middlesex.—*Henry Howse*, Middlesex-place, New-road, Marylebone, and Beaufort-buildings, Strand, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Edmund Child*, Moore-st., Cadogan-street, Chelsea, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Francis Farrow*, Richmond, Surrey, stonemason: in the Gaol of Horsemonger-lane.—*William F. Louis Blanchenay*, Great Ormond-st., Queen-square, Middlesex, bottled beer merchant: in the Queen's Prison.—*Wm. Cooper*, Blackfriars-road, Surrey, common brewer: in the Queen's Prison.—*Henry Reece*, Walton-on-Thames, Surrey, out of business: in the Queen's Prison.—*William Kirkpatrick Smith*, Stebbington-street, Clarendon-square, Somers-town, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Matthew Cunningham*, Featherston-street, City-road, Middlesex, licensed hawk: in the Debtors Prison for London and Middlesex.—*William Swiffen*, Henry-place, South-parade, Chelsea, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*John Casey*, Cannon-street, London, butcher: in the Debtors Prison for London and Middlesex.—*William Osborn*, Adams-row, Hampstead-road, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*William John Wake*, Printer's-place, Bermondsey, Surrey, builder: in the Gaol of Surrey.—*Henry Albert de Pury*, Frederick-place, Old Kent-road, Surrey, commission agent: in the Debtors Prison for London and Middlesex.—*Joseph Read*, Holbeck, near Leeds, Yorkshire, commercial traveller: in the Gaol of York.—*Thomas Williams*, Sandiway, Cheshire, licensed victualler: in the Gaol of Chester.—*Thomas Charlton*, Monkwearmouth Shore, Durham, potato dealer: in the Gaol of Durham.—*Bernard Carrigan*, Manchester, marine store dealer: in the Gaol of Manchester.—*Thomas Dandy*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*John Foyster*, Holton, near Halesworth, Suffolk, dealer in pigs: in the Gaol of Ipswich.—*William Holt*, Clegg Hall, near Rochdale, Lancashire, licensed victualler: in the Gaol of Lancaster.—*George Jackson*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*John Walsh*, Liverpool, tailor: in the Gaol of Lancaster.—*Robert Verden Spalding*, Fressingfield, Suffolk, farmer: in the Gaol of Ipswich.—*Jas. Charles*, Waddingham, near Kirton, Lindsey, Lincolnshire, bricklayer: in the Gaol of Lincoln.—*Howard Garstide*, Brinnington, near Stockport, Cheshire, machinist: in the Gaol of Lancaster.—*William Hunt*, Aston Hamville, and Hinckley, Leicestershire, chemist: in the Gaol of Leicester.—*Francis Marsden Nettleton*, Horbury, Wakefield, Yorkshire, joiner: in the Gaol of York.—*Geo. Porter*, Heyrod, near Staleybridge, Lancashire, labourer: in the Gaol of Lancaster.—*Robert Stannard*, Dorchester, Dorsetshire, railway contractor: in the Gaol of Southampton.—*Joseph Saunders*, Laverpool, butcher: in the

Gaol of Lancaster.—*Daniel Bailey*, Elland-cum-Groetland, near Halifax, Yorkshire, stone delver: in the Gaol of York.—*John Biswell*, Millgate, Wigan, Lancashire, auctioneer: in the Gaol of Lancaster.—*William Hawksworth Battie*, Sheffield, Yorkshire, out of business: in the Gaol of York.—*James Driver*, Thornton, near Bradford, Yorkshire, innkeeper: in the Gaol of York.—*John Dyson*, Elland, near Halifax, Yorkshire, innkeeper: in the Gaol of York.—*Thomas Edwards*, Hastings, Sussex, bootmaker: in the Gaol of Lewes.—*Joseph Fawcett*, Morley, near Leeds, Yorkshire, shopkeeper: in the Gaol of York.—*Robert Johnson*, Pendleton, Salford, Lancashire, out of employment: in the Gaol of Lancaster.—*Edward Leech*, Chorlton-upon-Medlock, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*George Norris*, Rochdale, Lancashire, shopman: in the Gaol of Lancaster.—*Frederick Coulston Prosser*, Liverpool, lodging-house keeper: in the Gaol of Lancaster.—*James Sheard*, Elland, near Halifax, Yorkshire, tea dealer: in the Gaol of York.—*Watson Smith*, Leeds, Yorkshire, tobacco manufacturer: in the Gaol of York.—*Mary Stones*, Knottingley, near Ferrybridge, Yorkshire, licensed retailer of beer: in the Gaol of York.—*Richard Smethells*, Worsley, near Manchester, licensed victualler: in the Gaol of Lancaster.—*James Vowles*, Bristol, mason: in the Gaol of Bristol.—*Stephen Kitching West*, Hulme, Manchester, plasterer: in the Gaol of Lancaster.—*Thomas Woods*, Wigan, Lancashire, stonemason: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 10 at 11, before the CHIEF COMMISSIONER.

Elizabeth Collett, widow, King's-road-cottage, Ryland-terrace, King's-road, Chelsea, Middlesex, out of business.—*Wm. Porter* the elder, Copland-street, Lisson-grove, Marylebone, Middlesex, plasterer.—*Francis Butcher*, St. Mary-axe, London, licensed victualler.

Feb. 11 at 10, before Mr. Commissioner LAW.

Ebenezer Hartnall, Wormwood-street, Broad-street, London, out of business.—*John Buckland*, Church-street, Lambeth, Surrey, cigar manufacturer.—*W. Coleman*, Hemming's-row, St. Martin's-lane, Middlesex, stockmaker.

Feb. 12 at 11, before Mr. Commissioner PHILLIPS.

Wm. H. Cook, Gray's-place, Fulham-rd., Middlesex, tailor.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, Feb. 13 at 10.

John Foyster, Holton, near Halesworth, dealer in pigs.—*Robert Verden Spalding*, Fressingfield, out of business.—*James Orman Rivers*, Kirton, labourer.

FRIDAY, JANUARY 30.

BANKRUPTS.

PHILIP PHILLIPS, Crowland, Holland, Lincolnshire, common brewer, Feb. 13 at half-past 12, and March 12 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Carter, Spalding, Lincolnshire; Gregory & Co., 1, Bedford-row, London.—Petition filed Jan. 27.

JOSIAH BROCKWELL, Old Broad-street, London, merchant, Feb. 14 at 11, and March 13 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Martin, 17, Salisbury-square, Fleet-street.—Petition filed Jan. 20.

GEORGE HARRISON, Frith-street, Soho-square, Middlesex, ironmonger, dealer and chapman, Feb. 13 at half-past 11, and March 16 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Teague, Crown-court, Cheapside; Williams, Alfred-place, Bedford-sq.—Petition filed Jan. 27.

RICHARD HAYLING the younger, Hereford, grocer and tea dealer, Feb. 16 and March 10 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Messrs. Devereux, Bromyard, Herefordshire; Smith, Birmingham.—Petition dated Jan. 26.

ROBERT HAWKINS, Farnham, Surrey, grocer, Feb. 10 at half-past 12, and March 11 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Wright & Bonner, 15, London-street, Fenchurch-street.—Petition filed Jan. 22.

CHARLES WILSON, Coventry, Warwickshire, grocer and tea dealer, Feb. 9 and March 10 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated Jan. 22.

DANIEL MORTON, Walsall, Staffordshire, chemist and druggist, dealer and chapman, Feb. 11 and March 10 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Pilgrim, Hinckley; Motteram & Co., Birmingham.—Petition dated Jan. 17.

PHILIP NEWMAN, Winchcomb, Gloucestershire, tea dealer, grocer, druggist, bacon, cheese, and hop factor, dealer and chapman, Feb. 11 and March 10 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Wilkes, Gloucester.—Petition filed Jan. 24.

JOHN WILLIAM COWLES BREWER, Gloucester, licensed victualler and auctioneer, Feb. 10 and March 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Abbot & Lucas, Bristol; Lovegrove, Gloucester.—Petition filed Jan. 27.

THOMAS COTTINGHAM, West Barkwith, Lincolnshire, wool buyer and corn merchant, dealer and chapman, Feb. 18 and March 10 at 12, District Court of Bankruptcy, Hull: Off. Ass. Carrick; Sols. Mason & Dale, Lincoln; Barr & Nelson, Leeds.—Petition dated Jan. 26.

GEORGE CHADFIELD, Manchester, plasterer, painter, dealer and chapman, Feb. 9 and March 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Taylor, Manchester.—Petition filed Jan. 28.

MEETINGS.

Joseph Storey, Hartlepool, Durham, draper, Feb. 26 at 1: District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Solomon Ellis*, Aldgate, London, tailor, Feb. 18 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Henry Pinkern* and *Robert Pinkern*, Southampton, tailors, Feb. 18 at 1, Court of Bankruptcy, London, aud. ac.—*E. Leech*, Chichester, Sussex, apothecary, Feb. 18 at half-past 1, Court of Bankruptcy, London, aud. ac.—*J. M. Wood*, Barbican, London, victualler, Feb. 11 at 1, Court of Bankruptcy, London, aud. ac.—*George Small*, Folkestone, Kent, tailor, Feb. 18 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Woolf* and *Isaac Lyons*, Cripplegate-buildings, London, umbrella manufacturers, Feb. 11 at 12, Court of Bankruptcy, London, aud. ac.—*William Gibbs*, Throgmorton-street, London, stockbroker, Feb. 11 at 1, Court of Bankruptcy, London, aud. ac.—*W. Levy*, White's-row, Spitalfields, Middlesex, macaroni manufacturer, Feb. 11 at half-past 11, Court of Bankruptcy, London, aud. ac.—*James Fuller*, City-road, Middlesex, glass merchant, Feb. 21 at 12, Court of Bankruptcy, London, aud. ac. and div.—*A. R. Stace*, Strood, Kent, ironmonger, Feb. 21 at 11, Court of Bankruptcy, London, aud. ac. and div.—*Chas. James Sanders*, Collingwood-street, Blackfriars-road, Surrey, provision merchant, Feb. 13 at 1, Court of Bankruptcy, London, aud. ac.—*A. R. Davies*, New-court, Bow-lane, London, wine merchant, Feb. 17 at 11, Court of Bankruptcy, London, aud. ac.—*R. G. Rudell*, Devonshire-street, Queen-square, Bloomsbury, Middlesex, merchant, Feb. 19 at 11, Court of Bankruptcy, London, aud. ac.—*Archibald Mount*, Creed-lane, London, wine merchant, Feb. 10 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Skutlinoorth*, Saffron Walden, Essex, ironmonger, Feb. 10 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Houseman*, Brighton, Sussex, money scrivener, Feb. 12 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Barnjum*, Pall-mall East, and Willesden, Middlesex, wine merchant, Feb. 10 at 1, Court of Bankruptcy, London, aud. ac.—*Charles Bond*, Twerton, near Bath, Somersetshire, tanner, Feb. 19 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*D. J. Elster* and *J. G. Elster*, Threadneedle-street, London, merchants, Feb. 24 at half-past 11, Court of Bankruptcy, London, div.—*A. Bradford*, Assembly-row, Mile-end-road, Middlesex, licensed victualler, Feb. 23 at 12, Court of Bankruptcy, London, div.—*John Jas. King Boote*, Branton's-wharf, Commercial-road, Middlesex, manufacturing chemist, Feb. 23 at 1, Court of Bankruptcy, London, div.—*Samuel Litchfield*, Birmingham, druggist, Feb. 10 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 24 at half-past 10, div.—*John Phillips*, Birmingham, druggist, Feb. 10 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 24 at half-past 10, div.—*William M. Higgins*, Birmingham, laceman, Feb. 24 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*Thomas Wileman*, Earl Shilton, Leicestershire, hosier, Feb. 23 at half-past 11, District Court of Bankruptcy, Birmingham, div.—*William Ayres*, Cardiff, Glamorganshire, grocer, Feb. 26 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Emmanuel S. Howard and *Thomas Stone*, Norwich, builders, Feb. 20 at 1, Court of Bankruptcy, London.—*Thomas Edwin Southes*, Fleet-street, London, advertising agent, Feb. 20 at 1, Court of Bankruptcy, London.—*Lyon Samuel*, Bury-street, St. Mary-axe, London, jeweller, Feb. 23 at 2, Court of Bankruptcy, London.—*John James King Boote*, Branton's-wharf, Commercial-road, Middlesex, manufacturing chemist, Feb. 23 at 1, Court of Bankruptcy, London.—*Austin Robert Stace*, Strood, Kent, ironmonger, Feb. 21 at 11, Court of Bankruptcy, London.—*James Fuller*, City-road, Finsbury, Middlesex, glass merchant, Feb. 21 at 12, Court of Bankruptcy, London.—*Wm. Mashman*, Charlotte-street, Portland-place, Middlesex, carpenter, Feb. 21 at 1, Court of Bankruptcy, London.—*Thomas Fray*, Wigan and Manchester, check manufacturer, Feb. 23 at 12, District Court of Bankruptcy, Manchester.—*Hugh Dixon* and *Launcelet Dixon*, Liverpool, merchants, Feb. 23 at 11, District Court of Bankruptcy, Liverpool.—*William Neil Monies*, Liverpool, spirit merchant, Feb. 20 (and not Feb. 5, as before advertised) at 11, District Court of Bankruptcy, Liverpool.—*Moses Orme* and *William Henry Lyness*, Liverpool, ale merchants, Feb. 23 at 11, District Court of Bankruptcy, Liverpool.—*Thomas P. Dixon*, Falmouth, Cornwall, printer, Feb. 23 (and not Feb. 19, as before advertised) at 11, District Court of Bankruptcy, Exeter.—*E. Andrews*, Iwerne Courtney, otherwise Shroton, Dorsetshire, farmer, March 4 at 1, District Court of Bankruptcy, Exeter.—*Rich. Stanford* and *Benj. Lewis*, Wednesbury, Staffordshire, engineers, Feb. 26 at half-past 11, District Court of Bankruptcy, Birmingham.—*R. Heath*, Manchester, and *John Heath Barber*, Burslem, Staffordshire, ironmasters, Feb. 24 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Drew, Hampton Gay Mills, Oxfordshire, paper maker.—*Francis E. Rigby* the elder and *Francis E. Rigby* the younger, Birkenhead, Cheshire, plumbers.—*William Turner*, Gravesend, Kent, butcher.—*Wm. M. Hill*, Charlton-place, Islington, Middlesex, builder.—*William Strange* the elder, Navarino-grove, Dalston, Middlesex, bookseller.—*S. Hall*, Tipton, Staffordshire, miller.—*Wm. Cos*, Smethwick, Staffordshire, iron manufacturer.

PETITION ANNULLLED.

Wm. Evans, Banbury, Oxfordshire, ironmonger.

SCOTCH SEQUESTRATIONS.

John Foyer, Edinburgh, hat manufacturer.—*John Hart*, Airdrie, distiller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Francis J. Gibson, Southam, Warwickshire, auctioneer, Feb. 14 at 10, County Court of Warwickshire, at Southam.—*John Throup*, Lumb Mill, near Skipton, Yorkshire, butcher, Feb. 21 at 10, County Court of Yorkshire, at Skipton.—*James Walmley*, Bradford, Yorkshire, boot maker, Feb. 20 at 11, County Court of Yorkshire, at Bradford.—*John Wm. Wigney*, Bradford, Yorkshire, operative warehouseman, Feb. 20 at 11, County Court of Yorkshire, at Bradford.—*Alfred Smith*, Bradford, Yorkshire, dyer's labourer, Feb. 20 at 11, County Court of Yorkshire, at Bradford.—*S. Waterhouse*, Calverley, Yorkshire, blacksmith, Feb. 20 at 11, County Court of Yorkshire, at Bradford.—*Edw. Hunsbells*, Ipswich, Suffolk, coachmaker, Feb. 13 at 10, County Court of Suffolk, at Ipswich.—*John Munnford*, Ipswich, Suffolk, beer-house keeper, Feb. 13 at 10, County Court of Suffolk, at Ipswich.—*David Wright*, Ipswich, Suffolk, edge-tool manufacturer, Feb. 13 at 10, County Court of Suffolk, at Ipswich.—*J. Priestley*, Rashcliffe, Almondsbury, Yorkshire, manufacturing chemist, Feb. 19 at 10, County Court of Yorkshire, at Huddersfield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 13 at 11, before the CHIEF COMMISSIONER.

Wm. Murphy, Anchor-and-Hope-alley, St. George's-in-the-East, Middlesex, stationer.

Adjourned Final Order.

David G. Thompson, Oxford-st., Middlesex, engraver.

Feb. 13 at 10, before Mr. Commissioner LAW.

Thomas Shaw, Bond-st., Cornwall-road, Lambeth, Surrey, out of business.

Feb. 14 at 11, before Mr. Commissioner PHILLIPS.

Robert Come, Frith-st., Soho, Middlesex, hatter.—*Joseph F. Kaye*, Greek-st., Soho, Middlesex, house decorator.

Feb. 16 at 10, before Mr. Commissioner LAW.

Robert Tail, Greenwich, Kent, saddler.—*David Davies*, Upper Seymour-st., Euston-sq., Middlesex, and George-yard, Fenchurch-st., London, upholsterer.—*Joseph Gifford*, Barbican, London, wheelwright.

Feb. 16 at 11, before Mr. Commissioner PHILLIPS.

James France, Mortimer-street, Cavendish-sq., Middlesex, shopman to a hatter.—*W. Poletty*, Fulham-fields, Middlesex, plasterer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 13 at 11, before the CHIEF COMMISSIONER.

George Woods, Market-row, Dalston, Middlesex, baker.

Feb. 13 at 10, before Mr. Commissioner LAW.

William Wilcox, Norland-road, Notting-hill, Middlesex, bricklayer.

Feb. 14 at 11, before Mr. Commissioner PHILLIPS.

Joseph C. Bell, South-sq., Gray's-inn, Middlesex, solicitor.—*Charles Gildersteves*, Minories, Middlesex, licensed victualler.—*R. Wilson*, Haymarket, Middlesex, out of business.

Feb. 16 at 10, before Mr. Commissioner LAW.

William Osborn, Adams-row, Hampstead-road, Middlesex, butcher.—*John Casey*, Cannon-st., London, out of business.—*Nicolo Marino Pignatorre*, Grove-terrace, Kentish-town, Middlesex, gentleman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,

Feb. 13 at 11.

Elizabeth Scholes, Longsight, near Manchester, beer-house keeper.—*David L. Lewis*, North Liverpool, wine merchant.—*John D. Varley*, Manchester, accountant.—*Edward Leech*, Chorlton-upon-Medlock, Manchester, retail dealer in ale.—*George Jackson*, Deansgate, Manchester, retail dealer in ale.—*John Walsh*, Liverpool, out of business.—*Wm. Hodgson*, Lancaster, butcher.—*Wm. Holl*, Clegg Hall, near Rochdale, out of business.—*Richard Smethells*, Worsley, near Manchester, out of business.—*Stephen K. West*, Hulme, Manchester, plasterer.—*Joseph Saunders*, Liverpool, butcher.—*Howard Garvide*, Brinnington, near Stockport, machinist.—*John Blundell*, Wigan, auctioneer.—*Thomas Woods*, Wigan, stonemason.—*Fred. C. Prosser*, Liverpool, out of business.—*Thomas Dandy*, Hulme, Manchester, out of business.—*Joseph Moffat*, Manchester, patten maker.—*Joseph Edwards*, Hulme, Manchester, plumber.—*James Horrocks*, Wigan, baker.

At the County Court of Durham, at DURHAM, Feb. 13.

John Murray, Sunderland near the Sea, ship chandler.—*D. Jas. Duncan Bennell*, Sunderland, hat manufacturer.—*J. N. Sheraton*, Sunderland, grocer.—*Thomas Liddle*, Low-lane, joiner.—*Thos. Charlton*, Monkwearmouth Shore, dealer in potatoes.—*Nicholas Smirk* the elder, Bishopwearmouth, pipe manufacturer.—*Nicholas Smirk* the younger, Sunderland, sail maker.—*Wm. Liddle*, Hartlepool, joiner.

At the County Court of Gloucestershire, at BRISTOL,

Feb. 18 at 11.

George Bailey, Bristol, mason.

At the County Court of Sussex, at LEWES, Feb. 24.

Thomas Edwards, Hastings, bootmaker.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas Rayner, West Burton, near Leyburn, Yorkshire, collier, Hammond's, West Burton, near Leyburn: 2s. in the pound.

MEETINGS.

Matthew Fisher, Market Rasen, Lincolnshire, carpenter, Feb. 16 at 4, Saffery's, Market Rasen, sp. aff.—*Frederick Thame Harwell*, Chancery-lane, London, and West Teignmouth, Devonshire, gentleman, Feb. 18 at 12, Nichols & Clark's, Cook's-court, Lincoln's-inn, Middlesex, sp. aff.

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LAW.—A Gentleman lately admitted, who was articled in an office of extensive practice in the West of England, wishes to obtain a SITUATION in an Office with a good CONVEYANCING PRACTICE in the COUNTRY, with a view to a Partnership. Address, K. G., Goodwin's Library, Milsom-street, Bath.

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LONDON, FEBRUARY 7, 1852.

THE junior Bar in the courts of equity enjoy what is facetiously termed the "privilege" of moving, on the last day of term, before the Queen's counsel. If this right were construed broadly, it would be really a privilege having a practical convenience and advantage; but construed as it is, by limiting it to the making of *unopposed* motions, it is about as barren and fruitless a privilege as any body of men could well enjoy. For there never was, and is not now, any difficulty about making unopposed motions, there being three periods of the day at which the Court will always placably take such motions, viz. for ten minutes or a quarter of an hour at the sitting; for about five minutes when the Court, after the usual short mid-day rest, returns to its public avocations; and about the same at the rising of the Court; on the whole, without any reference to precedence at all, a period of about twenty or twenty-five minutes, which is usually sufficient for all the unopposed motions of all the outer Bar together: so that to have the right to precede the Queen's counsel on the last day of term, is simply having the right to make motions at one part of one particular day, instead of another part of the same day; and as there is, taking the average of men's engagements, no greater convenience in moving at one time than at another on the same day, the privilege is, practically, nothing at all.

Some years ago, we believe, a struggle was made by the outer Bar to have it determined that the true rule of practice is, that on the last day of term the outer

Bar takes precedence in all motions; but the attempt failed. This, however, we believe, was the original rule, and ought to be the practice. There are, at any rate, many good reasons why, at this day, it should become the practice, if it never was so.

One reason, of itself sufficient in an age when the rights and convenience of the suitor are looked upon—properly looked upon—as the great object to be kept in view, is this—viz. that by not giving to the outer Bar any day in which they may take precedence in opposed as well as unopposed motions, suitors are compelled, in small matters not requiring the learning and experience of leading counsel, either to incur the expense of engaging leading counsel, or to run the risk of not being heard from seal to seal, and sometimes from term to term. For, as every man in practice knows, it is the commonest of common things for a seal-day to be completely exhausted before the motions within the Bar have been all made; and then on the next seal just the same thing may, and often does, happen again; so that an opposed motion in the hands of a junior may be impossible for weeks together.

Now if, as in the old time, there were nothing, or scarcely anything, between unopposed motions and those heavy motions which, in and before, and even after, the time of Lord Eldon, were, in effect, the hearing of causes, there might, perhaps, be little for the suitor to complain of; because difficult and heavy motions require, of their nature, and in the service of leading counsel. But at this day there is an immense quantity of business, consisting of motions of

an intermediate character—things more like short causes than anything else, requiring but a short statement of facts and a little argument, not requiring more skill or practical knowledge than experienced juniors possess—requiring dispatch above all things; and not—having reference to the suitor's pocket—calculated to bear the expense of a double array of counsel. Nevertheless, in practice, such motions must be intrusted to a senior and junior, if they are to be heard quickly, or they must run the risk of indefinite postponement if the suitor cannot or will not retain two counsel. We say advisedly, that, in practice, such motions must be intrusted to two counsel; because, although the suitor may, if he choose—and no etiquette prevents it—engage the services of a leading counsel without a junior, yet it is very unusual to do so; and for this reason, that, in preparing the papers necessary for a motion, much assistance is derived by the suitor from the access which his solicitor has to his junior counsel, if he is going to instruct such counsel to appear in court—assistance which he cannot expect from Queen's counsel, by reason not only of the conventional difference of his position, but the substantial difference of his occupations, and which he does not, of course, like to ask, even if he could with propriety do so, from counsel not intended to be engaged in the case. The result is, that continually either the time or the money of the suitor is sacrificed.

It is said, in answer to any suggestion that on any day precedence should be given to the outer Bar, that leading counsel hold their right of precedence from the Crown, and that the Court has no authority to supersede that right in any way or to any degree. But the principle is conceded, when it is conceded that the outer Bar may take precedence on a given day for unopposed motions. At any rate, even if the Court has no such authority, it has, at least, authority to regulate the course of its own business, and to have a paper of motions as well as a paper of petitions or causes. If that were done, much of the time, both of the junior Bar and of the solicitors of the court, and a very heavy expense to the suitors, would be saved.

UPON THE EXEMPTION FROM DISCLOSURE OF MATTERS COMMUNICATED IN PROFESSIONAL CONFIDENCE.

THE rule which exempts communications between a solicitor and client from disclosure, at the suit of an adverse party, may be considered under several heads: first, as to its principle and policy; secondly, as to its subject-matter and extent; and, thirdly, as to the circumstances under which it is applicable, and the manner in which it must be claimed in order to obtain the benefit of it.

The principle of the rule which exempts communications, made in professional confidence, between a person and his legal adviser, from disclosure, is, that such communications are essential to the security of men's rights, as well in courts of justice as in ordinary transactions of life which never become the subject of judicial investigation; and in order that they may be free and unrestricted, public policy requires that they should be privileged, and not allowed to be disclosed at any time. (*Bolton v. The Corporation of Liverpool*, 1 My. & K. 88; *Holmes v. Baddesley*, 1 Ph. 481; *Glyn v. Cosfield*,

15 Jur., part 1, p. 807; *Bussell v. Jackson*, Id. 1117). The rule is established, not upon any particular importance which the law attributes to the business of legal professors, or any particular disposition to afford them protection, but out of regard to the interests of justice, which cannot be upholden, and to the administration of justice, which cannot go on, without the aid of men skilled in jurisprudence and in the practice of the courts, and in those matters affecting rights and obligations which form the subject of judicial proceedings. If the privilege did not exist at all, every one would be thrown upon his own legal resources. Deprived of all professional assistance, a man would not venture to consult any skillful person, or would only dare to tell his counsellor half his case; (*Greenough v. Gaskell*, 1 My. & K. 101, per Lord Brougham); or, as one learned judge (Sir James Wigram, in *Lord Walsingham v. Goodricke*, 3 Hare, 127) remarked, "Without the privilege no one could be safe: a party must otherwise be his own lawyer." And again, in another case, (*Woods v. Woods*, 4 Hare, 83), "So long as the state of the law shall make it impossible for parties to be their own lawyers, and to act without professional advice, it is indispensably necessary that the privilege conceded to professional communications should be maintained, at least, to the extent to which it is now established."

The principle of the rule has, however, been questioned, and its policy doubted, by a late distinguished judge, (Lord Langdale), who, after giving the subject much consideration, said (*Flight v. Robinson*, 8 Beav. 36) he had found great difficulty in discovering any well-grounded principle upon which the exceptions to the general rule of discovery could be said to rest, and that he was unable to deduce from the decided cases on the subject a principle which he could consider as a satisfactory guide to their application to other cases which did not fall within the direct scope of their authority. On the other hand, the great majority of the judges have differed from the views of Lord Langdale; and in a recent case (*Pearse v. Pearse*, 1 De G. & S. 12) the policy as well as the principle of the rule has been pointed out by Knight Bruce, V. C. The arguments for and against the rule of exemption cannot be better presented to the consideration of the reader than in the language of these two learned judges and of Lord Brougham.

"According to the general rule which has always prevailed in this court," argued Lord Langdale in *Flight v. Robinson*, "every defendant is bound to discover all the facts within his knowledge, and to produce all documents in his possession which are material to the case of the plaintiff. However disagreeable it may be to make the disclosure, however contrary to his personal interests, however fatal to the claim upon which he may have insisted, he is required and compelled, under the most solemn sanction, to set forth all he knows, believes, or thinks in relation to the matters in question. The plaintiff being subject to the like obligation on the requisition of the defendant in a cross bill, the greatest security which the nature of the case is supposed to admit of is afforded for the discovery of all relevant truth, and, by means of such discovery, this Court, notwithstanding its imperfect mode of examining witnesses, has at all times proved to be of transcendent utility in the administration of justice. It need not be observed what risks must attend all attempts to administer justice in cases where relevant truth is concealed, and how important it must be to diminish those risks; and that if there be any cases in which, for predominant reasons, parties ought to be permitted or to be held privileged to conceal relevant truth, those cases ought to be strictly defined and strictly limited by authority. In this case I have, on the one hand, been reminded of the vast importance of maintaining the plaintiff's right to the discovery of all

the relevant facts within the knowledge of the defendant, and of all the documents by which those facts may be manifested; and I am urged not to extend the exceptions to the exercise of that right further than I am compelled to do by authority. On the other hand, I am reminded of the authorities which have declared that the defendant is not to be compelled to disclose communications made in professional confidence—that the protection of professional communications necessarily infringes upon and induces exceptions to the plaintiff's right to discovery; and then I am urged to give to those exceptions the full extent which is warranted by the principle on which they are founded. This might be practicable if the principle on which the exceptions are founded were in itself clear. The arguments which have been used in some late cases seem, as was observed by the counsel for the plaintiff, to have assumed that the concealment of the truth was, under the plausible names of protection or privilege, an object which it was particularly desirable to secure, forgetting, as it would seem, that the principle upon which this Court has always acted is to promote and compel the disclosure of the whole truth relevant to the matters in question, and that every exception requires a distinct and sufficient justification. It is singular that it should become necessary to observe, that cases of discovery from defendants in courts of equity, which are the only cases now under consideration, relate to the admission of the parties, and not to the testimony of witnesses; that they are not cases in which parties in all courts are held entitled to insist (as their own privilege) that their legal advisers shall not be permitted to disclose confidential communications, nor cases in which parties are sued for penalties, prosecuted for crimes, or exposed to personal or political oppression. Above all, they are not cases in which presumptions in favour of the defendant are to be carried so far as to exempt him from the obligation to answer on his oath

till a title to relief has been proved against him. In this court, the only case to be made out against the defendant may rest within his own knowledge. The plaintiff may know, or be able to prove, nothing which justifies more than mere suspicion; and yet the defendant must, on his oath, disclose the truth. The cases are often such, that they are only to be ascertained by a discovery, to be obtained from the defendant alone, and in which it is plain that the concealment is against conscience and good faith. I own that it is difficult for me to comprehend how it is possible to apply to such cases the rules which are applied to cases totally different. An innocent man, falsely accused of fraud, will scarcely be desirous of concealing the facts, which he may have stated to his legal adviser for the purpose of obtaining legal protection, to which he is justly entitled. A man engaged in a scheme of fraud will be very unwilling to disclose the statement of facts, which he may have made to his legal adviser, for the purpose of better enabling him to conceal, or to secure and enjoy the fruits of, his fraud. And it is a question I would willingly submit to the consideration of those who have to decide upon cases of this kind, whether the interests of society and of justice, or the honour and utility of the legal profession, which are so closely bound up with those interests, are more or less likely to be promoted by the author of the fraud being compelled to disclose or permitted to conceal the fact of his own admissions contained in such a statement of facts.”
(To be continued).

Her Majesty has been pleased to appoint Charles Henry Stewart, Esq., to be Deputy Queen's Advocate for the island of Ceylon.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Robert Alexander Smith, of Richmond, Surrey, Gent., to be a Master Extraordinary in the High Court of Chancery.

CIRCUITS OF THE JUDGES.

(The Lord Chief Baron POLLOCK will remain in Town).

SPRING CIRCUITS, 1852.	NORFOLK.	MIDLAND.	HOME.	NORTHERN.	OXFORD.	WESTERN.	N. WALES.	S. WALES.
	Ld. Campbell J. Patteson	L.C. J. Jervis J. Maule	B. Parke J. Coleridge	B. Alderson J. Cresswell	J. Wightman B. Platt	J. Erie J. Talfourd	J. Williams	B. Martin
Monday, Feb. 16	.....	.....	.....	Lancaster	.....	.....	.....	.....
Thursday ... 19	.....	.....	.....	Appleby	.....	.....	.....	.....
Saturday ... 21	.....	.....	.....	Carlisle	.....	.....	.....	.....
Tuesday ... 24	.....	{ Oakham and Northampt. }	.....	.....	Reading	.....	.....	.....
Wednesday ... 25	.....	.....	Hertford	Newcastle	.....	.....	.....	.....
Saturday ... 28	.....	Lincoln & [City]	Chelmsford	Durham	Oxford	Winchester	.....	.....
Monday, Mar. 1	Aylesbury	.....	.....	.....	.....	.....	.....	Swansea
Tuesday ... 2	.....	.....	.....	.....	.....	.....	.....	.....
Thursday ... 4	Bedford	Nottingham	.....	.....	Worcester & [City]	.....	.....	.....
Saturday ... 6	.....	[& Town]	.....	York	.....	Salisbury	.....	.....
Monday ... 8	Huntingdon	.....	Maidstone	.....	.....	.....	Welchpool	.....
Tuesday ... 9	.....	.....	.....	.....	Stafford	.....	.....	Haverford- [west & Tn.]
Wednesday ... 10	Cambridge	Derby	.....	.....	.....	.....	Bala	.....
Thursday ... 11	.....	.....	.....	.....	.....	.....	.....	Cardigan
Friday ... 12	.....	.....	.....	.....	.....	.....	.....	.....
Saturday ... 13	.....	.....	.....	.....	.....	Dorchester	Carnarvon	.....
Monday ... 15	Norwich and [City]	Leicest. & B.	Lewes	.....	.....	.....	.....	Carmarthen
Tuesday ... 16	.....	.....	.....	.....	Shrewsbury	Exeter & City	Beaumaris	.....
Wednesday ... 17	.....	.....	.....	.....	.....	.....	.....	.....
Friday ... 19	.....	Coventry	.....	.....	.....	.....	.....	.....
Saturday ... 20	Bury St. Ed.	Warwick	.....	Liverpool	Hereford	.....	Ruthin	Brecon
Monday ... 22	.....	.....	Kingston	.....	.....	.....	.....	.....
Wednesday ... 24	.....	.....	.....	.....	Monmouth	Bodmin	Mold	.....
Thursday ... 25	.....	.....	.....	.....	.....	.....	.....	.....
Saturday ... 27	.....	.....	.....	.....	Gloucester & [City]	.....	Chester	Presteign Chester
Tuesday ... 30	.....	.....	.....	.....	.....	Taunton	.....	.....

Court Papers.

EQUITY SITTINGS, AFTER HILARY TERM,
1852.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

Monday	Feb. 9	First Seal.—Appeal Motions.
Tuesday	10	} Appeals.
Wednesday	11	
Thursday	12	} (Petition-day).—Appeal Petitions.
Friday	13	
Saturday	14	} Appeals.
Monday	16	
Tuesday	17	} (Petition-day).—Appeal Petitions.
Wednesday	18	
Thursday	19	} Appeals.
Friday	20	
Saturday	21	} Second Seal.—Appeal Motions.
Monday	23	
Tuesday	24	} Appeals.
Wednesday	25	
Thursday	26	} (Petition-day).—Appeal Petitions.
Friday	27	
Saturday	28	} Appeals.
Monday	March 1	
Tuesday	2	} (Petition-day).—Appeal Petitions.
Wednesday	3	
Thursday	4	} Appeals.
Friday	5	
Saturday	6	} (Petition-day).—Appeal Petitions.
Monday	8	
Tuesday	9	} Third Seal.—Appeal Motions.
Wednesday	10	
Thursday	11	} Appeals.
Friday	12	
Saturday	13	} (Petition-day).—Appeal Petitions.
Monday	15	
Tuesday	16	} Appeals.
Wednesday	17	
Thursday	18	} (Petition-day).—Appeal Petitions.
Friday	19	
Saturday	20	} Appeals.
Monday	22	
Tuesday	23	} Fourth Seal.—Appeal Motions.
Wednesday	24	
Thursday	25	} Petitions.

Notice.—Such days as his Lordship attends Appeals in the House of Lords excepted.

N. B.—The sittings will close on the 2nd April.

Before the LORDS JUSTICES, at Lincoln's Inn.

Monday	Feb. 9	The Reply in <i>Reynell v. Sprye</i> .
Tuesday	10	Appeal Motions and Appeals.
Wednesday	11	} Lunatic and Bankrupt Petitions (un-
Thursday	12		} opposed first) and Appeals.
Friday	13	Appeal Petitions and Appeals.
Saturday	14	} Appeals.
Monday	16	
Tuesday	17	} Lunatic and Bankrupt Petitions (un-
Wednesday	18		} opposed first) and Appeals.
Thursday	19	} Appeal Petitions and Appeals.
Friday	20	
Saturday	21	} Second Seal.—Appeal Motions and
Monday	23		} Appeals.
Tuesday	24	} Appeals.
Wednesday	25	
Thursday	26	} Lunatic and Bankrupt Petitions (un-
Friday	27		} opposed first) and Appeals.
Saturday	28	} Appeal Petitions and Appeals.
Monday	March 1	
Tuesday	2	} Appeals.
Wednesday	3	
Thursday	4	} Lunatic and Bankrupt Petitions (un-
Friday	5		} opposed first) and Appeals.
Saturday	6	} Appeal Petitions and Appeals.

Monday	8	} Third Seal.—Appeal Motions and Ap-
Tuesday	9		peals.
Wednesday	10	} Lunatic and Bankrupt Petitions (un-
Thursday	11		} opposed first) and Appeals.
Friday	12	} Appeal Petitions and Appeals.
Saturday	13	
Monday	15	} Appeals.
Tuesday	16	
Wednesday	17	} Lunatic and Bankrupt Petitions (un-
Thursday	18		} opposed first) and Appeals.
Friday	19	} Appeal Petitions and Appeals.
Saturday	20	
Monday	22	} Appeals.
Tuesday	23	
Wednesday	24	} Fourth Seal.—Appeal Motions and
Thursday	25		} Appeals.
Friday	26	} Appeals.
Saturday	27	
Monday	29	} Appeal Petitions, Lunatic and Bank-
Tuesday	30		rupt Petitions, and Appeals.
Wednesday	31	} Appeals.
Thursday	April 1	
Friday	2	

N. B.—Their Lordships' sittings will not continue beyond the 2nd day of April.

Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.

Monday	Feb. 9	First Seal.—Motions and Claims.
Tuesday	10	} Pleas, Demurrers, Exceptions, Causes,
Wednesday	11	
Thursday	12	} Unopposed Petitions, Short Causes,
Friday	13	
Saturday	14	} Pleas, Demurrers, Exceptions, Causes,
Monday	16	
Tuesday	17	} Unopposed Petitions, Short Causes,
Wednesday	18	
Thursday	19	} Pleas, Demurrers, Exceptions, Causes,
Friday	20	
Saturday	21	} Second Seal.—Motions and Claims.
Monday	23	
Tuesday	24	} Pleas, Demurrers, Exceptions, Causes,
Wednesday	25	
Thursday	26	} General Petitions.
Friday	27	
Saturday	28	} Pleas, Demurrers, Exceptions, Causes,
Monday	March 1	
Tuesday	2	} Unopposed Petitions, Short Causes,
Wednesday	3	
Thursday	4	} Pleas, Demurrers, Exceptions, Causes,
Friday	5	
Saturday	6	} Third Seal.—Motions and Claims.
Monday	8	
Tuesday	9	} Pleas, Demurrers, Exceptions, Causes,
Wednesday	10	
Thursday	11	} Unopposed Petitions, Short Causes,
Friday	12	
Saturday	13	} Pleas, Demurrers, Exceptions, Causes,
Monday	15	
Tuesday	16	} Unopposed Petitions, Short Causes,
Wednesday	17	
Thursday	18	} Pleas, Demurrers, Exceptions, Causes,
Friday	19	
Saturday	20	} Unopposed Petitions, Short Causes,
Monday	22	
Tuesday	23	} Pleas, Demurrers, Exceptions, Causes,
Wednesday	24	
Thursday	25	} Fourth Seal.—Motions and Claims.
Friday	26	

N. B.—The sittings will close on the 2nd April.

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

Monday Feb. 9	First Seal.—Motions.
Tuesday 10	
Wednesday 11	} Adjourned Petitions.
Thursday 12	
Friday 13	} (Petition-day).—Petitions (unopposed first).
Saturday 14	
Monday 16	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 17	
Wednesday 18	
Thursday 19	
Friday 20	} (Petition-day).—Petitions (unopposed first).
Saturday 21	
Monday 23	Second Seal.—Motions.
Tuesday 24	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday 25	
Thursday 26	
Friday 27	
Saturday 28	} Short Causes, Short Claims, & Claims.
Monday March 1	
Tuesday 2	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday 3	
Thursday 4	
Friday 5	
Saturday 6	} Short Causes, Short Claims, & Claims.
Monday 8	
Tuesday 9	Third Seal.—Motions.
Wednesday 10	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday 11	
Friday 12	
Saturday 13	
Monday 15	} Short Causes, Short Claims, & Claims.
Tuesday 16	
Wednesday 17	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday 18	
Friday 19	
Saturday 20	
Monday 22	} Short Causes, Short Claims, & Claims.
Tuesday 23	
Wednesday 24	Fourth Seal.—Motions.
Thursday 25	} Petitions (unopposed first).
Friday 26	
Saturday 27	
Monday 29	

Notice.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).
N. B.—The sittings will close on the 2nd April.

Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.

Monday Feb. 9	First Seal.—Motions.
Tuesday 10	Exceptions to Pleadings and Insuffic.
Wednesday 11	} Short Causes, Short Claims, Claims, and Causes.
Thursday 12	
Friday 13	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday 14	
Monday 16	Cause Petitions (unopposed first).
Tuesday 17	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday 18	
Thursday 19	
Friday 20	
Saturday 21	Cause Petitions (unopposed first).
Monday 23	Second Seal.—Motions.
Tuesday 24	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday 25	
Thursday 26	
Friday 27	
Saturday 28	Cause Petitions (unopposed first).
Monday March 1	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 2	

Wednesday 3	} Short Causes, Short Claims, Claims, and Causes.
Thursday 4	
Friday 5	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday 6	
Monday 8	Cause Petitions (unopposed first). Third Seal.—Motions.
Tuesday 9	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday 10	
Thursday 11	} Short Causes, Short Claims, Claims, and Causes.
Friday 12	
Saturday 13	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday 15	} Cause Petitions (unopposed first).
Tuesday 16	
Wednesday 17	
Thursday 18	
Friday 19	} Short Causes, Short Claims, Claims, and Causes.
Saturday 20	
Monday 22	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 23	
Wednesday 24	
Thursday 25	
Friday 26	} Short Causes, Short Claims, Claims, and Causes.
Saturday 27	
Monday 29	} Cause Petitions (unopposed first).
Tuesday 30	
Wednesday 31	
Thursday April 1	
Friday 2	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.

N. B.—The sittings will close on the 2nd April.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

Monday Feb. 9	Motions.
Tuesday 10	
Wednesday 11	} Motions.
Thursday 12	
Friday 13	} Pleas, Demurrers, Causes, Claims, and Further Directions, and Exceptions.
Saturday 14	
Monday 16	
Tuesday 17	
Wednesday 18	} Petitions in the General Paper.
Thursday 19	
Friday 20	} Pleas, Demurrers, Causes, Claims, and Further Directions, and Exceptions.
Saturday 21	
Monday 23	
Tuesday 24	
Wednesday 25	} Motions.
Thursday 26	
Friday 27	} Pleas, Demurrers, Causes, Claims, and Further Directions, and Exceptions.
Saturday 28	
Monday March 1	
Tuesday 2	
Wednesday 3	} Petitions in the General Paper.
Thursday 4	
Friday 5	} Pleas, Demurrers, Causes, Claims, and Further Directions, and Exceptions.
Saturday 6	
Monday 8	
Tuesday 9	
Wednesday 10	} Motions.
Thursday 11	
Friday 12	} Pleas, Demurrers, Causes, Claims, and Further Directions, and Exceptions.
Saturday 13	
Monday 15	
Tuesday 16	
Wednesday 17	} Petitions in the General Paper.
Thursday 18	
Friday 19	} Pleas, Demurrers, Causes, Claims, and Further Directions, and Exceptions.
Saturday 20	
Monday 22	
Tuesday 23	
Wednesday 24	Motions.

Thursday	25	Petitions in the General Paper.
Friday	26	
Saturday	27	
Monday	29	
Tuesday	30	
Wednesday	31	Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Thursday .. April 1		
Friday	2	Short Causes, Short Claims, Consent Causes, and Unopposed Petitions.

Short Causes, Short Claims, Consent Causes, Unopposed Petitions, and Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

London Gazettes.

TUESDAY, FEBRUARY 3.

BANKRUPTS.

ROBERT SEWELL, Swaffham, Norfolk, scrivener, dealer and chapman, Feb. 13 at 2, and March 19 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Trehern & White, 13, Barge-yard-chambers, Bucklersbury, London.—Petition dated Jan. 30.

THOMAS ARNOLD, Elmore, Gloucestershire, timber dealer and miller, dealer and chapman, Feb. 16 at 12, and March 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Lovegrove, Gloucester.—Petition filed Jan. 30.

JOSEPH HALL, Hopsad, Cradley, Herefordshire, farmer, lime burner, dealer and chapman, Feb. 17 and March 6 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Smith, Birmingham.—Petition dated Jan. 22.

THOMAS HARRIS, Camborne, Cornwall, grocer, dealer and chapman, Feb. 11 and March 10 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Bullmore, Falmouth; Stogdon, Exeter.—Petition filed Jan. 29.

JOHN PADGETT, Idle, Yorkshire, cloth manufacturer, dealer and chapman, Feb. 19 and March 25 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds.—Petition dated and filed Jan. 29.

THOMAS BYROM, Wigan, Lancashire, grocer and provision dealer, Feb. 20 and March 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Barratt, Manchester.—Petition filed Jan. 20.

MEETINGS.

William Frederick Donovan, Oxford-street, Middlesex, poulterer, Feb. 13 at half-past 12, Court of Bankruptcy, London, last ex.—*Henry Hodges*, Addington-place, Camberwell, Surrey, coach builder, Feb. 10 at 1, Court of Bankruptcy, London, last ex.—*Wm. Nash*, Noble-street, London, woollen warehouseman, Feb. 11 at 12, Court of Bankruptcy, London, last ex.—*Charles Richmond Pottinger*, Hardwick-place, Commercial-road East, Middlesex, wine merchant, Feb. 16 at 11, Court of Bankruptcy, London, last ex.—*Owen Bowen* and *Alexander Gibson*, Ravensbury Print-works, Surrey, calico printers, Feb. 14 at 2, Court of Bankruptcy, London, aud. ac.—*William James Pasman* and *Catherine Pasman*, Hare-street, Bethnal-green, Middlesex, silk dyers, Feb. 14 at 2, Court of Bankruptcy, London, aud. ac.—*John Custance*, Greenwich, Kent, miller, Feb. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Adams*, Hastings, Sussex, hardwareman, Feb. 14 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Richard Isomonger* and *Piercy Isomonger*, Littlehampton, Sussex, merchants, Feb. 14 at 2, Court of Bankruptcy, London, aud. ac.—*William Laslett*, Houson, Ash-next-Sandwich, Kent, dealer in hay, Feb. 14 at 2, Court of Bankruptcy, London, aud. ac.—*Thos. Britten*, Suffolk-lane, Cannon-street, London, wine merchant, Feb. 27 at half-past 11, Court of Bankruptcy, London, div.—*Edwin Figg*, Grove-road, St. John's-wood, and New Church-street, Lisson-grove, Paddington, Middlesex, apothecary, Feb. 24 at 1, Court of Bankruptcy, London, fin. div.—*Charles Henry Swann*, Sandford, *John Swann*, Woolvercote, and *William Swann*, Enaham, Oxfordshire, paper makers, Feb. 27 at 11,

Court of Bankruptcy, London, div. sep. est. of *Charles Henry Swann*.—*William Remington*, *Rowland Stephenson*, *David Robert Remington*, and *Joseph Petty Toulmin*, Lombard-street, London, bankers, Feb. 27 at half-past 12, Court of Bankruptcy, London, div. sep. est. of *Rowland Stephenson*.—*John Wright*, jun., and *George Lockwood*, Trinity-square, London, coal factors, Feb. 20 at 12, Court of Bankruptcy, London, div. est. and, div. sep. est. of *John Wright*.—*Leonard Wild Lloyd*, Goldhawk-terrace, New-road, Shepherd's-bush, Middlesex, builder, Feb. 27 at 1, Court of Bankruptcy, London, div.—*John Peakes*, Mitcham, Surrey, market gardener, Feb. 24 at 1, Court of Bankruptcy, London, div.—*John Prentice*, Oxford, ironmonger, Feb. 24 at 2, Court of Bankruptcy, London, div.—*William Edwards*, Brighton, Sussex, carpenter, Feb. 26 at 12, Court of Bankruptcy, London, div.—*Charles Bayliffe*, Chippenham, Wiltshire, surgeon, Feb. 26 at 11, District Court of Bankruptcy, Bristol, div.—*Benjamin Hopkinson Bates*, Liverpool, merchant, Feb. 24 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. Birch*, Chorlton-upon-Medlock, Manchester, common brewer, Feb. 26 at 12, District Court of Bankruptcy, Manchester, div.—*John Emery*, Lichfield, tailor, Feb. 23 at half-past 11, District Court of Bankruptcy, Birmingham, div.—*John Johnson*, Wolston, Warwickshire, coal dealer, Feb. 24 at half-past 10, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Bennett, Woolwich, Kent, carpenter, Feb. 25 at 11, Court of Bankruptcy, London.—*Marshall Bewick*, Norwich, wine merchant, Feb. 25 at 1, Court of Bankruptcy, London.—*William Stanton*, Buckingham, watchmaker, Feb. 26 at 2, Court of Bankruptcy, London.—*Fred. Pegler*, Hampton, Middlesex, grocer, Feb. 24 at 1, Court of Bankruptcy, London.—*Wm. Boyce* the elder, Dover, Kent, hotel keeper, Feb. 26 at 12, Court of Bankruptcy, London.—*William Edwards*, Brighton, Sussex, carpenter, Feb. 26 at 12, Court of Bankruptcy, London.—*Nicholas Geary*, St. James's-street, Piccadilly, and Oxford-street, Middlesex, staymaker, Feb. 26 at 1, Court of Bankruptcy, London.—*Wm. Farrell*, Liverpool, provision dealer, Feb. 27 at 11, District Court of Bankruptcy, Liverpool.—*Thos. M. Harris*, Liverpool, shipowner, Feb. 26 at 11, District Court of Bankruptcy, Liverpool.—*J. Thomson* and *Wm. Leith*, Liverpool, timber merchants, Feb. 26 at 11, District Court of Bankruptcy, Liverpool.—*Alexander Caneh*, Liverpool, provision dealer, Feb. 27 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Tucker* and *John Tucker*, Liverpool, shipbuilders, Feb. 25 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Joseph B. Caddy, Malmsbury, Wiltshire, stationer.—*Wm. Jones*, New-road, Whitechapel, Middlesex, and East Ham, Essex, cowkeeper.—*Wm. White*, Winchester, Southampton, builder.—*Z. Warren*, Ardleigh, Essex, miller.—*W. Clough-ton*, Kingston-upon-Hull, auctioneer.

SCOTCH SEQUESTRATIONS.

A. Wilkinson, Glasgow, printer.—*D. S. Galbraith*, Drummore House, near Campbelltown, underwriter.—*Alex. Finlay*, Bredisholm, Old Monkland, Lanarkshire, cattle dealer.—*James M. Murray*, Glasgow, ironmonger.—*James Maxwell*, Glasgow, wine merchant.—*John Lamb Cunningham*, Dundee, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Hannah, Kingston-upon-Hull, retailer of beer, Feb. 21 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Wm. Andrew*, North Ferry, Yorkshire, wheelwright, Feb. 21 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Dewis*, Brough, Westmoreland, innkeeper, Feb. 18 at 11, County Court of Westmoreland, at Appleby.—*Richard Linnell*, Wrappenharn, Northamptonshire, baker, Feb. 23 at half-past 11, County Court of Buckinghamshire, at Newport Pagnell.—*Jonathan Brown*, York, currier, Feb. 23 at 10, County Court of Yorkshire, at York.—*James Schofield* and *Jabez Clarke*, Leeds, Yorkshire, painters, Feb. 25 at 10, County Court of Yorkshire, at Leeds.—*John Best* the elder,

Brierley-hill, Kingswinford, Staffordshire, in no business, March 22 at 10, County Court of Worcestershire, at Stourbridge.—*James Doughty*, Bromley, Kingswinford, Staffordshire, sinker, March 22 at 10, County Court of Worcestershire, at Stourbridge.—*Robert H. Ingram*, Cambridge, teacher of music, Feb. 23 at 10, County Court of Cambridgeshire, at Cambridge.—*G. Jones*, Pontypool, Monmouthshire, labourer, Feb. 24 at 10, County Court of Monmouthshire, at Pontypool.—*Richard Taylor*, Salt-marsh, near Howden, Yorkshire, coal dealer, Feb. 14 at 10, County Court of Yorkshire, at Howden.—*James Merigan*, York, pot maker, Feb. 23 at 10, County Court of Yorkshire, at York.—*John Ward*, York, dealer in bacon, Feb. 23 at 10, County Court of Yorkshire, at York.—*Christopher Ras*, Scorton and Catterick, Yorkshire, grocer, Feb. 18 at 10, County Court of Yorkshire, at Richmond.—*John Collins*, York, licensed victualler, Feb. 23 at 10, County Court of Yorkshire, at York.—*George J. Wagstaff*, York, painter, Feb. 23 at 10, County Court of Yorkshire, at York.—*Thomas Jackson*, Stillington, Yorkshire, saddler, Feb. 24 at half-past 10, County Court of Yorkshire, at Easingwold.—*Thomas Wheelhouse*, Knaresborough, Yorkshire, innkeeper, Feb. 13 at 11, County Court of Yorkshire, at Knaresborough.—*L. Tilley*, Tredegar, Monmouthshire, assistant to a grocer, Feb. 19 at 10, County Court of Monmouthshire, at Tredegar.—*Isaac Fields*, Folkestone, and Ashford, Kent, builder, Feb. 17 at 10, County Court of Kent, at Folkestone.—*Eliza Vincent*, widow, Milford, Pembrokeshire, not in any business, Feb. 20 at 10, County Court of Pembrokeshire, at Haverfordwest.—*Thomas D. Palmer*, Gelliswick, Hubberston, Pembrokeshire, not of any business, Feb. 20 at 10, County Court of Pembrokeshire, at Haverfordwest.—*Thomas Milner*, Nash, Monmouthshire, farmer, Feb. 17 at 12, County Court of Monmouthshire, at Newport.—*George Harewell*, Nailsworth, Avening, Gloucestershire, carpenter, Feb. 25 at half-past 10, County Court of Gloucestershire, at Stroud.—*Wm. Butcher*, Stetchworth, Cambridgeshire, butcher, Feb. 16 at 3, County Court of Cambridgeshire, at Newmarket.—*David Palmer*, Gelliswick, Hubberston, Pembrokeshire, not of any business, Feb. 20 at 10, County Court of Pembrokeshire, at Haverfordwest.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 18 at 11, before the CHIEF COMMISSIONER.

Walter Walpole, Tothill-st., Westminster, Middlesex, out of business.—*Thos. Morris*, Southwark-bridge-road, Surrey, wholesale druggist's assistant.—*John Haughton Wickes*, Brighton-place, North Brixton, Surrey, plumber.—*John Youngusband*, Eversholt-street, Hampstead-road, Middlesex, bookseller.

Saturday, Jan. 31.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Kilsby, Kingston-upon-Thames, Surrey, hat manufacturer, No. 62,599 T.; *Luke West* and *Joseph Ward*, assignees.—*Thos. Hilditch*, Scot Hay, near Newcastle-under-Lyne, Staffordshire, labourer, No. 63,250 C.; *Thos. Austen*, assignee.—*Richard Platt*, Portsea, baker, No. 73,857 C.; *Charles Mimors Collett*, assignee.—*Joseph Fraser Wilson*, Winchester, Hampshire, lieutenant in the 4th Ceylon Regiment, on half-pay, No. 14,291 T.; *Samuel Sturgis*, new assignee, Henry Mills removed.

Saturday, Jan. 31.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

James Everett Hackney, Milsted-terrace, Church-fields, Old Kent-road, Surrey, commission agent: in the Debtors Prison for London and Middlesex.—*Robert Nicholson Codling*, Edgecombe-terrace, Bancroft-place, Mile-end-rd., Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Wm. Giles*, Sydney-st., Great Northern-road, Islington, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*David Terros*, Mansell-st., Goodman's-fields, Middlesex, coachsmith: in the Debtors Prison for Lon-

don and Middlesex.—*Wm. Woodward*, Bolwell-terrace, Lambeth-walk, Lambeth, Surrey, builder: in the Queen's Prison.—*Charles Bruford*, Wellclose-square, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Jane Chippendale Umpleby*, Epping-place, Mile-end, Middlesex, shopwoman to a hairdresser: in the Debtors Prison for London and Middlesex.—*Edwin Leese*, Munster-street, Regent's-park, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*George May*, Fieldgate-st., Whitechapel-road, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*John Marriott Digby*, Crown-st., Finsbury, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Thos. Wm. Piggott*, Riley-st., George-st., Bermondsey, Surrey, hat manufacturer: in the Gaol of Horsemonger-lane.—*Frederick Ward*, Friar-st., Blackfriars-road, Surrey, commission agent: in the Gaol of Horsemonger-lane.—*Thos. Wells*, Princes-road, Bermondsey, Surrey, oilman: in the Gaol of Surrey.—*Richard Thomas Hart*, Plumstead, Kent, builder: in the Queen's Prison.—*James Louis Escudier*, Somerset-st., Portman-square, Middlesex, surgeon-dentist: in the Debtors Prison for London and Middlesex.—*James Stride*, Windsor-place, Southwark-bridge-road, Surrey, out of business: in the Queen's Prison.—*Henry Perkins Passmore*, Crown-place, Old Kent-road, Surrey, painter: in the Gaol of Horsemonger-lane.—*Joseph Bruce*, Tachbrook-st., Pimlico, Middlesex, out of business: in the Queen's Prison.—*Mannis George Duke*, Cannon-row, Westminster, Middlesex, stationer: in the Debtors Prison for London and Middlesex.—*Wm. Lambert Taylor*, Peacock-terrace, Walworth, Surrey, beer-shop keeper: in the Gaol of Horsemonger-lane.—*Francois Autagnier*, Cavendish-street, Oxford-street, Middlesex, importer of fancy goods: in the Debtors Prison for London and Middlesex.—*Charles Berar*, Elliott's-row, Lower-road, Islington, Middlesex, grocer: in the Queen's Prison.—*Wm. Campbell*, Filey, Yorkshire, lodging-house keeper: in the Gaol of York.—*James Driver*, Thornton, near Bradford, Yorkshire, publican: in the Gaol of York.—*Joseph Edwards*, Hulme, Manchester, plumber: in the Gaol of Lancaster.—*Edward Elias Dunsterville Groves*, Llanelly, Carmarthenshire, solicitor: in the Gaol of Carmarthen.—*James Horrocks*, Sholes Wigan, Lancashire, baker: in the Gaol of Lancaster.—*Edw. Lea*, Kirkstall-bridge, near Leeds, Yorkshire, black plate worker: in the Gaol of York.—*Robert George Moore*, Stonegate, Yorkshire, commission agent: in the Gaol of York.—*James Newton*, Manchester, beer seller: in the Gaol of Lancaster.—*Thomas Roberts*, Manchester, baker: in the Gaol of Lancaster.—*Henry Stephenson*, Warminster, Wiltshire, musical instrument tuner and music seller: in the Gaol of Fisherton Anger, Wiltshire.—*John Daniels Varley*, Hulme, Manchester, accountant: in the Gaol of Lancaster.—*James Whitaker*, Bolton, by Bowland, near Clitheroe, Yorkshire, farmer: in the Gaol of York.—*Henry Deen*, Manchester, out of business: in the Gaol of Lancaster.—*John Hough*, Salford, Lancashire, brickmaker: in the Gaol of Lancaster.—*W. Lupton*, Bradford, Yorkshire, stuff dealer: in the Gaol of York.—*Jacob Schwars*, Bedford, dealer in German clocks: in the Gaol of Bedford.—*Jacob M. Van Winkle*, Huddersfield, Yorkshire, manager to the Astoria Company at Huddersfield: in the Gaol of York.—*Richard R. Blackman*, Kingston-upon-Hull, Yorkshire, confectioner: in the Gaol of Kingston-upon-Hull.—*John Carver*, Hunslet, near Leeds, Yorkshire, shopkeeper: in the Gaol of York.—*James Plumley*, Reading, Berkshire, builder: in the Gaol of Reading.—*W. Walton*, Horbury, near Wakefield, Yorkshire, publican: in the Gaol of York.—*Samuel West Alabaster*, Plymouth, Devonshire, baker: in the Gaol of St. Thomas the Apostle, Devonshire.—*Robert Jackson*, Colne, Lancashire, sawyer: in the Gaol of Lancaster.—*Arthur P. Rudmann*, Preston, Lancashire, grocer: in the Gaol of Lancaster.—*Edward Thorpe*, Micklegate, Yorkshire, innkeeper: in the Gaol of York.—*Edward Williamson*, Groves, Yorkshire, painter: in the Gaol of York.—*Benjamin Lamplough*, Doncaster, Yorkshire, draper: in the Gaol of York.—*John Whitaker*, Upper Wortley, Leeds, Yorkshire, woollen cloth manufacturer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 17 at 11, before the CHIEF COMMISSIONER.

John Sanderson, Blackfriars-road, Surrey, umbrella manu-

facturer.—*Henry Reece*, Walton-on-Thames, Surrey, out of business.

Feb. 19 at 11, before Mr. Commissioner PHILLIPS.

Henry A. P. Barlow, Sion-cottage, London-wall, London, wine merchant's clerk.—*Joseph Smith*, Bayham-terrace, Camden-town, Middlesex, cabinet maker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Feb. 21.

John Moss, Scotter, out of employment.—*Richard Robinson Blackman*, Kingston-upon-Hull, confectioner.

At the County Court of Oxfordshire, at OXFORD, Feb. 23 at 10.

John Nickolls, Kidlington, ironmonger.

At the County Court of Gloucestershire, at BRISTOL, Feb. 25 at 11.

James Vowles, Bristol, mason.

INSOLVENT DEBTORS' DIVIDENDS.

Edward Cahill the younger, Walcot-square, Kennington, Surrey, clerk in the Admiralty, Somerset House: 1s. 9½d. in the pound.—*Charles J. Beaumont*, Greenwich, Kent, watchmaker: 4½d. in the pound.—*John Hutton*, Denmark-street, Soho, Middlesex, clerk to a loan society: 1s. 10½d. in the pound.—*James Gray*, Gordon-st., Gordon-sq., Middlesex, clerk to the General Maritime Assurance Company: 10½d. in the pound.—*George Mathew*, Buckley-street, Whitechapel, Middlesex, wheelwright: 2s. 2½d. in the pound.—*Wm. Reed*, Penton-place, Newington, Surrey, assistant to a linendraper: 1s. 5d. in the pound.—*John Webb*, Plympton St. Mary, Devonshire, captain in the Army: 4s. 1d. in the pound.—*Samuel D. C. Grinsell*, Camden-square, Camberwell, Surrey, superannuated superintendent of police: 4s. 4d. in the pound.—*Wm. A. Grobecker*, deceased, Stanhope-place, Southwark-bridge-road, Surrey, superannuated clerk in the War-office: 5s. 6½d. in the pound.—*W. A. Grobecker*, Wellington-place, Camberwell, Surrey, teacher of languages: 2s. 2½d. in the pound.—*Edward Jukes*, Enfield-road, Kingsland-road, Middlesex, librarian to the London Dock Company: 1s. 2½d. in the pound.—*Thomas Theakston*, Azerley, near Ripon, Yorkshire, farmer: 4½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Thomas L. R. Pierce, Aldersgate-street, London, out of business, Feb. 20 at 12, Pratt's, Chatham, Kent, sp. aff.

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REFERENCES.

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David Bogue, Esq., Fleet-street.
Thomas Delf, Esq., Paternoster-row.
Washington Irving, Esq. } New York.
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The Jurist

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LONDON, FEBRUARY 14, 1852.

Amongst the most subtle of the numerous subtle distinctions that are to be found in the law is that adopted by Lord Eldon in *Ex parte Hamper*, (17 Ves. 403), in which his Lordship thus states the law as to what indirect interest in or claim upon the profits of a concern will not constitute a partnership in it:—

"The cases have gone further to this nicety upon a distinction so thin, that I cannot state it as established, upon due consideration, that if a trader agrees to pay another person for his labour in the concern a sum of money, even, in proportion to the profits, equal to a certain share, that will not make him a partner; but if he has a specific interest in the profits themselves, as such, he is a partner." (P. 404).

And again, (p. 412):—

"The ground as to third persons is this—it is clearly settled, though I regret it, that if a man stipulates that as the reward of his labour he shall have, not a specific interest in the business, but a given sum of money, even in proportion to a given quantum of the profits, that will not make him a partner; but if he agrees for a part of the profits as such, giving him a right to an account, though having no property in the capital, he is, as to third persons, a partner; and in a question with third persons, no stipulation can protect him from loss."

Well, indeed, might Lord Eldon call the distinction thin; it is, to our understanding at least, no sensible distinction at all. Let it be stated in an equivalent but more tangible form, and the utter groundlessness of the distinction will be apparent. A. and B., in partnership, have a clerk, who is to be paid, in the manner described in *Ex parte Hamper*, a salary equal

to a third of the profits. They have taken their annual account, and, after all expenses, their clear profits are 900*l.*, for which they draw three cheques, and place them on the table. Up to this point the cheques are clearly all three, profits; but the partners call in their clerk, and tell him to take one, each of the partners taking one of the others. From that moment one of the cheques changes its character, and is no longer a share of the profits, but a gross sum of money. "The absurdity is," to use the expression of Lord Mansfield in *Doe v. Port*, (Dougl. 722), in speaking of *Lord Lincoln's case*, "shocking; however it is now law." And on that law a learned member of the Bar has founded a suggestion, that the benefits of the limited liability of the French law of commandite may be obtained under the existing law of England*. With the learned writer's defence of the rationality of the distinction we do not agree. He says, (p. 7):—

"A man who agrees for a share of the profits is directly interested in the profits themselves, in specie, wherever they may be, and as soon as they accrue. The law, with a view of advancing and protecting the interests of commerce, gives to every man who has a right to a share in profits a right to take possession of the whole profits, wherever he may find them. But the man who, in Lord Eldon's words, contracts for a sum of money, even in proportion to a quantum of the profits, is not, properly speaking, or in the same sense, interested in the profits. He is only interested in the rate of profits. 'Interested' in the one case means

* Partnership en Commandite; or Limited Liability recognised and permitted by the existing Law of England, as exemplified in the Convertible Bonds of the Steam Gondola Company. By Matthew B. Begbie, of Lincoln's-inn. Barrister at Law. 1852.

'having a right of property in the profits'—in the other, 'concerned to know what the profits are.' Neither has the person who stipulates for a sum of money, even in proportion to a quantum of the profits, any right to an account, but only to a discovery. The right to an account involves the idea of relief. In fact, an account, without other relief, is simple discovery. But a person who is specifically interested in the profits, i. e. who has a right of property in the profits in specie, has a right to an account, properly so called—not only to a discovery, but to a decree for payment over. The interest in the rate of profit, therefore, does not bring such a person within Lord Eldon's rule as having a right to an account."

But this is only another form of re-stating Lord Eldon's subtlety. If a man is entitled to be paid a sum equal to a given share of the profits, and is entitled to discovery of what the profits are, he is, on obtaining the discovery, entitled to recover the specific amount discovered. So that it comes back to this—that the profits being 900 sovereigns, he is entitled to a discovery of that fact, and then he is entitled to take 300 of them. What matters it whether they are called profits—they are profits, and nothing else. Besides, discovery of amounts of money, is an account; so that it is a mere contest of words to say that a person, paid on the principle of *Ex parte Hamper*, is not entitled to an account of profits. Still, however, such is the law, and if Mr. Begbie has successfully shewn how to apply it to so useful and commercial a purpose as the obtaining of limited liability, he has done good service as well to the merchants as to the lawyers. His plan is thus described:—

"The consideration of these cases has suggested the plan of borrowing money on debentures or bonds, conditioned for the payment of periodical payments, by way of interest on the loan, proportional to the dividend declared among the partners on the capital stock; and the following form has been proposed accordingly. It may be observed that, although these observations are addressed to the case of a joint-stock company, being the case where the suggestion was made, the principle is nearly the same with regard to all partnerships. The case of private partnerships is, in some respects, more favourable to the exemption from liability, owing to the considerations which will be pointed out hereafter.

Date, 1 March, 1852.	STEAM GONDOLA	1 March, 1852.
£50. No. —.	COMPANY.	No. —. £50.
	CONVERTIBLE BOND.	

"We, the Steam Gondola Company, in consideration of the sum of 50*l.* to us in hand paid by A. B., of —, do bind ourselves and our successors unto the said A. B., his executors, administrators, and assigns, in the penal sum of 100*l.*

"The condition of the above-written obligation is such, that if the said company shall pay to the said A. B., his executors, administrators, or assigns, at the office of the company, within one week after every general meeting of the company, such a sum of money, by way of interest on the said sum of 50*l.*, as shall be after the same rate per cent. as the dividend which shall at such general meeting have been declared on the paid-

up share capital of the company; or ELSE (at the option of the company) if the said company shall, at the office of the company, and on the 1st day of September, which shall be in the year 1852, pay to the said A. B., his executors, administrators, or assigns, the sum of 50*l.*, together with interest thereon after the rate of 5*l.* per centum per annum; then the above-written obligation is to be void, otherwise to remain in full force and virtue. Given under our common seal this 1st day of March, 1852.

"(To be indorsed on the above).

"1. This obligation will be renewed as the coupons are exhausted.

"2. The proprietor of this obligation is entitled at any time to require it to be converted into a share or shares at par.

"3. By the deed of settlement the directors are from time to time, previous to every general meeting, to certify what portion (if any) of the profits of the company are proper to be applicable to the purposes of a dividend, after making provision for a rest or reserved fund (if deemed expedient).

"4. The directors are entitled at any time, on three months' notice, to pay off the proprietor of this obligation at par, (i. e. on payment of 50*l.*, and all interest at 5*l.* per cent.), unless such proprietor, within one month after sending such notice, elect to convert this obligation into shares at par, and to become a shareholder to that amount.

"5. The proprietor of this obligation will be permitted to attend all meetings of the company.

"In addition to these indorsements there might be added a clause, in the words of Lord Eldon in *Ex parte Langdale*, (18 Ves. 300), to the effect that the bondholder shall not have any claim upon the profits, or the application of them, beyond the claim of an ordinary creditor."

Unless there is a distinction between paying labour by a sum equivalent to a share of profits, and paying for the loan of money on the same principle, there seems much to be said in favour of these convertible bonds as modes of giving profits without partnership. As, however, they are new, few would, of course, like to trust to their validity, for the purpose in question, until the point has been decided. In the meantime, we recommend our readers, interested in questions of joint-stock liabilities, to peruse the brochure from which we have quoted, where they will find the reasoning of the learned writer upon the authorities, in favour of the plan suggested.

COURT OF EXCHEQUER.

SITTINGS AFTER HILARY TERM.—15 VICT.—Feb. 9, 1852.

This Court will hold a sitting on Saturday, the 21st day of February instant, and will at such sitting give judgment in all matters then standing for judgment.

J. PARKE.

E. H. ALDERSON.

T. J. PLATT.

SAMUEL MARTIN.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Anthony Berwick Were, of Wigton, Cumberland; George Faithfull the younger, of Brighton.

CHANCERY REFORM.

The following is the summary of the recommendations contained in first Report of the Chancery Commissioners:—

We have reserved the important subject of the jurisdiction of the Court for a further report, but have stated our opinion, that the jurisdiction both of Courts of law and Courts of equity should be extended so as to render each Court competent to administer complete justice in all matters within its cognisance, without resort to the aid of the other.

In administration suits we recommend—

That any creditor or legatee, whether specific, pecuniary, or residuary, and also the next of kin of any deceased party, should be at liberty, without any preliminary pleading or other proceedings, to apply to a judge sitting at chambers, for a summary order for the administration of the personal estate of a deceased person as against the personal representative.

That the same summary method should be applied to real estate where there are trustees competent to represent the whole real estate.

That the same mode of proceeding should be adopted in other cases in the administration of real estate, for the payment of debts or legacies, if the Legislature should accede to our recommendation of providing a representative, with the same power of representing and dealing with real estate as the executor has in respect of the personal estate;

But that the judge should have a large discretion as to granting or refusing the summary order, and as to the special directions which he may think fit to give for its carriage and execution.

We propose to reduce the number of parties to suits by the following regulations:—

That one residuary legatee or next of kin, and one legatee, or other person entitled to a charge on real estate, and one devisee, or one of several co-heirs, may respectively institute suits for the administration of personal estate or real estate, and obtain a decree without serving the other parties having a like interest.

That the same rule be applicable to one of several cestuis que trust, seeking the execution of trusts under any deed or instrument.

That an executor, or administrator, or trustee, may, in like manner, sue one of several legatees, next of kin, or cestui que trust.

That in all suits for the protection of property during litigation, or to restrain acts in the nature of waste, any person may sue on behalf of himself and all others having a like interest.

The Court is, in all cases, to have power to require other parties to be served, and notice of the decree is to be given to the persons who would be necessary parties to the suit at present, and they are thereupon to be at liberty, on an order of course, to attend proceedings before the Master, and also are to be bound by the proceedings, after notice, whether they attend or not.

Within a limited time parties upon whom notice is served may apply to the Court to add to the decree.

That trustees, in whom real and personal estate is vested, shall represent their cestui que trust in the same manner and to the same extent as executors in suits as to the personal estate represent the parties beneficially interested.

That it shall never be necessary to take out administration ad litem, but that where there is no personal representative the Court may either proceed without one, or appoint a person to represent the estate of the deceased, giving notice, if it think fit, to any person interested.

We recommend—That in foreclosure suits the Court may always direct a sale at the instance of the mort-

gagee, on such terms as the Court may think fit to direct; and also at the request of the mortgagor, on his making a deposit, and on such other terms as the Court may think fit.

That misjoinder of plaintiffs be no longer a ground for dismissing the suit.

That the Court may adjudicate upon and declare rights without requiring the whole of the trusts of a will or settlement to be executed, and without taking the accounts; and that it should no longer be an objection to a suit that it seeks a decree merely declaratory.

That the practice of setting down a cause merely on an objection as to parties should be abolished.

We recommend—1. The total abolition of bills of revivor, and an abolition of such bills of supplement as are now required merely for the purpose of bringing further parties before the Court, in consequence of any interest having accrued or having been transmitted to such parties.

2. The abolition of all supplemental suits now rendered necessary by the rule, that matters which have occurred subsequent to the date of the filing of the bill cannot be introduced by amendment; and we propose that they should be introduced by amendment.

We recommend—That the existing system of examining witnesses upon written interrogatories should be abolished.

That affidavit evidence should in general be admissible.

That rules should be made to prevent the prolixity and multiplication of affidavits.

That any party should have a right to have the witness produced for vivâ voce examination.

That either party should have power to compel witnesses to give evidence in any proceeding.

That affidavits may, upon all interlocutory applications, be read against the answer, which should be regarded in such cases as an affidavit only.

That when witnesses are examined vivâ voce it should be before a competent person, in the presence of both parties, and that the examination and cross-examination should be by the parties, or their counsel or agents.

That the statement of the witness should be reduced into writing by the examining officer in the form of a narrative, and read over to the witness in the presence of the parties, and signed by him.

That the Court should always have power to call for and examine, or require the examination of any witness.

That the jurisdiction of the Court of Chancery, of compelling discovery in aid of actions at law actually commenced, or in defence to such actions, should be transferred to the Courts of common law, and that the common injunction should be abolished.

That the injunction to stay proceedings at law upon the merits of the case may be moved for as a special injunction.

That the bill containing a concise narrative of the material facts and circumstances on which the plaintiff relies should be retained as the ordinary basis of the proceedings.

That the bill or claim should in future be printed, and that a printed copy should be filed with the proper officer, instead of the ingrossment.

That a print of the bill or claim should be served on every defendant in lieu of serving a writ of subpoena or writ of summons, which writs should be abolished.

That the print served on each defendant should have an indorsement addressed to the defendant to the same effect as the present writ of subpoena or writ of summons, and should be stamped by the officer with a proper stamp, indicating that the bill or claim has been filed.

That in order to provide for cases of urgency, the officer of the Court should be empowered to receive a

written copy of the bill or claim, upon the undertaking of the plaintiff's solicitor to file a printed copy within a time to be limited.

That when it is necessary to amend the bill or claim, a reprint of the whole, or part, should be made, except in those cases where, from the limited extent of the amendment, they could conveniently be made on the printed copy.

That a bill should not contain any interrogatories, but that, when an answer is required from any defendant, the interrogatories, duly authenticated, should be delivered to the defendant, from whom an answer is required, or his solicitor, within a limited time after appearance.

That it should not be necessary for any defendant to answer the bill, unless interrogatories are delivered for his examination.

That where the plaintiff does not require an answer from the defendant, the defendant should, nevertheless, be at liberty, without leave of the Court, to put in a plea or answer to the bill, within the ordinary time allowed by the Court for that purpose.

That after the ordinary time allowed by the rules of the Court for answering, a defendant, not required to answer, should not be at liberty to put in an answer without leave from the Court, to be obtained by application to a judge at chambers.

If the judge should extend the time for answering, the plaintiff's right to move for a decree should in the meantime be suspended.

That the time allowed for answering as of course should be much shorter than at present, but with power to a judge at chambers to enlarge it on the application of a defendant.

That the answer should still be the answer to the bill containing the defendant's defence as at present, and not merely an examination on the interrogatories.

That it should be open to a plaintiff, at any time after the expiration of the time allowed for answering, to move upon affidavit, and upon proper notice, for such order or decree as he may think himself entitled to. That such a motion should be allowed to be made at any time before replication; and if made after answer, the answer should, for the purposes of the motion, be treated as an affidavit.

That it should be discretionary with the Court to grant or refuse the motion for a decree, or to make an order giving such directions for the future prosecution of the suit as the circumstances of the case might require.

That in those cases in which the plaintiff may not require an answer from the defendant, he should still be at liberty to obtain the production of documents in the defendant's custody or power, by application to a judge at chambers.

That the defendant should also be at liberty to apply to a judge for an order against the plaintiff for production of documents in those cases in which he has been served with notice of motion for a decree.

That a similar practice as to production of documents should be adopted in suits by claim.

That the answer of a defendant should require no further or other formality than is required in the swearing and filing of an affidavit.

That the defendant, after he has put in his answer, should be at liberty to deliver interrogatories for the examination of the plaintiff, and to procure orders for production of documents by him.

That when the cause is not disposed of upon motion, it should be put at issue as at present, except that the form of replication should be altered to meet the case of a defendant who has not been required to answer, and has not answered.

That when the cause is at issue, the plaintiff should, within a limited time, give notice to the defendant

whether he means to proceed by oral evidence or by affidavit; and unless the defendants, or one of them, should, within a limited time afterwards, give notice that they or he desire the evidence to be oral, both parties should be at liberty to verify their case by affidavit.

That where the evidence is to be oral, it should be taken by the proper officer in London or the country.

That no commission is to be issued, the appointment being authenticated by the signature of the judge.

That a power should be given to the Court to direct the examining officer in London to take evidence in the country.

That the evidence, being completed, should be transmitted to the Record-office by the officer, and authenticated by his signature, to be preserved and referred to, if necessary; but the parties should be under no obligation to take office copies of such evidence. That a day should be fixed for completing such evidence, corresponding with the time now prescribed for passing publication.

That notwithstanding the election of the plaintiff or defendant to proceed by oral evidence, affidavits of particular witnesses, or affidavits as to particular facts, may by consent be admitted and used; and that such consent may be given on behalf of married women, infants, and other persons under disability.

That where the parties proceed by affidavit, a day should be fixed for filing the affidavits on both sides, and no affidavit should be afterwards permitted unless by special leave of the Court.

That either party should (at his expense in the first instance) be at liberty, within a limited time afterwards, to cause any deponent to be produced for cross-examination and re-examination *viva voce*.

That the practice of the Court of Chancery sending cases for the opinion of a Court of law should be discontinued.

That the Court of Chancery should itself decide and ascertain questions of law and fact, necessary for the decision of a question on which the right of a plaintiff suing in that court might depend, using for that purpose, when required, its power of submitting any question of fact to a jury, by means of an issue.

In lieu of the present proceedings in the Masters' offices, we recommend a course of proceeding which would render it unnecessary to retain the office of a Master in Chancery.

We recommend that the Court itself should determine many matters which are now referred for inquiry to the Master.

That the judges of the court should sit at chambers, for the purpose of disposing of such matters as cannot be conveniently disposed of in open court.

That officers should be attached to the several courts, to perform the duties now usually performed by the Masters' chief clerks, and that such officers should also be employed in verifying the facts stated in petitions, and in making inquiries for the guidance of the judge, who would then, in many cases, be enabled to act without the formality of a report.

That in cases where, as, for instance, in the investment of trust monies on mortgage by the Court, the Master has been in the habit of referring the title to some conveyancing counsel, the Court should receive the opinion of counsel.

That in cases of specific performance, as soon as it is ascertained that the Court will direct a performance of the contract, if the title be good, the party objecting to the title should be bound to specify his objections; and that these objections should be argued before the Court.

With regard to the taking of accounts, we propose that the mode of proceeding by charge and discharge, and states of facts, should be discontinued; and that the accounting party should bring in his statement of ac-

count, and furnish a copy to the opposite party, and that it should be at once proceeded upon before the officer, and, as far as practicable, continuously.

That the accounts, when settled, should be kept in the office for the purpose of reference, and should not be annexed to the report by way of schedule.

That the Court should have power to give special directions in certain cases, such as where accounts are directed, after a long lapse of time, in order to obviate the hardship of taking such accounts in strict judicial form; and that in some cases, particularly in partnerships and mercantile cases, the book of accounts should be allowed to be taken as *prima facie* evidence of the account.

We suggest that the Court should be empowered to make references, in suitable cases, to merchants, accountants, engineers, actuaries, and other scientific or professional persons, as officers of the court *pro hac vice*.

Our recommendations, on the method of proceeding in references generally, are to the following effect:—

The total abolition of the system of warrants.

The discontinuance of states of facts and charges, except in special cases, where a concise statement might be necessary.

The abolition of office copies, and the substitution of copies furnished by solicitors.

That reports should merely state the order of reference, and the conclusion upon it.

That the officer should be at liberty to certify any matter specially to the Court, pending an inquiry, in order to obtain a decision for his guidance in the further prosecution.

That the Court should fix a time, in the order of reference, within which the officer should state what had been completed, and what remained incomplete, and why.

That the practice of objecting to the draft of a report should be abolished.

That in all cases now requiring a petition for leave to except, a party should be at liberty at once to except to a report.

That the Court should abstain, as far as is practicable, from referring it back to the officer to review his report, and instead thereof should itself decide the matter in dispute.

We recommend, as to the continuance of Masters, that if our suggestions be adopted, no vacancy should be filled up, but that the arrears of business under pending references should be ascertained, and a competent number of Masters retained for a limited time to dispatch them.

UPON THE EXEMPTION FROM DISCLOSURE OF MATTERS COMMUNICATED IN PROFESSIONAL CONFIDENCE.

(Continued from p. 31).

In reply to these arguments, it may be inquired how the plaintiff's right to a discovery from the defendant can be prejudiced or infringed upon by the latter being permitted to withhold from the former, communications or admissions made by him to his legal adviser, for legal advice, either in defence of, or for the purpose of enforcing, his legal rights, as opposed to those of the individual suing him. If the plaintiff is entitled to a discovery from the defendant of the facts embodied or the documents set forth in the communications or admissions made to his legal adviser, in what manner are his rights prejudiced in consequence of the defendant having stated those facts or documents to a third party for a legitimate purpose? The plaintiff is still entitled to bring the conscience of the defendant, by requiring him to disclose upon oath the whole truth of all the relevant facts in question; and how can it be

said that the plaintiff's right to such discovery is necessarily infringed upon by holding, that if the defendant makes any communications or admissions respecting those facts to his legal adviser, for purposes which are essential to the assertion or maintenance of his legal rights, and for those purposes only, he shall be allowed to withhold from his opponent an inspection of the communications or admissions so made, and which, but for the necessity of the case, never would have been made, and if not made, could not, of course, have been subjected to his inspection? May it not, indeed, be asked, whether the right of discovery does not become the means of oppression and injustice, when a plaintiff seeks, in effect, through it, to deprive his opponent of the only means the latter has, namely, that of professional assistance, of maintaining or obtaining his legal rights, without the liability of having the materials of his defence disclosed to the adverse party? As to cases of fraud, it is difficult to conceive how the position of a party guilty of it is improved, or the right of a party injured by it infringed upon, by the guilty party being permitted to withhold from the other the fact of an admission of his guilt having been made to his legal adviser; for it would certainly seem that the complaining party's right is, at least, as likely to be established by requiring the guilty man, on oath, to answer whether he had committed the imputed fraud or not, as by requiring him to answer whether or not he has made an admission of his guilt to a third party.

"If it be said," remarked Lord Brougham in *Bolton v. The Corporation of Liverpool*, (1 My. & K. 94), "that this Court compels the disclosure of whatever a party has at any time said respecting his case—nay, even wrings his conscience to disclose his belief—the answer is, that admissions not made, or thoughts not communicated, to professional advisers, are not essential to the security of men's rights in courts of justice. Proceedings for this purpose can be conducted in full perfection without the party informing any one of his case except his legal advisers; but without such communication no person can safely come into court either to obtain redress or to defend himself." And again, in another case, (*Greenough v. Gaskell*, 1 My. & K. 101), the same learned judge observes—"To compel a party himself to answer upon oath, even as to his belief or thoughts, is one thing—nay, to compel him to disclose what he has written or spoken to others, not being his professional advisers, is competent to the party seeking the discovery, for such communications are not necessary to the conduct of judicial business; and the defence or prosecution of men's rights by the aid of skilful persons, to force from the party himself the production of communications made by him to professional men, seems inconsistent with the possibility of an ignorant man safely resorting to professional advice, and can only be justified if the authority of decided cases warrants it."

"The discovery and vindication and establishment of truth," said Knight Bruce, V. C., in *Pearse v. Pearse*, (1 De G. & S. 28), "are main purposes certainly of the existence of courts of justice; still, for the obtaining of these objects, which, however valuable and important, cannot usefully be pursued without moderation—cannot be either usefully or creditably pursued unfairly, or gained by unfair means—not every channel is or ought to be open to them. Truth, like all other good things, may be loved unwisely, may be pursued too keenly, may cost too much; and surely the meanness and the mischief of prying into a man's confidential consultations with his legal adviser, the general evil of infusing reserve and dissimulation, uneasiness and suspicion and fear, into those communications, which must take place, and which, unless in a condition of perfect security, must take place uselessly or worse, are too great a price to pay for truth itself."

Radcliffe v. Fursman (2 Bro. P. C. 514) is commonly

referred to as the leading case upon the subject of protecting from disclosure, at the suit of an adverse party, communications which pass in professional confidence between a person and his legal adviser. That case was decided in the House of Lords in 1730, on appeal from a decision of Lord King's. The respondent, Martha Fursman, a married woman, by her next friend, filed her bill against the appellant for the recovery of a legacy and two bond debts, (settled to her separate use), the payment of which had been secured by a term of years created in real estates of large value, and vested in trustees, of the last survivor of whom the appellant was the legal personal representative, as well as the legal personal representative of the original trustee of the bonds, and heir-at-law of the real estates, in which the term of years, before mentioned, for the payment of the legacy and bond debts had been created. The bill charged that the appellant well knew, or believed, that the bonds were never paid, and, as a demonstration thereof, that the appellant himself, or some person on his behalf, so declared or stated in some case for the opinion of some counsel, and then consulted whether length of time would not prejudice the respondent's right to the said bonds. The bill, therefore, required a particular discovery of these facts, and that the case might be set forth in *hæc verba*. The appellant demurred to as much of the bill as required him to set forth the case, the name of the counsel, and the opinion given, on the ground that the respondent was not entitled to any such discovery, and that *the opinion* was taken for the appellant's own private use and satisfaction. Lord King having overruled the demurrer as to setting forth the case, and allowed it as to all other matters, the appellant appealed from so much of the order as overruled the first part of his demurrer, but the House of Lords dismissed the appeal.

Neither the grounds of Lord King's decision in this case, nor those upon which the House of Lords affirmed it, are known to us, and the difficulty of accounting for it is much increased by the fact that the demurrer was overruled only upon one of the three points it embraced, and allowed as to the other two, but which, however, as there was no cross appeal upon them, stand unaffected by the authority of a decision of the House of Lords. Had the demurrer been allowed, or overruled generally, the decision would certainly have been more comprehensible than now, when it involves the necessity of accounting for the distinction between the privilege allowed of withholding the opinion given upon a certain state of facts, and the compulsory disclosure of the facts stated for the purpose of obtaining that opinion. Whether Lord King and the House of Lords intended to decide, as has been sometimes supposed, that an admission of facts made in a case for the opinion of counsel could not be withheld, on the ground of privilege, from a party seeking a discovery of these facts, which, it is hardly necessary to remark, would be, in effect, to impugn the principle upon which the rule respecting privileged communications has been established; or whether the decision proceeded, as seems most probable, on the ground upon which the respondent, in the reported argument in the House of Lords, sought, and that successfully, to maintain the order appealed from, namely, that "the statement of the said case was in an affair wherein the appellant was *not merely concerned in his own right, but was and still is a trustee for the respondent of the said bonds, and a trustee of the estates which are liable to pay the same;*" certain it is, as Wigram, V. C., recently remarked in *Lord Walsingham v. Goodricke*, (3 Hare, 127), that the decision has been disapproved of by almost every judge under whose notice it has been brought, and it is only of late years that it appears to have been considered as having been determined on the ground of the fiduciary character in which the appel-

lant stood towards the respondent. (*Lord Walsingham v. Goodricke*, 3 Hare, 122; *Pearse v. Pearse*, 1 De G. & S. 12). And supposing that to have been the ground upon which the demurrer was overruled upon the first point, the anomaly of allowing it upon the other two points yet remains to be accounted for; but, as it has already been stated, these two points were not brought by cross appeal under the consideration of the House of Lords, and consequently are not impressed with the high and conclusive authority of a determination of their Lordships, and, being clearly opposed to later decisions, may be considered as overruled.

So considered, the case of *Radcliffe v. Fursman*, or rather that part of it which was adjudicated upon by the House of Lords, is not only intelligible, but consistent with the present practice of the Court respecting cases and opinions of counsel taken by a trustee, (*Woods v. Woods*, 4 Hare, 83; see the judgment of Knight Bruce, V. C., in *Pearse v. Pearse*, 1 De G. & S. 12; *Brown v. Oakshot*, 12 Beav. 252), namely, that the cestui que trust is entitled to call for the production of them when taken on his behalf, and paid for out of the trust fund, but not when taken on the trustee's own behalf adversely to the cestui que trust, which, it must be observed, the demurrer in *Radcliffe v. Fursman* did not allege to have been the fact in that case. In one instance, where a trustee acted as solicitor for one cestui que trust in a dispute with another cestui que trust respecting trust matters, it was held that communications between the solicitor and client (the trustee and one cestui que trust) were not privileged from production as against the other cestui que trust. (*Tugwell v. Hooper*, 10 Beav. 348).

Excepting, therefore, as to the case of a person under a fiduciary obligation, seeking professional assistance on behalf and at the expense of his beneficiaries; and also that of a person having a community of right or of interest with any other person; (*Richards v. Jackson*, 13 Ves. 472; see the judgment of Knight Bruce, V. C., in *Pearse v. Pearse*, 1 De G. & S. 12; *Wards v. Wards*, 3 Mac. & G. 365); the rule of privilege is, that all communications which take place between a person and his legal adviser, in the ordinary course of professional business, or, in other words, upon matters on which it is lawful for the one to ask and the other to give advice, are exempted from disclosure or production as well in courts of law as of equity. (*Herring v. Olobery*, 1 Ph. 91; *Cromack v. Heathcote*, 2 Br. & B. 4; *Carpmael v. Powis*, 1 Ph. 689; *Pearse v. Pearse*, 1 De G. & S. 12; *Follett v. Jefferies*, 1 Sim., N. S., 1; *Ward v. Ward*, Id. 15; *Goodall v. Little*, Id. 155; *Russell v. Jackson*, 15 Jur., part 1, p. 1117). This rule has been but lately established, after considerable difference of opinion among the judges, and may be considered as the result of a great number of cases in which the subject-matter and extent of the rule have been discussed.

For some time it was thought that *Radcliffe v. Fursman* conclusively decided, that cases, or statements for the opinion of counsel, could not be withholden as privileged communications. In *Newton v. Boreasford*, (1 Younge, 337; *Preston v. Carr*, 1 Y. & J. 175), Lord Lyndhurst said, "It had been repeatedly decided that a defendant was bound to produce such documents;" but the general rule of courts of justice, that what a client states to his solicitor cannot be used in evidence against him, would be of little worth indeed were it established, that if the solicitor put the client's statement into writing, and laid it before counsel in the form of a case, it would, in that shape, be evidence against the client. It had, however, been decided (*Vent v. Parry*, 4 Russ. 190, 193; *Garland v. Scott*, 3 Sim. 396; *Clagett v. Phillips*, 2 Y. & C. C. 82; *Glyn v. Cantfield*, 15 Jur. 807; *Warde v. Warde*, 3 Mac. & G. 365) that letters and papers containing communications which had passed between a person and his legal advisers,

either in the course of a suit, or of a dispute which ended in litigation, were protected from disclosure. Afterwards it was thought there was no difference between the statements of a case in a correspondence and the statements which were laid before counsel, in the form of a case, for their opinion, and that the principle upon which the former were privileged from production equally applied to the latter; and consequently it was decided, that cases laid before counsel in the progress of a cause, and prepared in anticipation of and with reference to an action or suit, ought not to be produced in that action or suit; (*Bolton v. The Corporation of Liverpool*, 3 Sim. 467; S. C., 1 My. & K. 88; *Pearse v. Pearse*, 1 De G. & S. 12); but that cases stated or laid before counsel before a suit was instituted or anticipated, or before the existence of disputes which led to litigation, must be produced. (*Story v. Lord G. Lennox*, 1 Kee. 341; S. C., 1 My. & C. 525; *Naas v. The Northern and Eastern Railway Company*, 2 Kee. 76; S. C., 3 My. & C. 355; *Flight v. Robinson*, 8 Beav. 22). The rule of privilege as to the former class of cases was next extended to subsequent litigation on the same subject with other parties; or, in other words, it was held, that cases prepared in contemplation of litigation were privileged from production upon subsequent litigation on the same subject with other parties. (*Knight v. The Marquis of Waterford*, 2 Y. & C. 38; *Combe v. The Corporation of London*, 1 Y. & C. C. C. 631); and at length it was determined, that any restriction of the rule of privilege to communications taking place, either in the course of a suit, or of a dispute which ended in litigation, was not consistent with, and not founded upon, any sound principle, as it is of as much importance that communications between a solicitor and client, with respect to the state of the client's property or his title or his liabilities, or for legal advice in ordinary transactions, should be protected, as that protection should be afforded to communications made in the progress of or in contemplation of actual litigation; and in order that such communications should be free and unfettered, public policy requires that they should be privileged; and Lord Lyndhurst accordingly laid down the rule, that where an attorney is employed by a client professionally to transact professional business, all the communications that pass between the client and the attorney in the course and for the purpose of that business, are privileged communications. (*Herring v. Clobery*, 1 Ph. 91; *Clagett v. Phillips*, 2 Y. & C. C. C. 82; *Walsingham v. Goodricke*, 3 Hare, 122; *Reece v. Trye*, 9 Beav. 316; *Pearse v. Pearse*, 1 De G. & S. 12; *Pearuddock v. Hammond*, 11 Beav. 68; *Wards v. Warde*, 1 Sim., N. S., 15; *Holmes v. Baddeley*, 1 Ph. 481).

The privilege, however, is that of the client, (*Wilson v. Rastall*, 4 T. R. 759; *Parkhurst v. Lowten*, 2 Swanst. 316; *Sandford v. Remington*, 2 Ves. jun. 189; *Herring v. Clobery*, 1 Ph. 91), although it extends in a different degree to the adviser, who will not be permitted to disclose matters of professional confidence against his client's will, and cannot be compelled to do so; he is not only justified, but he is bound to withhold them; (*Grenough v. Gaskell*, 1 My. & K. 98; *Jones v. Pugh*, 1 Ph. 96; *Lewis v. Smith*, 1 Mac. & G. 417; *Wilson v. Rastall*, 4 T. R. 759; *Stratford v. Hagan*, 2 Br. & B. 164; *Beer v. Ward*, Jac. 77; see also *Earl Cholmondeley v. Lord Clinton*, 19 Ves. 261); and unless the client waives the benefit of the privilege, Courts of justice are bound to consider professional communications (falling within the rule) as if they never had been made. (*Chant v. Brown*, 7 Hare, 79; *Wilson v. Rastall*, 4 T. R. 759).

And therefore, where an attorney, who had been employed in, but dismissed before the trial of, a cause, offered to give evidence, at the trial, of what he knew relative to the subject while he was concerned as attor-

ney, Buller, J., after strongly animadverting upon his conduct, would not allow him to be examined; (*Wilson v. Rastall*, 4 T. R. 759); and in another case, (*Lewis v. Smith*, 1 Mac. & G. 417; see also *Earl Cholmondeley v. Lord Clinton*, 19 Ves. 261; *Beer v. Ward*, Jac. 77; *Davis v. Clough*, 8 Sim. 262; *Lodge v. Prichard*, 15 Jur. 1147), where the attorney of the plaintiff, who was one of the provisional committeemen of an abortive railway company, had communicated to a creditor of the company various letters, documents, and matters of evidence which had come into their possession in the course of their professional employment as solicitors of the projected company, for the purpose of enabling him to establish the plaintiff's liability to his demand at law, the late Vice-Chancellor of England restrained the solicitors, by injunction, from communicating or disclosing to the creditor any facts, matters, and documents, concerning the rights, interests, and liabilities of the plaintiff, which had come to their knowledge or possession in their professional capacity; and in like manner restrained the creditor from using against the plaintiff any of the evidence which had been so communicated to him; and the order for this injunction was affirmed, on appeal, by Lord Cottenham.

(To be continued).

London Gazette.

FRIDAY, FEBRUARY 6.

BANKRUPTS.

- ALEXANDER BOOTH, late of Long-acre, Middlesex, importer of and dealer in Scotch whisky, Scotch ales and beer, and general spirit dealer, but now residing at St. Mary's-square, Lambeth, Surrey, out of business, (formerly in partnership with George Bennett, under the style or firm of Bennett & Booth), Feb. 17 at half-past 12, and March 16 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Langton, 10, Staple-inn.—Petition filed Feb. 4.
- LEWIS DAVIES, Canton-st., East India-road, Middlesex, shipowner, dealer and chapman, Feb. 13 and March 18 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, 17, Sise-lane, London.—Petition filed Jan. 26.
- GEORGE EDWARD NOONE, Shepherd's-bush-market, Notting-hill, Middlesex, ironmonger, dealer and chapman, Feb. 12 and March 11 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Gant, 37, Nicholas-lane.—Petition filed Jan. 26.
- JOSHUA CHARLES FOSTER, Club-row, Church-street, Shoreditch, and New Goucester-place, Hoxton, Middlesex, timber merchant, dealer and chapman, Feb. 20 and March 25 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Brown, 21, Finsbury-place.—Petition filed Feb. 3.
- AMBROSE CROSHAW, Park-road, Holloway, Middlesex, brickmaker, Feb. 20 at 11, and March 16 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Taylor, 15, South-st., Finsbury.—Petition filed Feb. 5.
- DANIEL PUGSLEY, Bread-st., Cheapside, London, warehouseman, dealer and chapman, Feb. 19 at half-past 12, and March 25 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Reid & Co., Bread-st., Cheapside.—Petition filed Feb. 5.
- WILLIAM WALKER and STEPHEN WEBB, Oxford-st., St. Marylebone, Middlesex, India rubber warehousemen, dealers and chapmen, (trading under the firm or style of Walker & Webb), Feb. 21 and March 27 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Davis & Co., 19, Warwick-street, Regent-street.—Petition dated Feb. 3.
- MOSES LOCKWOOD, Wandsworth, Surrey, grocer and cheesemonger, Feb. 13 at 1, and March 19 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Wellborne, 31, Tooley-st., Southwark.—Petition filed Feb. 2.
- WILLIAM GOSLING, Woolwich, Kent, ironmonger and builder, Feb. 17 and March 23 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hughes, 10, Chapel-street, Bedford-row.—Petition filed Feb. 4.

JAMES FERRY SILBY, Poole, timber merchant, dealer and chapman, (trading under the firm or style of James Ferry Silby & Co.), Feb. 21 at half-past 1, and March 27 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Aldridge, Poole; Skilbeck & Hall, 17, Southampton-buildings.—Petition dated Jan. 22.

WILLIAM HORTON, High-street, Islington, Middlesex, grocer, Feb. 13 and March 19 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Co., 14, Old Jewry-chambers, Old Jewry, London.—Petition dated Feb. 2.

ENOCH JOSHUA BURFORD, Bermondsey-square, Surrey, salt merchant and drysalter, dealer and chapman, (trading under the firm and style of E. I. Burford & Son, salt merchants and drysalters), Feb. 16 at 1, and March 16 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Thompson, 18, Sise-lane, Bucklersbury.—Petition filed Feb. 4.

JAMES MILLARD, Reading, Berkshire, coppersmith, brazier, tinman, and ironmonger, dealer and chapman, Feb. 16 at 12, and March 16 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Whatley & Dryland, Reading, Berkshire; Sudlows & Co., 38, Bedford-row, London.—Petition filed Feb. 3.

JOHN HURLEY, Birmingham, linendraper, dealer and chapman, Feb. 24 at 2, and March 23 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Motteram & Co., Birmingham; Depree, 9, Lawrence-lane, Cheapside, London.—Petition dated Jan. 16.

WILLIAM WORLEY, Smethwick, Staffordshire, licensed victualler, Feb. 18 and March 10 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Holland, West Bromwich; Hodgson, Birmingham.—Petition dated Feb. 2.

EDWARD LOWE, Bristol, toy dealer and turner, dealer and chapman, Feb. 17 and March 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed Feb. 2.

JOHN FORD and **JOSEPH ALFRED HADFIELD**, Charlestown Mills, Glossop, Derbyshire, paper manufacturers, Feb. 18 and March 11 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Heath, Manchester.—Petition filed Feb. 4.

BENJAMIN HOLMES the younger, Bradford, Yorkshire, cattle salesman and cowkeeper, dealer and chapman, Feb. 23 and March 16 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Pickup, Bradford; Bond & Barwick, Leeds.—Petition dated Jan. 30.

WILLIAM WITTY, Louth, Lincolnshire, draper, Feb. 25 and March 17 at 12, District Court of Bankruptcy, Hull: Off. Ass. Carrick; Sols. Sale & Co., Manchester; Richardson & Co., Leeds.—Petition dated Jan. 30.

MEETINGS.

John Watson Dawson and *Thos. Edward Williams*, Crescent-place, New Bridge-st., Blackfriars, London, wine merchants, March 4 at 12, Court of Bankruptcy, London, and ac.—*Sarah Isherwood* and *Nich. Thos. Isherwood*, Ludgate-hill, London, house decorators, March 1 at 11, Court of Bankruptcy, London, aud. ac.; March 4 at 11, div.—*Jas. Mash*, Colchester, Essex, draper, Feb. 24 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thos. Jas. Lough* and *Chas. W. Lewis*, Great St. Helen's, Bishopsgate-st. Within, London, drysalters, Feb. 26 at 11, Court of Bankruptcy, London, aud. ac.—*John Bates*, Highgate, and Finchley-road, Middlesex, plumber, Feb. 24 at 12, Court of Bankruptcy, London, aud. ac.—*Hugh Clark*, Cheshunt, Hertfordshire, and Bank-chambers, London, share broker, Feb. 26 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. John Miall*, Ingram-court, Fenchurch-st., London, and St. Peter's-terrace, Islington, Middlesex, cement manufacturer, Feb. 17 at 12, Court of Bankruptcy, London, aud. ac.—*Frank Castelli*, Bury-court, St. Mary-axe, London, merchant, Feb. 17 at 11, Court of Bankruptcy, London, aud. ac.—*Francisco Franciscowits Braggiotti*, Manchester, and Bury-court, St. Mary-axe, London, merchant, Feb. 17 at 12, Court of Bankruptcy, London, aud. ac.—*Frederick Geale Monsarrat*, Cheltenham, Gloucestershire, wine merchant, Feb. 26 at 11, District Court of Bankruptcy, Bristol, aud. ac.; March 2 at 11, div.—*John Slater*, *Robert Bolton Wyld*, and *James Slater*, Bradshaw, near Bolton-le-Moors, Lancashire, and Clayton Mills, near

Manchester, Lancashire, bleachers, Feb. 17 at 12, District Court of Bankruptcy, Manchester, aud. ac., and March 2 at 12, div. sep. est. of *Robert Bolton Wyld* and *James Slater*.—*John Pilling*, Lancaster, innkeeper, Feb. 18 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thomas Birch*, Chorlton-upon-Medlock, Manchester, common brewer, Feb. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John M'Burnie*, Exeter, draper, Feb. 23 at 11, District Court of Bankruptcy, Exeter, aud. ac.; March 3 at 11, div.—*Jeremiah Smith*, Rugeley, Staffordshire, scrivener, Feb. 28 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Birch*, Broseley, Shropshire, coalmaster, Feb. 17 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Hen. Morris*, Stourbridge, Worcestershire, grocer, Feb. 28 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Nelson Carpenter*, Eardland, Herefordshire, miller, Feb. 17 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Fletcher*, Netherton, Dudley, Worcestershire, publican, March 1 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Nathaniel Mence*, Henwick, St. Clement's, Worcestershire, porter brewer, March 2 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Richard Stanford* and *Benj. Lewis*, Wednesbury, Staffordshire, engineers, March 29 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Richard Fowke*, Wolverhampton, Staffordshire, chemist, March 15 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*George Mortimer Smith*, Ironbridge, Shropshire, bookseller, March 17 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; March 18 at half-past 11, fin. div.—*Wm. Craven*, Birkenhead and Poulton-cum-Spital, Cheshire, road maker, Feb. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Fleetwood*, Liverpool, grocer, Feb. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Ramsden*, Liverpool, out of business, Feb. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Carrick Perritt*, Kingston-upon-Hull, money scrivener, Feb. 18 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Thos. Stephen Curties*, York-st., Westminster, Middlesex, cheesemonger, March 1 at 12, Court of Bankruptcy, London, div.—*James Kaye*, Bridge-row Wharf, Pimlico, Middlesex, slate merchant, Feb. 27 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Geo. Noek* and *John Williams*, Frith-st., Soho, Middlesex, goldsmiths, Feb. 27 at 1, Court of Bankruptcy, London, div. sep. est. of *John Williams*.—*Samuel Dixon*, Leeds, Yorkshire, draper, Feb. 27 at half-past 1, Court of Bankruptcy, London, div.—*Robert Miller Forbes*, Great St. Helen's, London, provision merchant, March 2 at 1, Court of Bankruptcy, London, div.—*Frederick Cornell*, Halstead, Essex, ironmonger, March 2 at 12, Court of Bankruptcy, London, fin. div.—*George Whitehead*, Fleet-street, London, printer, and Boyle-st., Burlington-gardens, Middlesex, scrivener, March 2 at 11, Court of Bankruptcy, London, div.—*Nicholas Geary*, St. James's-st., Piccadilly, and Oxford-st., Middlesex, staymaker, March 2 at 12, Court of Bankruptcy, London, div.—*John Dickenson*, Walsall, Staffordshire, merchant, Feb. 28 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; March 1 at half-past 10, div.—*Thos. Edwards*, Burslem, Staffordshire, manufacturer of earthenware, March 1 at half-past 10, District Court of Bankruptcy, Birmingham, third and fin. div.—*Edward Round* and *Wm. Round*, Tipton, Warwickshire, timber merchants, Feb. 28 at half-past 10, District Court of Bankruptcy, Birmingham, second and fin. div.—*John Courtney*, Bristol, banker, March 1 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Thomas Atkinson*, Leeds, Yorkshire, grocer, March 2 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Thomas Coulthred the younger and *William Dyer*, Lombard-street, Union-street, Southwark, whitelead makers, March 1 at 12, Court of Bankruptcy, London.—*Donald Macleod*, Ealing, Middlesex, dealer and chapman, Feb. 27 at half-past 11, Court of Bankruptcy, London.—*James Forster*, Liverpool, filter merchant, March 1 at 11; District Court of Bankruptcy, Liverpool.—*Robert M'Kean*, Liverpool, and Birkenhead, Cheshire, contracting engineer, March 1, District Court of Bankruptcy, Liverpool.—*John Sherwin*, Liverpool, baker, March 2 at 11, District Court of Bankruptcy, Liver-

pool.—*Thomas Atkinson*, Leeds, Yorkshire, grocer, March 2 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

William Davies, Walbrook, London, coal merchant.—*Edward Evans*, Paddington-green, Middlesex, nurseryman.—*Archibald Sands*, Coal Exchange, London, and Chatham, Kent, coal factor.—*Ely Kitson*, Fenchurch-street, London, saddler.—*George Walker*, Philpot-lane, London, merchant.—*Edward Charlton*, Holles-street, Cavendish-square, Middlesex, bookseller.—*Alfred Moore*, South-wharf, South-wharf-road, Paddington, Middlesex, stone merchant.—*Thomas Avant*, Bridport, Dorsetshire, music seller.

PARTNERSHIP DISSOLVED.

Henry Atkinson Wildes, *Henry Dudlow Wildes*, and *Thos. Perrier Fleetwood*, Maidstone, Kent, attornies and solicitors, (carrying on business under the style or firm of Wildes, Son, & Fleetwood).

SCOTCH SEQUESTRATIONS.

W. & P. Walker, Glasgow, brass founders.—*Charles Frederick Parsons*, Glasgow, tavern keeper.—*David Millar*, Glasgow, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Raphael, Bristol, dealer in cigars, Feb. 25 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Clarke*, Bristol, baker, March 3 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Brown*, Bristol, assistant to a licensed victualler, Feb. 25 at 11, County Court of Gloucestershire, at Bristol.—*Alfred Derham*, Bristol, assistant to a draper, March 17 at 11, County Court of Gloucestershire, at Bristol.—*Stephen Lenox*, Stapelfield, Cuckfield, Sussex, huckster, Feb. 26 at 12, County Court of Sussex, at Cuckfield.—*David Clark*, Woodham Ferris, Essex, builder, Feb. 24 at 12, County Court of Essex, at Maldon.—*Wm. Bridger*, Chichester, Sussex, brewer's clerk, Feb. 18 at 10, County Court of Sussex, at Chichester.—*William Greenwood*, Hobstones, Colne, Lancashire, tin-plate worker, Feb. 25 at 11, County Court of Lancashire, at Colne.—*Charles Jebson*, Halifax, Yorkshire, butcher, Feb. 20 at 10, County Court of Yorkshire, at Halifax.—*John Knowles*, Arundel, Sussex, wheelwright, Feb. 21 at 10, County Court of Sussex, at Arundel.—*Elizabeth Medcalf*, Braintree, Essex, butcher, Feb. 12 at 11, County Court of Essex, at Braintree.—*John Cottingham*, Harwich, Essex, plumber, Feb. 18 at 12, County Court of Essex, at Harwich.—*Thomas Robert Morris*, Bwchgwyn, Caerhyn, Carnarvonshire, in no trade, March 15 at 11, County Court of Carnarvonshire, at Conway.—*Evan Rees*, Llanidloes, Montgomeryshire, gentleman, Feb. 17 at 10, County Court of Montgomeryshire, at Llanidloes.—*William Wright* the elder, Mepal, Isle of Ely, Cambridgeshire, farmer, Feb. 24 at 12, County Court of Cambridgeshire, at Ely.—*John Abraham Murray*, Ramsgate, Kent, mariner, Feb. 14 at 10, County Court of Kent, at Ramsgate.—*William Rousham*, Leamington Priors, Warwickshire, writing clerk, Feb. 23 at 2, County Court of Warwickshire, at Warwick.—*Robert Moores*, St. Lawrence, Isle of Thanet, Kent, out of business, Feb. 14 at 10, County Court of Kent, at Ramsgate.—*Edward Baines*, Halifax, Yorkshire, saddle and harness maker, Feb. 20 at 10, County Court of Yorkshire, at Halifax.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 20 at 11, before the CHIEF COMMISSIONER.

William Hen. White, Wapping-wall, Shadwell, Middlesex, licensed victualler.—*George Bolton Bolton*, Nichol's-square, Hackney-road, Middlesex, attorney's clerk.—*Henry Cos*, Warwick-place, Warwick-road, Paddington, Middlesex, bricklayer.—*Thos. Rippon*, Cold Bath-square, Clerkenwell, Middlesex, shoemaker.

Feb. 20 at 10, before Mr. Commissioner LAW.

Abraham Freeman, Tooley-street, Southwark, Surrey, wheelwright.—*Douse Samuel Potts*, North-street, White-chapel-road, Middlesex, carver.—*George Davis*, Frederick-street, Neckington-road, Bermondsey, Surrey, bricklayer.

Feb. 21 at 11, before Mr. Commissioner PHILLIPS.

Henry Moore, Church-row, Kensington, Middlesex, grocer.—*James Price*, Warren-street, Islington, Middlesex, shopman to a cheesemonger.—*Alfred John Weatherley*, Cumberland-row, Islington-green, Middlesex, cheesemonger.—*William Beman*, Kinnorton-street, Belgrave-square, Middlesex, cab proprietor.

Feb. 23 at 10, before Mr. Commissioner LAW.

Francis Rolfe, Paradise-street, Lambeth-walk, Lambeth, Surrey, artificial flower maker.

Feb. 23 at 11, before Mr. Commissioner PHILLIPS.

John Woolley Hart, Manchester-terrace, Mill-wall, Poplar, Middlesex, eating-house keeper.—*Hugh Jones*, Thomas-st., Brook-street, Grosvenor-square, Middlesex, lodging-house keeper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 20 at 11, before the CHIEF COMMISSIONER.

Thomas Wells, Princes-road, Bermondsey, Surrey, out of business.—*Richard Waite*, Little Portland-street, Regent-street, Middlesex, tailor.

Feb. 23 at 10, before Mr. Commissioner LAW.

William Davies, Barnet-grove, Bethnal-green, Middlesex, cabriolet proprietor.—*John Shakespear Williams*, Waterloo-place, Pall-mall, Middlesex, civil engineer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,

Feb. 14 at 11.

William Ashton, Manchester, porter.

At the County Court of Derbyshire, at DERBY, Feb. 21 at 11.

William Brown, Mapperley, Kirk Hallam, labourer.

At the County Court of Suffolk, at BURY ST. EDMUND'S, Feb. 23 at 10.

Henry Wilkinson, Hadleigh, bricklayer.

At the County Court of Warwickshire, at WARWICK, Feb. 23 at 10.

Nicholas George Johnstone, Warwick, out of business.

At the County Court of Yorkshire, at YORK CASTLE, Feb. 23 at 10.

James Holroyd, Southwark, Halifax, woollen waste dealer.—*Joseph Wharton*, Huddersfield, steam-engine maker.—*Watson Smith*, Leeds, tobacco manufacturer.—*Daniel Bailey*, Elland-cum-Greetland, near Halifax, stone delver.—*Joseph Fawcett*, Morley, near Leeds, dyer.—*William Walton*, Horbury, near Wakefield, out of business.—*John Carver*, Hunalet, near Leeds, grocer.—*Mary Stone*, Knottingley, near Pontefract, licensed retailer of beer.—*William Hawkworth Bathe*, Sheffield, chemist.—*Matthew Booth*, Kirk Burton, near Huddersfield, fancy waistcoat-piece manufacturer.—*Jacob Martin Van Winkle*, Huddersfield, manager to the Astoria Company.—*William Lupton*, Bradford, out of business.—*Robert Geo. Moore*, York, out of business.—*William Campbell*, Filey, lodging-house keeper.—*Edward Lea*, Kirkstall-bridge, near Leeds, black-plate worker.—*John Whitaker*, Upper Wortley, near Leeds, woollen cloth manufacturer.—*James Whitaker*, Bolton, farmer.—*Francis Marsden Nettleton*, Horbury, near Wakefield, joiner.—*James Sheard*, Elland, near Halifax, out of business.—*James Drier*, Thornton, near Bradford, innkeeper.—*Edward Williamson*, York, out of business.—*John Dyson*, Elland, near Halifax, innkeeper.—*Edward Thorpe*, Doncaster, innkeeper.—*Joseph Read*, Holbeck, near Leeds, commercial traveller.—*John Kershaw*, Leeds, out of business.

At the County Court of Carmarthenshire, at CARMARTEEN, Feb. 24 at 2.

John Thomas, Llangennech, mariner.

At the County Court of Sussex, at LEWES, Feb. 24.

Walter Henton, Hayward's-heath, near Cuckfield, wheelwright.

MEETING.

Thomas Lans Robert Pierce, Alderagate-street, London, out of business, Feb. 20 at 12, at Prall's, (and not Pratt's, as advertised in last Tuesday's Gazette), Chatham, Kent, sp. aff.

TUESDAY, FEBRUARY 10.

BANKRUPTS.

BOWLAND BATEMAN and **ROBERT HARDWICKE**, Carey-street, Lincoln's-inn, Middlesex, printers, stationers, dealers and chapman, Feb. 20 and March 26 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Brown, Wakefield, Yorkshire; Fiddey, Temple, London.—Petition filed Feb. 5.

EDWARD COWPER FYFFE and **EBENEZER WATHERN FYFFE**, Howford-buildings, Fenchurch-street, London, merchants, Feb. 20 and March 26 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Baker & Co., 34, Lime-street, London.—Petition filed Feb. 9.

WILLIAM EDWARD SPENCER, Falcon Mustard Works, Holland-street, Blackfriars-bridge, Surrey, mustard manufacturer and dealer in mustard, (in partnership with one Thomas Langdale), Feb. 20 and March 26 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Laurence, 6, Gray's-inn-square, Middlesex.—Petition dated Feb. 4.

JOHN BARKER, Queen-street, Stepney, and Eagle-wharf, Ratcliffe, Middlesex, wharfinger, dealer and chapman, Feb. 23 at half-past 11, and March 27 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Tamplin, 159, Fenchurch-street, London.—Petition dated Jan. 27.

GEORGE WATERHOUSE, Rupert-street, Haymarket, and Crawford-street, Middlesex, watch and clock manufacturer, Feb. 23 and March 27 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. West, 16, Gresham-street, London.—Petition dated Jan. 30.

RALPH TITCOMB, Highgate, Middlesex, butcher, Feb. 20 at half-past 12, and March 18 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Taylor & Mason, 15, Furnival's-inn.—Petition filed Feb. 7.

JOHN PLUMLEY, Mitcham, Surrey, clothier, dealer and chapman, Feb. 19 at 11, and March 25 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, 17, Sise-lane.—Petition filed Feb. 9.

THOMAS NUTLEY, Reading, Berkshire, victualler, dealer and chapman, Feb. 20 at 12, and March 16 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Cowper, Newbury, Berkshire; Wright & Kingsford, 23, Essex-st., Strand.—Petition filed Jan. 22.

SAMUEL NORCLIFFE, Brydges-street, Covent-garden, Middlesex, licensed victualler, Feb. 20 at 11, and March 16 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Marsden, 36a, Queen-street, Cheapside.—Petition filed Jan. 31.

DANIEL JAMES FIELD and **BOULTON MOLINEAUX** the younger, Manchester, corn and flour dealers, (trading under the firm of Field & Molineaux), Feb. 23 and March 17 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Crossley & Ludlow, Manchester.—Petition filed Feb. 4.

WILLIAM BYROM, **HENRY TAYLOR**, and **THOMAS BYROM**, Manchester, Liverpool, and Wigan, Lancashire, coal proprietors, (under the style or firm of Byrom, Taylor, & Byrom), Feb. 20 and March 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Janion, Manchester.—Petition filed Jan. 31.

MEETINGS.

Wm. Williams, Wm. Williams the younger, and *Thos. R. Williams*, Newport, Monmouthshire, bankers, Feb. 23 at 11, District Court of Bankruptcy, Bristol, ch. ass.—*James Keye*, Bridge-row Wharf, Pimlico, Middlesex, coal merchant, Feb. 20 at 1, Court of Bankruptcy, London, aud. ac.—*S. Dixon*, Leeds, Yorkshire, draper, Feb. 20 at 1, Court of Bankruptcy, London, aud. ac.—*John James King Boots*, Branton's Wharf, Commercial-road, Middlesex, manufacturing chemist, Feb. 23 at 1, Court of Bankruptcy, London, aud. ac.—*A. Bradford*, Assembly-row, Mile-end-road, Middlesex, licensed victualler, Feb. 23 at 12, Court of Bankruptcy, London, aud. ac.—*Thos. Fray*, Wigan and Manchester, check manufacturer, Feb. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.; March 1 at 12, div.—*Wm. Baird*, Liverpool, paperhanger, Feb. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Benj. H. Bates*, Liverpool, merchant, Feb. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Gossey*, Widnes, Prescott, Lancashire, manufacturing chemist, Feb. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Atkinson*, Leeds, Yorkshire, dealer and chap-

man, March 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thomas Magarey*, Love-lane, Billingsgate, London, coal merchant, March 5 at half-past 12, Court of Bankruptcy, London, fn. div.—*A. Macdonald* and *A. Campbell*, Regent-street, Westminster, Middlesex, army agents, Feb. 28 at 12, Court of Bankruptcy, London, div. sep. est. of *A. Campbell*.—*A. B. Grewille*, Wembley, near Harrow-on-the-Hill, and Piccadilly, Middlesex, boarding-house keeper, Feb. 27 at half-past 11, Court of Bankruptcy, London, div.—*H. Tattersall*, New Wharf-road, Battersea, Middlesex, common brewer, Feb. 28 at 1, Court of Bankruptcy, London, div.—*James Parkins*, Cheapside, London, clothier, Feb. 27 at 11, Court of Bankruptcy, London, div.—*Prince James Tubb*, Tottenham, Middlesex, draper, March 4 at 2, Court of Bankruptcy, London, div.—*Margaret Edmonds*, Park-place, and Arlington-street, St. James's, Middlesex, and Hearn-hill-cottage, Hearn-hill, Surrey, boarding-house keeper, March 2 at 12, Court of Bankruptcy, London, div.—*Thos. D. Alderson*, Great Marlborough-street, and Warwick-street, Golden-square, Middlesex, pewterer, March 5 at 11, Court of Bankruptcy, London, div.—*Robert Selby*, Burleigh-street, Strand, Middlesex, wine merchant, March 4 at 11, Court of Bankruptcy, London, div.—*Edward Howard* and *Jas. Gibbs*, Cork-street, Burlington-gardens, Middlesex, money scriveners, March 2 at 1, Court of Bankruptcy, London, div.—*Wm. Hayhow*, Ratcliffe-highway, and High-street, Shadwell, Middlesex, shoemaker, March 4 at 11, Court of Bankruptcy, London, div.—*J. Pennycuik*, Woolwich, Kent, grocer, March 4 at 2, Court of Bankruptcy, London, div.—*Robt. W. Jearrad* the younger, Oxford-street, Middlesex, carpenter, March 4 at 2, Court of Bankruptcy, London, div.—*R. W. Wright*, *Chas. Davy*, and *Jacob Dixon*, Devonshire-street, Queen-square, Bloomsbury, Middlesex, goldsmiths, March 4 at 1, Court of Bankruptcy, London, div. sep. est. of *C. Davy*.—*Wm. Simmonds*, Brighton, Sussex, grocer, March 4 at 2, Court of Bankruptcy, London, div.—*J. B. Cadby*, Malmesbury, Wiltshire, stationer, March 4 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Laws, Waltham Abbey, Essex, linendraper, March 4 at 1, Court of Bankruptcy, London.—*George I. Higginson*, Hutton Sessay, and Sowerby Parks, Sowerby, Yorkshire, dealer in cattle, March 4 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Mason*, Halifax, Yorkshire, draper, March 4 at 11, District Court of Bankruptcy, Leeds.—*John Cummins*, Bradford, Yorkshire, linendraper, March 4 at 11, District Court of Bankruptcy, Leeds.—*Alexander Dunbar*, Halifax, Yorkshire, shoemaker, March 8 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

J. J. Nicholas, Newport, Monmouthshire, timber merchant.—*John Short*, Weedon Beck, Northamptonshire, wine merchant.—*N. Browne*, Sipson's-green, Roundslom Heath, Middlesex, licensed victualler.—*Wm. R. Golder*, Folkestone, Kent, miller.—*Edward Ritherdon*, Mill-wall, Poplar, Middlesex, shipbuilder.—*Robert Jackson*, Nottingham, butcher.

PETITION ANNULLED.

Henry Francis Wollaston, Union-grove, Wandsworth-rd., Surrey, merchant.

PARTNERSHIP DISSOLVED.

Christopher Richard Norris Palmer and *John Crozes*, Ware, Hertfordshire, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Reid, Smith, & Co., Aberdeen, distillers.—*Peter Barrie*, Glasgow, fisher.—*Robert Dougall*, Glasgow, grocer.—*David Baxter*, Kerriemuir, tanner.—*James Miller*, Tarbolton, Ayrshire, carrier.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Smallwood, Birmingham, general tool maker, Feb. 21 at 10, County Court of Warwickshire, at Birmingham.—*John Fellows*, Birmingham, builder, Feb. 14 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Whateley*, Birmingham, retailer of cooked meat, Feb. 21 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Beecroft*, Ryde, Isle of Wight, Southampton, grocer, Feb. 27 at 10, County Court of Hampshire, at Newport.—*Richard Rees*, Llanelly, Carmar-

thenshire, cabinet maker, Feb. 24 at 2, County Court of Carmarthen, at Carmarthen.—*Evan Evans*, Carmarthen, weaver, Feb. 24 at 2, County Court of Carmarthen, at Carmarthen.—*Wm. Lewis*, Carmarthen, coach builder, Feb. 24 at 2, County Court of Carmarthen, at Carmarthen.—*Fred. Phillips*, Carmarthen, mariner, Feb. 24 at 2, County Court of Carmarthen, at Carmarthen.—*John Nicholls*, Rowley Regis, Staffordshire, grocer, Feb. 20 at 12, County Court of Worcestershire, at Dudley.—*Joseph Barwise*, Birkenhead, Cheshire, corkcutter, Feb. 20 at 10, County Court of Cheshire, at Birkenhead.—*D. Jackson*, Birkenhead, Cheshire, bookkeeper, Feb. 20 at 10, County Court of Cheshire, at Birkenhead.—*Wm. Law*, Manchester, schoolmaster, Feb. 29 at 1, County Court of Lancashire, at Manchester.—*W. Jones*, Holyhead, Anglesey, licensed victualler, Feb. 25 at 11, County Court of Anglesey, at Llangefni.—*Thomas Oliver*, Benwell Bank Top, Northumberland, farmer, Feb. 26 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*James Edwards*, Newcastle-upon-Tyne, confectioner, Feb. 26 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*William Hall*, Newcastle-upon-Tyne, brewer, Feb. 26 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Henry Cockerell*, Stradbroke, Suffolk, ironfounder, Feb. 27 at 11, County Court of Suffolk, at Eye.—*Edward Freeman*, Lowestoft, Suffolk, coachmaker, Feb. 18 at 10, County Court of Suffolk, at Lowestoft.—*J. Foreman*, Bury St. Edmund's, Suffolk, police constable, Feb. 23 at 10, County Court of Suffolk, at Bury St. Edmund's.—*James Hill*, Easton, Suffolk, blacksmith, Feb. 20 at 10, County Court of Suffolk, at Framlingham.—*Wm. Knight*, Snape, Suffolk, farm labourer, Feb. 20 at 10, County Court of Suffolk, at Framlingham.—*Charles Jacobs*, Badingham, Suffolk, poulterer, Feb. 20 at 10, County Court of Suffolk, at Framlingham.—*John Brown*, Chalgrove, Oxfordshire, farming bailiff, Feb. 26 at 11, County Court of Oxfordshire, at Thame.—*J. Miles*, Lyncombe and Widcombe, Bath, Somersetshire, shoemaker, March 6 at 11, County Court of Somersetshire, at Bath.—*John T. Davis*, Bath, Somersetshire, licensed victualler, Feb. 28 at 11, County Court of Somersetshire, at Bath.—*Wm. W. Bird*, Bath, Somersetshire, slater, Feb. 21 at 11, County Court of Somersetshire, at Bath.—*James Carter*, Bath, Somersetshire, tailor, Feb. 28 at 11, County Court of Somersetshire, at Bath.—*John G. Burrell*, Fakenham, Norfolk, confectioner, March 5 at 10, County Court of Norfolk, at Little Walsingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 25 at 11, before the CHIEF COMMISSIONER.

Wm. F. Mockett, Albert-terrace, Old Kent-road, Surrey, potatoe salesman.—*Ann M. Russell*, Hungerford Arcade, St. Martin's-in-the-Fields, Middlesex, tobacconist.

Feb. 25 at 10, before Mr. Commissioner LAW.

John Tomlin, Tottenham-court-road, Middlesex, coachmaker.—*Jane Ramsey*, spinster, High-st., Poplar, Middlesex, dealer in Berlin wool.—*Elizabeth Ramsey*, spinster, High-st., Poplar, Middlesex, dealer in Berlin wool.

Saturday, Feb. 7.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Bechamp Ely, Toft Monks, Norfolk, shoemaker, No. 74,589 C.; *John Cobb*, assignee.—*John Stratton*, King-street, Camden-town, Middlesex, out of business, No. 62,508 T.; *John Hayward*, assignee.—*Phebe Roper*, spinster, Birmingham, No. 74,323 C.; *Alexander Harrison*, assignee.

Saturday, Feb. 7.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles M. L. Cousins, Clifton-terrace, Asylum-road, Old Kent-road, Surrey, clerk to a stockbroker in the Debtors Prison for London and Middlesex.—*John Wolsey*, Oxford-street, Middlesex, house agent: in the Debtors Prison for London and Middlesex.—*John Aug. Payne*, High Holborn, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Charles W. G. Guirie*, Fritch-street, Soho,

Middlesex, surgeon: in the Queen's Prison.—*George Bish*, Stratford, Essex, smith: in the Queen's Prison.—*H. Ball*, Richmond New-road, Fulham, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*William Woodger*, Aldersgate-st., London, farrier: in the Debtors Prison for London and Middlesex.—*D. Alder*, Old Weston-street, Southwark, Surrey, merchant: in the Queen's Prison.—*Robert U. Snow*, Water-street, Strand, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*J. Clare*, Ann's-place, Whitmore-road, Hoxton, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Auguste Mott*, Keppell-street, Southwark-bridge-road, Surrey, patent portmanteau manufacturer: in the Gaol of Surrey.—*Jabez Miller*, High-st., Stoke Newington, Middlesex, linen-draper: in the Debtors Prison for London and Middlesex.—*Thomas Crowther*, Coventry, Warwickshire, coal agent: in the Gaol of Coventry.—*George Cobb*, Harescomb, Gloucestershire, innkeeper: in the Gaol of Gloucester.—*George Potts*, Newcastle-upon-Tyne, shoemaker: in the Gaol of Newcastle-upon-Tyne.—*Thomas Ryland*, Cheltenham, Gloucestershire, stonemason: in the Gaol of Gloucester.—*Henry Wilkinson*, Hadleigh, Suffolk, bricklayer: in the Gaol of Bury St. Edmund's.—*John N. Rogers*, Chelveston-cum-Caldscott, near Higham Ferrers, Northamptonshire, farmer: in the Gaol of Northampton.—*Joseph F. Higgins*, Keighley, Yorkshire, architect: in the Gaol of York.—*Walter Henton*, Hayward's Heath, Sussex, wheelwright: in the Gaol of Lewes.—*Wm. A. Humble*, Newcastle-upon-Tyne, farm labourer: in the Gaol of Newcastle-upon-Tyne.—*Wm. Lindrad* the younger, Bristol, assistant to a haberdasher: in the Gaol of Bristol.—*Charles Savill*, Seymour-place, Camden-town, Middlesex, cheesemonger: in the Gaol of Reading.—*Wm. H. Jenks*, Ettingshall, Sedgley, Staffordshire, licensed victualler: in the Gaol of Coventry.—*James Moss*, Leamington, Hastings, Warwickshire, wharfinger: in the Gaol of Coventry.—*Wm. Thomas Spratt*, Halesworth, Suffolk, coachmaker: in the Gaol of Ipswich.—*Robert Ashworth*, Smallbridge, near Rochdale, Lancashire, greengrocer: in the Gaol of Lancaster.—*William Atkinson*, Salford, Lancashire, stonemason: in the Gaol of Lancaster.—*John Butler*, Manchester, joiner: in the Gaol of Lancaster.—*Wm. H. Bennett*, Blackburn, Lancashire, draper: in the Gaol of Lancaster.—*Thomas Cragg*, Walton-le-Dale, near Preston, Lancashire, grocer: in the Gaol of Lancaster.—*N. Dunckerley*, Godley, near Hyde, Cheshire, toll collector: in the Gaol of Lancaster.—*Wm. Fletcher*, Ashton-under-Lyns, Lancashire, licensed victualler: in the Gaol of Lancaster.—*William Hall*, Nottingham, out of business: in the Gaol of Nottingham.—*Richard Henry Hardisty*, Leeds, Yorkshire, fruiterer: in the Gaol of York.—*Sarah Ingham*, Oldham, Lancashire: in the Gaol of Lancaster.—*Andrew Melvin*, Liverpool, publican: in the Gaol of Lancaster.—*Lawrence Murnaghan*, Salford, Lancashire, stonemason: in the Gaol of Lancaster.—*Robert Shaw*, Lower Broughton, near Manchester, porter dealer: in the Gaol of Lancaster.—*Samuel Stead*, Salford, Lancashire, job fent dealer: in the Gaol of Lancaster.—*John Taylor*, Liverpool, druggist: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 24 at 11, before the CHIEF COMMISSIONER.

Thomas Smith, Upper Church-street, Chelsea, Middlesex, wine merchant.—*Jane C. Umphey*, Epping-place, Mile-end, Middlesex, shopwoman to a hairdresser.—*William Swflew*, Henry-place, South-parade, Chelsea, Middlesex, and Herne Bay, Kent, in no business.

Adjourned Case.

John Benton, Acton-street, Gray's-inn-road, Middlesex, in no trade.

Feb. 26 at 11, before Mr. Commissioner PHILLIPS.

Henry House, Middlesex-place, New-road, and Beaufort-buildings, Strand, Middlesex, accountant.—*Wm. B. Tribe*, Merrers-street, Walworth-road, Newington, Surrey, out of business.—*Joseph Brace*, Tachbrook-street, Pimlico, out of business.—*James Louis Escudier*, Somerset-st., Portman-sq., and St. Martin's-lane, Middlesex, surgeon-dentist.—*William Giles*, Sydney-st., Great Northern-road, Islington, Middlesex, out of business.—*Nathan Charles Hammond*, Tennyson-street, York-road, Lambeth, Surrey, mattress manufacturer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at SOUTHAMPTON, Feb. 24.

Robert Stannard, Dorchester, Dorsetshire, railway contractor.

At the County Court of Gloucestershire, at GLOUCESTER, Feb. 26 at 10.

George Cobb, Harescomb, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Feb. 26 at 10.

Wm. A. Humble, Newcastle-upon-Tyne, farm labourer.—George Polts, Newcastle-upon-Tyne, shoemaker.

At the County Court of Hertfordshire, at HERTFORD, Feb. 28.

George H. Wright, Clarence-terrace, Haggerstone, Middlesex, out of business.

At the County Court of Warwickshire, at COVENTRY, Feb. 28 at 10.

Wm. Willis the elder, Coventry, out of business.—Joseph J. Keyte, Birmingham, out of business.—Charles Jackson, Dudley, Worcestershire, draper.—Jas. Wrapp, Aston Manor, out of business.—George Wm. Taylor, Aston, surveyor.—Thomas W. Tipler, Rugby, newspaper reporter.

At the County Court of Berkshire, at READING, March 4. James Plumley, Reading, builder.

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The Jurist

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* * In consequence of the very evident typographical mistake in No. 787, by which the parts of two cases were transposed, it was necessary to reprint sixteen of the pages, to enable the Subscribers to cancel the erroneous matter. The corrected pages were delivered last week with No. 788, and it is respectfully requested that the alteration be made at once, in order to prevent any mistake when the Volume is in a complete state for the binder.

LONDON, FEBRUARY 21, 1852.

An impression appears to prevail among bankers and their customers, that the decision of the Court of Exchequer in *Bellamy and Another v. Marjoribanks and Another*, (16 Jur., part 1, p. 106), upon the effect of crossing cheques, has removed much of the protection which the public have hitherto derived from carrying on their transactions by means of cheques instead of by money or bank-notes; and there are expressions in the judgment which may have led to a misapprehension of its true bearing. But putting these expressions aside, and regarding only the substantial decision in the case, we think it will be found that the public are as much protected in this respect as they have ever been, and that a rule has been laid down upon the subject with sufficient precision for all practical purposes, and in accordance with the principles of mercantile law which relate to negotiable instruments.

The facts out of which the legal question arose were briefly these:—A person, having to pay 2000*l.* into the Court of Chancery, gave a cheque for that purpose upon Coutts & Co. to a Mr. Geary, a solicitor, and crossed it "Bank of England, for account of the Accountant-General." Geary drew a pen through the above crossing, which, however, remained legible, and crossed the cheque with the name of Messrs. Gosling,

with whom he kept an account, and to whom it was paid, by Coutts & Co. Geary applied the proceeds to his own purposes, and an action was brought by the drawers of the cheque to recover the amount so paid from Coutts & Co., upon the ground, that, by the common custom of bankers, they ought not to have paid the cheque, except to those bankers whose name was first written across it, (viz. the Bank of England); or, at all events, upon the ground that they were guilty of negligence in paying it, under the circumstances, without inquiry. The testimony at the trial as to the custom was very conflicting, but the jury ultimately found a verdict for the plaintiffs. The Court, however, granted a new trial, upon the ground that the verdict was against the weight of the evidence, holding that the custom alleged against Coutts & Co. was not proved in fact, and that, if it were proved, it would be contrary to law, inasmuch as the crossing could not in any case operate as an indorsement of the cheque, for want of an intent to transfer the property to the banker with whose name it was crossed, and also for want of delivery to him; neither could it be considered as equivalent to a direction not to pay the bearer, but only such banker; for, if so, it would be altered in a manner which would take it out of the exemption of the Stamp Act, (55 Geo. 3, c. 184, sched., part 1). The Court, however, thought that, although there was no such custom as was contended for, there probably was one to the effect, that if a cheque crossed with a banker's name, or with the words "— & Co.," were not presented through a banker, the drawee should have a reasonable time for inquiry as to the bearer, before he paid the cheque. They said that a person receiving payment by means of a crossed cheque, although he did not incur the obligation of presenting it through a banker, as a condition precedent to its

payment, yet, if he did not do so, he could not complain if it were not paid without previous inquiry; and, indeed, that the drawee paying the cheque under such circumstances, without inquiry, would do so at his own peril, and must bear the loss, if it subsequently appeared that he had paid it to one who was not the lawful bearer. The crossing of a cheque, in effect, is for the protection of the drawer, attaching to the cheque the incident of presentment through a banker, or inquiry as to the bearer: it affects both bearer and drawee with notice, to the extent that we have mentioned, but it does not restrict the negotiability of the cheque, or render it less payable to bearer than it was before such crossing. A banker, in all cases, is bound to pay only to a lawful bearer of a cheque; and where the instrument is, on the face of it, tainted with suspicion, we apprehend that he is entitled to a reasonable time for inquiry before he is bound to pay it. (See *Scholey v. Ramsbottom*, 2 Camp. 485; *Hall v. Fuller*, 5 B. & Cr. 750; *Roberts v. Tucker*, 15 Jur., part 1, p. 987).

It is, however, quite consistent that a cheque should be payable to bearer, and yet payable only after inquiry. This seems to have been the meaning of the judgment, though the quotation therein from *Stewart v. Lee* (1 Moo. & M. 161) has led some persons to suppose that it went the length of declaring that the bearer would be *compelled* in such case to present the cheque through a banker; and then it is reasonably asked, if so, how can it be said that it is still payable to bearer? And "A Barrister," in a letter to a leading journal, assumes that it is illegal to cross a cheque with the name of a banker, because of the stamp laws, but not so if we use the innocent words "— & Co."

No such distinction, however, is made in the judgment, of which, we believe, we have correctly stated the nature and the effect.

OBSERVATIONS ON THE SUGGESTIONS OF THE CHANCERY COMMISSIONERS.

THE recommendations of the Chancery Commissioners are numerous, and among them are many which, in our humble opinion, are of great value. Indeed, the reforms suggested are so many, and so substantial, that it might be difficult to say which are the most important. With the greater part of them it is perfectly natural that we should agree, as the learned Commissioners recommend precisely the things that we have contended for again and again in these pages. Of this kind are the abolition of bills of revivor and supplement, and the substitution for them of simple amendment; the abolition, in general, of the interrogatory part of a bill, leaving it to the plaintiff to file interrogatories, if he has a special ground for interrogating the defendant; the abolition of states of facts and charges upon references; the abolition of the absurd rule, by which, in certain cases, affidavits cannot be read against an answer; and last, but not least, the abolition of the mode of taking evidence by written interrogatories, and the substitution, at least where the parties wish it, of oral evidence. On all these points we have only to refer our readers to *The Jurist*, (vol. 12, part 2, p. 81; vol. 13, part 2, pp. 129, 461; vol. 14, part 2, pp. 490, 505), to shew that the views taken in it, are

now stamped with the approbation of some of the most eminent and most eminently practical men in the Profession.

In a very important part of their recommendations the Commissioners are not very explicit—we mean, as to the proposed abolition of the Masters' offices, and what is to be substituted for them. Of the class of business which is now done by the Masters *personally*, little, if any, it would seem, is to be actually abolished. Nor could it well be so, though, no doubt, by the effect of the recommendations, it will be diminished in amount, or rather it will be done once instead of twice over. In such its reduced or compressed state it is to be done by the judges, either in court or at chambers. Now, there is much that is done by the Master, *personally*, which might just as well be done by his clerk; and this business, we suppose, is intended to be transferred to the officers substituted for the Masters' chief clerks. But then there is much done by the Master which is really of a judicial character, and of a difficulty requiring some considerable time for its transaction, even if it is to be done by a judge either in court or at chambers. Now, how this is to be done by the present judges, who, with their own present business, have more than they can keep down, it is not very easy to understand.

Take, for instance, one class of cases which, by the recommendations, it is proposed should be dealt with by the judge, viz. the adjudication on questions of title in suits for specific performance. With the soundness of this recommendation we perfectly agree, but still it will cast considerable additional work upon the judge, who will have to hear many very difficult questions which now never come before him. So with respect to what is, in our legal cant, called working out their own decrees—that is, in having the necessary inquiries made and accounts taken under their direction and general superintendence, a duty which, it would seem, is to be cast upon the judges, much time must inevitably be occupied—not so much, no doubt, as is occupied by the Master in corresponding matters, but still no inconsiderable portion of time; and the result to which we arrive, in contemplating the working of the new system, is, that it will require more judges—certainly not less than two, perhaps more.

In all probability there will be, under the new system, much thrown upon the judge for which a Master is a fully competent judicial person; and in so far the abolition of the Master's office is obnoxious to the criticism, that it is a proposal to pay 5000*l.* a year for what can well be done for 2500*l.*; and if the Masters' offices were capable of reformation, and if they were not, as they are, so intensely unpopular, that while they subsist, the people would never believe in Chancery reform, we should say that the Commissioners would have erred in recommending the transfer of any of the functions of the Masters to the superior judges. But the truth is, that the whole system of business in the Masters' offices is so wrong in details, even more than in principles, that it is utterly impossible to mend them. Of them nothing could be kept except the name, and the name is perfectly hateful to Chancery suitors and the commercial public.

The destruction of the Masters' offices, therefore, whether in theory absolutely justifiable, was and is practically inevitable; and if with them some good departs, and if, by the substitution of the judges and other and subordinate officers, some inferior work is committed to superior minds, so much that is incurably bad will be got rid of, that the English people, who never expect theoretical perfection, will probably, on the whole, be satisfied that the Commissioners have exercised a sound discretion.

Agreeing, as we have already said, in nearly everything that is recommended, and preferring, if it were

* See the City article in the *Times*, Feb. 9 and 11, 1852.

left to us, to take the new system as a whole, rather than to have it rejected or delayed, we may, nevertheless, not uselessly employ ourselves in pointing out some things in which, as we think, there are omissions, and one in which there is grave error.

The omissions are rather of detail, and probably will be provided for in the promised bill. Still no harm will be done by calling the attention of our readers to them. First, as claims will be virtually superseded, it would be better that they should be specifically abolished. That they will be virtually superseded is apparent; because, as to the subject-matter of the common claim, that will be handed over to the judge at chambers, under the recommendations in respect to administration suits; and the subject-matter of special claims will be much better dealt with by the new bill: so that there will really be no business left for claims. Secondly, the answer being abolished in most cases, the mode of obtaining inspection of documents, when there is no answer, will require to be altered, and the plaintiff should have, in some form, the same power of obtaining payment of money into court, as well as discovery of documents, that he now has upon an answer. Thirdly, the recommendations do not seem to extend the application of *vivâ voce* examination to interlocutory applications; on many of which, such as motions for injunctions and receivers, the cross-examination and re-examination in court of the witnesses, who have made affidavits, would be of the greatest value. These and many other matters of detail are, we conclude, left to be introduced into the bill, or by general orders; but if the new system is to work, such matters ought not to be left in doubt.

We pass now to what we conceive to be a grave error in the recommendations, and that is, the mode in which it is suggested that evidence *vivâ voce* should be taken. It is proposed that either party shall have a right to have it so taken, and that it shall be taken before some examining officer, who is to reduce it into writing, and the evidence so recorded will form part of the materials on which the judge will hear a cause. It is not, therefore, intended, as the general rule, that the oral examination of the witnesses shall form part of the trial, but it is to take place before a person who does not try the cause. Now this, we submit, with great and with unfeigned deference to the opinions of the eminent persons who have framed the report, is not the right course; it gives up much that is of the essential value of *vivâ voce* evidence, and though better than the present system of Chancery examination, is only so, as being a step towards examination in open court. The substantial benefit of oral examination is not dependent on the mere fact of its being oral, but on its being taken on the hearing of the matters put in issue; by the counsel conducting the case, and in the presence of the judge, who hears the circumstances of the case, step by step, unfolded. Material questions are suggested in the course of a trial, not merely by the preceding answers of the witness, but by the consideration of the points of law and fact, which the counsel, while actively conducting the case, gives to its various bearings—questions which would probably never suggest themselves in the conduct of a mere examination, unaccompanied by the general features of a trial.

We do not lay very much stress upon the value of what is termed "the demeanour of the witness," an item in oral examination as likely to lead to error as to truth; but what we do lay stress upon is the value of the adaptation of the examination, to the varying circumstances that the progress of the trial elicits, as compared with that lifeless examination which alone can take place where the counsel are not fighting, and know they are not fighting, the actual and final battle, and the judge has nothing to decide. Indeed, upon these or upon other grounds, all are pretty well

agreed that it is best that the evidence should be taken, *when it can*, in open court, at the trial. But then it is said that this cannot be done in Chancery. Now, all the arguments against its being done are of a statistical character; they resolve themselves into this—that too much of the time of the Court would be taken up; that the uncertainty when a cause would be heard would make the expense of bringing up and keeping witnesses, to be examined, frightful; and that these objections could only be met by a very great increase of the judicial staff, and consequent increase of expense to the country.

To this it will be found, when all that is said against the practicability of examining witnesses in Chancery, as at *Nisi Prius*, has been considered and reconsidered as much as one will, that the sum and substance of the arguments are reduced. The answers are—

First, as to the time occupied in trials, it is not certain that a much larger portion of the time of the judges would be taken up, having regard to this, that the proportion of Chancery causes, in which there are many witnesses to examine, is very small; and to this also, that much of the length of the *arguments*, in a Chancery cause, arises from the very imperfection of the evidence, and that many a long and learned argument would be completely eliminated, if a few questions could be put to a witness in the course of the cause.

Secondly, as to the expense of bringing up and keeping witnesses, that might be much diminished by a more rigid adherence to the course of business of the Court than at present prevails. In Chancery certain days are set apart for causes; but every one knows that, for various reasons, (at present, perhaps, satisfactory), sometimes motions, sometimes petitions, are allowed to continue for days and days consecutively, to the exclusion of the other business of the Court. Under the new system, it would of course be requisite to take causes on cause days, motions on motion days, and so in regard to each class of business; and by that regularity alone much of the anticipated inconvenience attending the bringing up of witnesses would be prevented. Some might remain; but the question is, would not such inconvenience and expense as would remain, be more than counterbalanced by the benefit?

Lastly, admitting that more judges would be required, and greater expense entailed upon the country, again the question is, which is, in the end, the cheapest course—to pay more for an effective, or less for an ineffective, administration of justice? Of course, in advocating the examination of the witnesses at the trial of a cause, we confine our observations to the examination of witnesses who would not have to be brought up from a very great distance—say, in these days of railroad transit, 150 or 200 miles. For cases where the witnesses would have to be brought a greater distance, the evil of a separate examination seems inevitable, so long as the Courts of equity do not go circuit—a course of proceeding which, although perhaps not quite so remote as many may think, is, at any rate, not at present proposed, and need not, therefore, be discussed.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—Admiral Houston Stewart, for the borough of Greenwich, in the room of Rear-Admiral James Whitley Deans Dundas, who has accepted the office of Steward of her Majesty's Manor of Helmscholme; The Hon. William Ernest Duncombe, for the borough of East Retford, in the room of the Hon. Arthur Duncombe, who has accepted the office of Steward of her Majesty's Chiltern Hundreds; John Isaac Heard, Esq., for the borough of Kinsale, in the room of Benjamin Hawes, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

London Gazettes.

FRIDAY, FEBRUARY 13.

BANKRUPTS.

GEORGE WATERHOUSE, Rupert-street, Haymarket, and Cranford, (not Crauford-street, as before advertised), Middlesex, watch and clock manufacturer, Feb. 23 and March 27 at half-past 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. West, 16, Gresham-street, London.—Petition dated Jan. 30.

THOMAS PEARMAN, Cold Harbour-road, Brixton, Surrey, builder, Feb. 27 at 1, and March 26 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. & W. Meymott, 86, Blackfriars-road.—Petition filed Feb. 7.

WILLIAM ROBERTS, Warren-street, Camden-town, Middlesex, builder, Feb. 24 at half-past 1, and March 25 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Charlton, 18, Southampton-street, Fitzroy-square.—Petition filed Feb. 2.

GEORGE LAW, Harrow-road, and late of West Drayton, Middlesex, hatter, dealer and chapman, Feb. 20 at half-past 12, and March 26 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Routh & Rowden, 14, Southampton-street, Bloomsbury.—Petition filed Feb. 9.

GEORGE LILLYWHITE, sen., Cumberland-place, Brixton-rise, Surrey, furrier, dealer and chapman, Feb. 26 at 1, and March 23 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Apps, 36, Great James-street, Bedford-row.—Petition filed Feb. 11.

JOHN JAMES, Netherton, Worcestershire, tailor and draper, dealer and chapman, Feb. 26 and March 22 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Southall, Birmingham.—Petition dated Feb. 7.

JOHN FITCHETT, Birmingham, casting pot maker, dealer and chapman, Feb. 24 and March 13 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Suckling, Birmingham; Chilton & Co., 7, Chancery-lane, London.—Petition dated Feb. 6.

JOHN SHARRER WARD, Bruton, Somersetshire, silk throwster, Feb. 25 at 12, and March 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. King, Bristol.—Petition filed Feb. 10.

JOHN FEGAN, Lincoln, draper, Feb. 25 and March 24 at 12, District Court of Bankruptcy, Hull: Off. Ass. Currick; Sols. Sykes, Nottingham; Harle, Leeds.—Petition dated Jan. 27.

WILLIAM WHITEHOUSE, trader, Feb. 26 and March 18 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Thompson, Liverpool.—Petition filed Jan. 16.

MATTHEW WARREN, Macclesfield, Cheshire, silk dyer, Feb. 26 and March 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Slater & Heelis, Manchester.—Petition filed Feb. 5.

WILLIAM FOSTER, Great Bolton, Lancashire, confectioner, biscuit manufacturer, dealer and chapman, Feb. 26 and March 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Sutton, Manchester.—Petition filed Feb. 10.

JOHN CAILE, Whitehaven, Cumberland, grocer, Feb. 25 at 11, and March 30 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Evans & Son, Liverpool; Bownas, Newcastle-upon-Tyne.—Petition filed Feb. 9.

MEETINGS.

Henry Woolf and Isaac Lyons, Cripplegate-buildings, London, umbrella manufacturers, Feb. 24 at 1, Court of Bankruptcy, London, last ex.—*D. L. Williams*, Cwmnantywar Colliery, Thornhill-Llandilo, Carmarthenshire, and Albert-st., Camden-town, Middlesex, coal owner, Feb. 24 at 12, Court of Bankruptcy, London, last ex.—*C. H. Gausden*, Hove, Sussex, licensed victualler, Feb. 24 at 11, Court of Bankruptcy, London, last ex.—*John F. Cole*, Hampton Court, Middlesex, victualler, March 9 at 11, Court of Bankruptcy, London, last ex.—*James Duggan*, Maryport, Cumberland, draper, March 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Joseph Storey*, Hartlepool, Durham, draper, March 5 at 11, (and not Feb. 26, as before advertised), District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Nash*,

Noble-street, London, woollen warehouseman, Feb. 25 at 1, Court of Bankruptcy, London, aud. ac.—*George Martin*, Bishops Stortford, Hertfordshire, tarpauling manufacturer, March 2 at 11, Court of Bankruptcy, London, aud. ac.—*F. Pegler*, Hampton, Middlesex, grocer, Feb. 24 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Boyce* the elder, Dover, Kent, hotel keeper, Feb. 26 at 12, Court of Bankruptcy, London, aud. ac.—*C. J. Powell*, Kingston, Surrey, draper, Feb. 24 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Kirby*, Stockwell Park-road, Stockwell, Surrey, builder, and Hale-st., Deptford, Kent, licensed victualler, Feb. 24 at 11, Court of Bankruptcy, London, aud. ac.—*Nicholas Geary*, St. James's-street, Piccadilly, and Oxford-st., Middlesex, staymaker, Feb. 26 at 1, Court of Bankruptcy, London, aud. ac.—*Robert Hazard* and *Frederick Robert Hazard*, Bristol, victuallers, March 5 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joseph Bayly Cadby*, Malmesbury, Wiltshire, stationer, Feb. 26 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Dew* and *Jane Ketill*, Bath, Somersetshire, pawnbrokers, March 11 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Sampson Langdale* the elder and *Sampson Langdale* the younger, Stockton-upon-Tees, Durham, and Yarm, Yorkshire, corn dealers, March 3 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*W. Gedge*, Leicester-sq., Middlesex, linendraper, March 5 at 11, Court of Bankruptcy, London, fin. div.—*Wm. Woods*, Gresham Rooms, Basinghall-street, London, warehouseman, March 5 at 1, Court of Bankruptcy, London, div.—*George Small*, Folkestone, Kent, tailor, March 8 at 11, Court of Bankruptcy, London, div.—*Henry W. Farrer*, Old Fish-st., London, wine merchant, March 9 at 12, Court of Bankruptcy, London, div.—*Edward Jones*, Church-st., Blackfriars-road, Surrey, currier, March 5 at 11, Court of Bankruptcy, London, div.—*Thos. A. Young*, Woolwich, Kent, wine merchant, March 9 at half-past 11, Court of Bankruptcy, London, div.—*James M'Kenna*, George-st., Hanover-sq., and Russell-st., Chelsea, Middlesex, tailor, March 5 at half-past 11, Court of Bankruptcy, London, div.—*James Crisp* the younger, Beccles, Suffolk, corn merchant, March 5 at 12, Court of Bankruptcy, London, div.—*Edward Ground*, Wisbeach and Parson Drove, Cambridgeshire, draper, March 5 at 2, Court of Bankruptcy, London, div.—*Ellis John Troughton*, St. Michael's-alley, Cornhill, London, merchant, March 5 at half-past 1, Court of Bankruptcy, London, div.—*Frederick True*, Downham Market, Norfolk, ironmonger, March 5 at half-past 1, Court of Bankruptcy, London, div.—*John Nesbitt*, *Edward Stewart*, and *John Nesbitt* the younger, Aldermanbury, London, merchants, March 5 at 1, Court of Bankruptcy, London, div.—*Joseph Turner*, Eastbourne, Sussex, draper, March 9 at 12, Court of Bankruptcy, London, div.—*J. Cummins*, Bradford, Yorkshire, linendraper, March 5 at 11, District Court of Bankruptcy, Leeds, div.—*John Whitworth*, Leeds, Yorkshire, millwright, March 5 at 11, District Court of Bankruptcy, Leeds, div.—*Wm. Mason*, Halifax, Yorkshire, draper, March 5 at 11, District Court of Bankruptcy, Leeds, div.—*James Pennock*, York, farrier, March 5 at 11, District Court of Bankruptcy, Leeds, div.—*Joshua Eyre*, Sheffield, Yorkshire, grocer, March 6 at half-past 12, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thos. Barnjum, Pall-mall East, and Willesden, Middlesex, wine merchant, March 9 at 2, Court of Bankruptcy, London.—*Jacob Meane* and *Wm. Meane*, Brighton, Sussex, brewers, March 9 at 1, Court of Bankruptcy, London.—*William M. Whalley*, South Mimms, Middlesex, licensed victualler, March 9 at 12, Court of Bankruptcy, London.—*Henry Shuttleworth*, Saffron Walden, Essex, ironmonger, March 9 at 2, Court of Bankruptcy, London.—*Charles L. Meates*, Conduit-street, Hanover-square, Middlesex, grocer, March 6 at 11, Court of Bankruptcy, London.—*Thomas A. Young*, Woolwich, Kent, wine merchant, March 9 at half-past 11, Court of Bankruptcy, London.—*John A. Edwards*, Toxteth-park, near Liverpool, lodging-house keeper, March 5 at 11, District Court of Bankruptcy, Liverpool.—*Peter Lawton*, Liverpool, chemist, March 8 at 11, District Court of Bankruptcy, Liverpool.—*John S. Rislon*, Liverpool, printer, March 9 at 11, District Court of Bankruptcy, Liverpool.—*Joshua Eyre*, Sheffield, Yorkshire, grocer, March 6 at half-past 12, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Henry D. Stevenson, West Sunnyside, Bishop Wearmouth, Durham, merchant.—*Augustus Radcliffe* the younger, Chichester-place, Gray's-inn-road, Middlesex, window-glass merchant.—*Robert William Jaerrad* the younger, Oxford-street, Middlesex, carpenter.—*Jabez Grimble*, Sidney-sq., White-chapel, Middlesex, builder.—*J. Smith*, Altrincham, Cheshire, joiner.—*Samuel Lichfield*, Birmingham, druggist.—*Joseph Lichfield* the younger, Birmingham, pork butcher.—*William Rawlins*, Warwick, maltster.—*John Hannah*, Huddersfield, Yorkshire, cloth dresser.

PARTNERSHIP DISSOLVED.

Henry H. Allenby and *Septimus Bourne*, Louth, Lincolnshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

William Black, Aberdeen, wine merchant.—*James Miller*, Ayr, ironmonger.—*W. Howison*, Edinburgh, spirit merchant.—*James Wood & Co.*, Edinburgh, importers of Swedish leeches.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Needham, Doncaster, Yorkshire, out of business, March 1 at 12, County Court of Yorkshire, at Doncaster.—*Wm. Drewry*, Doncaster, Yorkshire, hairdresser, March 1 at 12, County Court of Yorkshire, at Doncaster.—*Robt. Heath*, Leeds, Yorkshire, muffin maker, Feb. 25 at 10, County Court of Yorkshire, at Leeds.—*John Steptoe*, Northleigh, Oxfordshire, farmer, Feb. 25 at 11, County Court of Oxfordshire, at Witney.—*John Packer* the younger, Milton-next-Sittingbourne, Kent, basket maker, Feb. 28 at 11, County Court of Kent, at Sittingbourne.—*John Iaman*, Woodhouse Mill, near Huddersfield, Yorkshire, woollen spinner, Feb. 19 at 10, County Court of Yorkshire, at Huddersfield.—*Wm. Midgley*, Kirkburton, Yorkshire, fancy cloth weaver, Feb. 19 at 10, County Court of Yorkshire, at Huddersfield.—*Abraham Page Pemberton*, Worcester, trainer of greyhound dogs, March 17 at 10, County Court of Worcestershire, at Worcester.—*Frederick Wm. Bradley*, Worcester, stonemason, March 17 at 10, County Court of Worcestershire, at Worcester.—*Jas. Whitby*, King's Lynn, Norfolk, grocer, Feb. 25 at 4, County Court of Norfolk, at King's Lynn.—*Robert Goodwin*, King's Lynn, Norfolk, sawyer, Feb. 25 at 4, County Court of Norfolk, at King's Lynn.—*Charles Henry Shepard*, Southampton, baker, Feb. 24 at 10, County Court of Hampshire, at Southampton.—*Charles Isaac Hill*, Winchester, Hampshire, merchant's clerk, Feb. 20 at 11, County Court of Hampshire, at Winchester.—*John Osman*, Redbridge, Millbrook, Southampton, grocer, Feb. 24 at 10, County Court of Hampshire, at Southampton.—*Thos. Griffiths* the younger, Walsall, Staffordshire, out of business, Feb. 27 at 12, County Court of Staffordshire, at Walsall.—*Peter Salt*, Wolverhampton, Staffordshire, shoemaker, Feb. 24 at 12, County Court of Staffordshire, at Wolverhampton.—*Chas. Clarke*, High Wycombe, Buckinghamshire, chair manufacturer, Feb. 17 at 11, County Court of Buckinghamshire, at High Wycombe.—*Edw. Hodgkins*, Birmingham, retail brewer, Feb. 21 at 10, County Court of Warwickshire, at Birmingham.—*James Carter*, Wonston, Hampshire, dealer in wood, Feb. 20 at 11, County Court of Hampshire, at Winchester.—*Thomas Tandy*, Redditch, Worcestershire, needle manufacturer, March 20 at 9, County Court of Worcestershire, at Redditch.—*John Woodhall* the younger, Leabrook, Wadnesbury, Staffordshire, grocer, Feb. 27 at 10, County Court of Staffordshire, at Walsall.—*Michael Peart*, Frith Ville, Lincolnshire, agricultural labourer, March 4 at 10, County Court of Lincolnshire, at Boston.—*James Rogers*, Walsall, Staffordshire, labourer, Feb. 27 at 12, County Court of Staffordshire, at Walsall.—*James Cambray*, Great Missenden, Buckinghamshire, saddler, March 12 at 11, County Court of Buckinghamshire, at Chesham.—*Joseph Ardern*, Altrincham, Cheshire, butcher, Feb. 24 at 12, County Court of Cheshire, at Altrincham.—*Charles Statham*, Holmer-green, Little Missenden, Buckinghamshire, farmer, March 12 at 11, County Court of Buckinghamshire, at Chesham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows; to be examined and dealt with according to the Statute:—

Feb. 27 at 11, before the CHIEF COMMISSIONER.

Joseph Marsh Blacklock, Priory-place, Priory-road, South Lambeth, Surrey, clerk in her Majesty's War-office, Whitehall.—*Wm. Trump*, Horrocks-row, Newcross-road, Deptford, Kent, saddler.—*Benj. Hough*, Torrington-square, Tottenham-court-road, Middlesex, exhibitor of panoramas.

Feb. 27 at 10, before Mr. Commissioner LAW.

John Jacob, High-street, Poplar, Middlesex, shoe manufacturer.

Feb. 28 at 11, before Mr. Commissioner PHILLIPS.

George Mince, Newcross-road, Deptford, Kent, tobacconist.—*Wm. Mann*, George-st., Pentonville, Middlesex, out of business.—*Wm. Royer Puleston*, Bedford-place, Camden-hill, Kensington, Middlesex, gentleman.

March 1 at 10, before Mr. Commissioner LAW.

George Bennett, Perseverance-place, Blue Anchor-road, Bermondsey, Surrey, corn dealer.

March 1 at 11, before Mr. Commissioner PHILLIPS.

Rosalie Cayley, widow, Hyde-place, Hoxton Old-town, Middlesex, baker.—*John Chappell*, Praed-street and Arthur-mews, Paddington, Middlesex, carpenter.—*William Nash*, Star-street and Arthur-mews, Paddington, Middlesex, carpenter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 27 at 11, before the CHIEF COMMISSIONER.

Charles Murray Luger Cousins, Clifton-terrace, Aylmwood, Old Kent-road, Surrey, clerk to a stockbroker.

Feb. 28 at 11, before Mr. Commissioner PHILLIPS.

F. Alagnier, Old Cavendish-street, Oxford-street, Middlesex, importer of foreign goods.—*George May*, Fieldgate-street, Whitechapel-road, Middlesex, out of business.

March 1 at 10, before Mr. Commissioner LAW.

Thomas Wm. Piggott, Riley-street, George-street, Bermondsey, Surrey, hat manufacturer.—*Edwin Leese*, Munster-street, Regent's-park, Middlesex, cheesemonger.—*Richard Thomas Hart*, Hellen-street, Bull's-fields, Plumstead, Kent, carpenter.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Henry Watkinson, Wavertree, near Liverpool, builder, No. 74,562; Edward Walters, assignee.—*William Higginson*, Shambles, Manchester, butcher, No. 74,592; Edward Ingham, assignee.—*Elizabeth Redfearn*, widow, Hollingworth, near Rochdale, Lancashire, No. 74,634; Thomas William Whitehead, assignee.—*John Openshaw*, Hulme, Manchester, out of business, No. 74,624; James Lyth, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Feb. 27 at 11.

George Porter, Heyrod, labourer.—*Robert Ashworth*, Smallbridge, near Rochdale, greengrocer.—*Nathan Dunkerley*, Godley, near Hyde, Manchester, toll collector.—*Henry Dean*, Manchester, out of business.—*Arthur Phipps Rudman*, Preston, grocer.—*John Pendlebury*, Aspall, near Wigan, out of business.—*Robert Shaw*, Lower Broughton, near Manchester, porter dealer.—*William Fletcher*, Ashton-under-Lyne, out of business.—*Robert Jackson*, Colne, sawyer.—*Richard Cottam*, Blackburn, moulder.—*John Butler*, Manchester, out of business.—*John Hough*, Salford, brickmaker.—*George Walmesley*, Blackburn, stonemason.—*John Taylor*, Liverpool, out of business.—*John Albinston* the younger, Little Bolton, out of business.—*William Atkinson*, Salford, stonemason.—*Lawrence Murnaghan*, Salford, stonemason.—

Sarah Ingham, Oldham, grocer.—*Samuel Stead*, Salford, patchwork dealer.—*James Newton*, Manchester, beer seller.

At the County Court of Devonshire, at EXETER, Feb. 28 at 10.

Thomas Shopland the elder, Bratton Clovelly, farmer.—*Thomas Shopland* the younger, Bratton Clovelly, farmer's labourer.

At the County Court of Warwickshire, at COVENTRY, Feb. 28 at 10.

William Henry Jenks, Ettingshall, Sedgley, Staffordshire, licensed victualler.—*James Moss*, Leamington, Hastings, out of business.—*Thomas Crowther*, Coventry, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, March 8 at 9.

William Hall, Nottingham, out of business.

MEETING.

Phabe Roper, Gaol of Warwick, March 8 at 12, Harrison's, Birmingham, sp. aff.

TUESDAY, FEBRUARY 17.

BANKRUPTS.

THOMAS BUXTON BARNES, Thaxted, Essex, surgeon and apothecary, dealer and chapman, Feb. 26 at 2, and March 23 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Sawbridge, 126, Wood-street, Cheapside.—Petition filed Feb. 10.

WILLIAM STEEL, Fenchurch-street, London, tailor, dealer and chapman, Feb. 27 and March 26 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Stevens & Satchell, Queen-street, Cheapside.—Petition filed Feb. 13.

JOHN MILLER, Conduit-street, Paddington, Middlesex, corn dealer, dealer and chapman, Feb. 27 at half-past 12, and April 1 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Lawrance & Co., Old Jewry-chambers.—Petition filed Feb. 13.

RICHARD KNIGHT, Balaam-street, Plaistow, Essex, late of Queen-street, Cheapside, London, (trading under the style or title of R. Knight & Co.), wholesale stationer, dealer and chapman, Feb. 27 and April 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Cole, Finner's-hall.—Petition filed Feb. 5.

WILLIAM HAWKINS, Heage, Derbyshire, seedsman and grocer, Feb. 27 and March 19 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Ingle & Son, Belper.—Petition dated Feb. 5.

JAMES TAYLOR JAMES, Birkenhead, Cheshire, and Liverpool, merchant, commission agent, dealer and chapman, Feb. 27 and March 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Atherton, Liverpool.—Petition filed Feb. 14.

JOHN ANDREW CHRISTIAN REIMANN and **JOHN GERARD GELLER**, Liverpool, merchants, (carrying on business under the style or firm of Geller & Co.), March 4 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. North & Orred, Liverpool.—Petition filed Feb. 14.

EDEN CLARK and **HENRY BLEACKLEY**, Chorlton-upon-Medlock, Lancashire, ironmongers, March 2 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Lamb, Manchester.—Petition filed Feb. 16.

RICHARD PEACOCK, Gateshead, Durham, carpenter, Feb. 25 at 11, and March 30 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Scalfie, Newcastle-upon-Tyne.—Petition filed Feb. 11.

MEETINGS.

John Nesbitt, *Edw. Stewart*, and *John Nesbitt* the younger, Aldermanbury, London, merchants, Feb. 27 at 1, Court of Bankruptcy, London, aud. ac.—*Edward Ground*, Wisbeach, and *Parson Drove*, Cambridgeshire, draper, Feb. 27 at 1, Court of Bankruptcy, London, aud. ac.—*Frederick True*, Downham Market, Norfolk, ironmonger, Feb. 27 at 1, Court of Bankruptcy, London, aud. ac.—*Ellis John Troughton*, St. Michael's-alley, Cornhill, London, merchant, Feb. 27 at 1, Court of Bankruptcy, London, aud. ac.—*James Colquhoun*, Woolwich, Kent, money scrivener, Feb. 28 at 11, Court of Bankruptcy, London, aud. ac. and div.—*John Welch*, Nantwich, Cheshire, coach builder, March 9 at 12, District Court

of Bankruptcy, Liverpool, aud. ac.; March 10 at 11, div.—*J. J. Smith*, Liverpool, earthenware manufacturer, Feb. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Nash*, Noble-street, London, woollen warehouseman, March 12 at 11, Court of Bankruptcy, London, div.—*Wm. Stanton*, Buckingham, watchmaker, March 11 at half-past 11, Court of Bankruptcy, London, div.—*T. Salkeld*, Basinghall-st., London, warehouseman, March 6 at 1, Court of Bankruptcy, London, div.—*R. Molkentin*, Minories, London, shoe manufacturer, March 11 at 12, Court of Bankruptcy, London, div.—*J. Wood* and *H. Wood*, Dearnley-mill, Lancashire, woollen manufacturers, March 9 at 12, District Court of Bankruptcy, Manchester, div.—*John Rhodes*, Clegg-hall, and *Jas. Rhodes*, Rochdale, Lancashire, cotton spinners, March 11 at 12, District Court of Bankruptcy, Manchester, div.—*John Green-shields* and *Matthew Strang*, Liverpool, merchants, March 10 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. Hastings Irwin*, Liverpool, sharebroker, March 10 at 11, District Court of Bankruptcy, Liverpool, div.—*Geo. Kyke*, Bryn Malley, Wrexham, Denbighshire, limeburner, March 10 at 11, District Court of Bankruptcy, Liverpool, div.—*Thomas Richardson*, Liverpool, cutler, March 11 at 11, District Court of Bankruptcy, Liverpool, div.—*John Andrew Edwards*, Toxteth-park, near Liverpool, lodging-house keeper, March 12 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Josiah Joseph Hatch, Friday-street, London, wholesale furrier, March 11 at 11, Court of Bankruptcy, London.—*Archibald Mowat*, Creed-lane, London, wine merchant, March 11 at 12, Court of Bankruptcy, London.—*William Holmes*, Crober's-cottages, Bedford-street, Poplar, Middlesex, builder, March 11 at 11, Court of Bankruptcy, London.—*George Smith*, Warler's-buildings, Old Kent-road, Surrey, com merchant, March 5 at 11, Court of Bankruptcy, London.—*Walter Pullett*, Friday-street, Cheapside, London, woollen warehouseman, March 5 at 12, Court of Bankruptcy, London.—*Richard Nelson Reeve*, Newgate-street, London, woollen draper, March 6 at 12, Court of Bankruptcy, London.—*Thos. Salkeld*, Basinghall-street, London, warehouseman, March 6 at 1, Court of Bankruptcy, London.—*Edward Cairns*, Newport, Monmouthshire, corn merchant, March 9 at 11, District Court of Bankruptcy, Bristol.—*John Hadfield*, Manchester, cotton spinner, March 11 at 11, District Court of Bankruptcy, Manchester.—*Richard Talbot*, Lincoln, dealer in galvanic machines, March 10 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Gabriel Cook, Tottenham-court-road, Middlesex, furniture dealer.—*Henry Wood*, Cheltenham, Gloucestershire, draper.—*William Jones*, Castle-street, Finsbury, Middlesex, cabinet maker.—*Thomas Harrison*, Addle-street, London, agent and trimming manufacturer.—*Thomas Dorrington*, Leeds, Yorkshire, cloth merchant.

PETITION ANNULLED.

Charles Wilson, Coventry, Warwickshire, grocer.

SCOTCH SEQUESTRATIONS.

Mrs. Alexandrina Elder, Edinburgh, keeper of furnished lodgings.—*John Weatherston*, Spylaw Tile-works, near Kelso, Roxburghshire, contractor.—*David Sandeman*, Dundee, confectioner.—*Archibald M'Diarmid*, Edinburgh, tailor.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Stephen Jordan, Reigate, Surrey, bricklayer, March 5 at 11, County Court of Surrey, at Reigate.—*James Webb*, Saffron Walden, Essex, shoemaker, Feb. 25 at 1, County Court of Essex, at Saffron Walden.—*John King Sampson*, Binfield, Berkshire, surgeon, March 4 at 11, County Court of Berkshire, at Reading.—*Samuel Brown*, Llanest, Cornwall, carpenter, March 10 at 11, County Court of Cornwall, at Launceston.—*John Paxman* the younger, Upton, near Acle, Norfolk, tailor, March 12 at 10, County Court of Norfolk, at Norwich.—*George Bullingham*, Hartpury, Gloucestershire, labourer, March 4 at 10, County Court of Gloucestershire, at Newent.—*Joseph Mason*, West Bromwich, Staffordshire, brewer, Feb.

21 at 2, County Court of Staffordshire, at Oldbury.—*Sibonius Watkins*, Hereford, out of business, March 4 at 10, County Court of Herefordshire, at Hereford.—*George Bishop*, Aylesford, Kent, carrier, March 2 at 12, County Court of Kent, at Maidstone.—*William Cole*, Tenterden, Kent, bricklayer, Feb. 24 at 11, County Court of Kent, at Tenterden.—*William Ferrall*, Bebbington, Cheshire, baker, Feb. 20 at 10, County Court of Cheshire, at Birkenhead.—*John Fisher*, Newark-upon-Trent, Nottinghamshire, butcher, March 6 at 11, County Court of Nottinghamshire, at Newark.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 3 at 11, before the CHIEF COMMISSIONER.

William Gardner, Providence-place, York-road, Lambeth, Surrey, assistant to a hosier.—*Frances M. Crowley*, Brunswick-place, Hammersmith, Middlesex, private governess.—*Wm. Girdlestone*, Great Suffolk-st., Borough, Surrey, oil and colour man.

March 3 at 10, before Mr. Commissioner LAW.

Charles Weight, High-st., Marylebone, Middlesex, oil and Italian warehouseman.

Saturday, Feb. 14.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Steenson, Brimsforth, near Rotherham, Yorkshire, miller, No. 74,479 C.; *Richard Baxter*, assignee.—*John Steenson*, Rotherham, Yorkshire, bookkeeper, No. 74,478 C.; *Richard Baxter*, assignee.—*Michael Heming*, Stoney Bridge, Bellbroughton, Worcestershire, farmer, No. 74,358 C.; *Edw. Mackeson*, assignee.—*William Wilson*, Hartlepool, Durham, grocer, No. 74,515 C.; *James Davison*, assignee.—*G. Willis*, High-st., Poplar, Middlesex, shoemaker, No. 42,141 T.; *John Carter*, new assignee, in the room of John August Weblitz, deceased.

Saturday, Feb. 14.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Robert Woodcock, High-st., Kensington, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*M. G. Smith*, Great James-st., Bedford-row, Middlesex, attorney-at-law: in the Queen's Prison.—*Joseph Manuel*, Farmer-st., Shadwell, Middlesex, mariner: in the Debtors Prison for London and Middlesex.—*Edwin Wickham*, Long-lane, West Smithfield, London, brewer: in the Debtors Prison for London and Middlesex.—*William Puddicombe*, Windsor-place, Southwark-bridge-road, Surrey, clerk to wholesale ironmongers: in the Gaol of Horsemonger-lane.—*Alfred Parr*, London-road, Southwark, Surrey, dealer in music: in the Queen's Prison.—*John Potter*, Guildford-place, Lower Kennington-lane, Lambeth, Surrey, clerk to an attorney: in the Queen's Prison.—*William Jennings*, Fore-street, Cripplegate, London, maltster: in the Debtors Prison for London and Middlesex.—*Francis Dinsdale*, Lower Queen-street, Rotherhithe, Surrey, assistant to a licensed victualler: in the Gaol of Horsemonger-lane.—*John Richards*, Margate, Isle of Thanet, Kent, grocer: in the Debtors Prison for London and Middlesex.—*George Brown*, Jermyn-street, St. James's, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Wm. Hayhoe*, Holderness-terrace, South Lambeth, Surrey, carver and gilder: in the Gaol of Horsemonger-lane.—*James Butcher*, Lower Marsh, Lambeth, Surrey, beer-shop keeper: in the Gaol of Surrey.—*Wm. Key*, Kirby-st., Hatton-garden, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*George Hester*, Spring-gardens, Elizabeth-st., Finsbury, Middlesex, maltster: in the Debtors Prison for London and Middlesex.—*Wm. Davis*, Bell-alley, Moorgate-st., London, chimney sweeper: in the Debtors Prison for London and Middlesex.—*Benjamin Brand*, Duke-street, Spitalfields, Middlesex, mariner: in the Debtors Prison for London and Middlesex.—*John Sykes*, Lancaster, retail beer seller: in the Gaol of Lancaster.—*John Pendlebury*, Aspall, near Wigan, Lancashire, better: in the Gaol of Lancaster.—*T. Lakeman*

the younger, Truro, Cornwall, gardener: in the Gaol of St. Thomas the Apostle.—*Joseph Lamb*, Chelveston-cum-Caldecott, near Higham Ferrers, Northamptonshire, in no business: in the Gaol of Northampton.—*George Wills*, Dover, Kent, clerk to an attorney: in the Gaol of Dover.—*Nathaniel Bell*, Macclesfield, Cheshire, silk manufacturer: in the Gaol of Chester.—*George Grundy*, Salford, Lancashire, butter dealer: in the Gaol of Lancaster.—*William Hayward*, Inkpen, near Hungerford, Berkshire, in no trade: in the Gaol of Reading.—*Thomas Moss*, Leeds, Yorkshire, general dealer: in the Gaol of York.—*John Parker*, Worcester, dealer in tea: in the Gaol of Worcester.—*Richard Pool*, Canterbury, Kent, boot closer: in the Gaol of Canterbury.—*James Rogers*, Pontypool, Monmouthshire, licensed victualler: in the Gaol of Monmouth.—*J. Baker*, Mayfield, Sussex, bailiff: in the Gaol of Maidstone.—*Charles Solomon Cowes*, Gravesend, Kent, new-agent: in the Gaol of Maidstone.—*John Hayward*, Dartford, Kent, solicitor and attorney-at-law: in the Gaol of Maidstone.—*Thos. Darton*, Seaham Harbour, Durham, sailmaker: in the Gaol of St. Thomas the Apostle.—*Richard Tombs Muckle*, George-st., Woolwich, Kent, stationer: in the Gaol of Maidstone.—*Joseph Mitchell* the younger, Ossett, near Wakefield, Yorkshire, cloth manufacturer: in the Gaol of York.—*Wm. Sasby*, Edenbridge, Kent, land surveyor: in the Gaol of Maidstone.—*George Hewitt*, Heigham, Norfolk, iron-founder: in the Gaol of Norwich.—*Samuel Potter*, Warwick, labourer: in the Gaol of Warwick.—*John D. Ranson*, St. Ives, Huntingdonshire, out of employment: in the Gaol of Huntingdon.—*Richard Banks*, Hindley, near Wigan, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*James Greenslade*, Blackmore Cliff, Bampton, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*Thos. Underwood*, Bristol, warehouseman: in the Gaol of Wilton.—*Robert Goodland*, New Cassop, Durham, publican: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 2 at 11, before the CHIEF COMMISSIONER.

George Stride, Windsor-place, Southwark-bridge-road, Surrey, out of business.—*Wm. Woodger*, Alderagate-street, London, farrier.—*David Terras*, Mansell-st., Goodman's-fields, Middlesex, coachman.—*James Welch* the younger, Pratt-st., Camden-town, Middlesex, bricklayer.

March 4 at 11, before Mr. Commissioner PHILLIPS.

John Augustus Payne, High Holborn, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, March 2 at 12.

John Baker, Mayfield, bailiff.—*Charles Solomon Cowes*, Gravesend, out of business.—*Wm. Sasby*, Edenbridge, land surveyor.—*John Hayward*, Dartford, solicitor and attorney-at-law.

At the County Court of Berkshire, at READING, March 4.

Charles Savill, Seymour-place, Camden-town, Middlesex, cheesemonger.—*Wm. Hayward*, Inkpen, near Hungerford, in no trade.

At the County Court of Monmouthshire, at MONMOUTH, March 12 at 2.

James Rogers, Pontypool, licensed victualler.

At the County Court of Gloucestershire, at GLOUCESTER, March 25 at 10.

Thomas Ryland, Cheltenham, stonemason.—*John Tily*, Cheltenham, chemist.

INSOLVENT DEBTORS' DIVIDENDS.

John J. Hood Lingard, Trinity-square, Southwark, Surrey, master in the Navy: 4s. 7d. in the pound.—*Henry Lockyer*, Southampton, leather seller: 3s. 5½d. in the pound.—*John Fraser Walker*, Featherstone-buildings, Holborn, Middlesex, attorney-at-law: 1s. 3½d. in the pound.—*Allen Hurrell*, Crown-court, Alderagate-st., London, clerk in the General Post-office: 3s. 0½d. in the pound.—*Richard Lewis*, Trafalgar-square, Stepney, Middlesex, clerk in the General Register

and Record Office of Seamen: 4s. 3d. in the pound.—*Benj. Land*, Greenwich, Kent, out of business: 7½d. in the pound.
Wm. Hutchison, Acre-lane, Brixton, Surrey, grocer: 5s. 4d. in the pound.—*Joseph Pates* the younger, Manor-place, King's-road, Chelsea, Middlesex, baker: 1s. 2½d. in the pound.—*Thos. Alesworth*, Liverpool, general dealer: 8s. 6d. in the pound.—*Arthur W. Twiss*, Charlton, Kent, lieutenant in her Majesty's Artillery: 1s. 3½d. in the pound.—*James Churchill*, Suffolk-place, Hackney-road, Middlesex, fancy cabinet manufacturer: 3s. 7½d. in the pound.—*Robert John Lemay*, Arbour-square, Commercial-road East, Middlesex, clerk to a brewer: 8d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Thomas Smith Wykes*, of Croydon, Surrey; *William James Tucker*, of Chard, Somersetshire.

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REFERENCES.

J. C. Rutter, Solicitor, 4, Ely-place, Holborn. } London.
 David Bogue, Esq., Fleet-street.
 Thomas Delf, Esq., Paternoster-row.
 Washington Irving, Esq. } New York.
 Hon. Judge Ulshoeffer.
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LONDON, FEBRUARY 28, 1852.

In a very recent case before Vice-Chancellor Parker, not yet reported, it was held that wood-cuts, or, as they are sometimes called, wood engravings, printed on the same sheet as the letter-press of a book, are not within the Engraving Act, 8 Geo. 2, c. 13, so as to require the name of the proprietor and the date of publication to be printed at the foot of the print, but are part of the book, and are, as such, the subject of copyright; and his Honor accordingly granted an injunction to restrain the infringement of such copyright. The subject is one of very considerable importance, inasmuch as there are now innumerable works published, in which the prints are what are termed wood cuts or wood engravings, and are printed on the same sheet as the letter-press; and in such works it has been almost the invariable practice of publishers not to put the date of publication at the foot of the prints. Unless, therefore, the Vice-Chancellor's decision is right, there is a very large amount of valuable literary property, or supposed property, wholly without protection; and that being so, it is very reasonable to expect that the subject will have to undergo discussion at law before it is settled.

With regard to the ground on which the Vice-Chancellor decided, we are not going to suggest any objections, nor, indeed, to offer any observations at all. But even assuming the decision to be assailable on that ground, there are other views on which, probably, a Court of law would be induced to hold, that, in wood-cuts generally, copyright subsists, although the 8 Geo. 2 shall not have been complied with.

The language of the Engraving Acts, the 8 Geo. 2, c. 13, and the 7 Geo. 3, c. 38, is peculiar. The 8 Geo. 2, c. 13, refers only to inventing, designing, engraving, etching, or working in *mezzotinto* or *chiaro oscuro*; the 7 Geo. 3, c. 38, uses the same language. The 2nd section of the 8 Geo. 2, c. 13, making it lawful for purchasers to print engravings in which there is copyright, speaks only of purchasers of any *plate* or *plates* for printing. It is submitted that this language is not applicable to prints produced by means of carving blocks of wood, the result of which mode of carving is not to produce anything coming within the description of *designing, etching, or working in mezzotinto or chiaro oscuro*; nor can it with any degree of common accuracy be said that the Legislature, in speaking of a *plate for printing*, meant a block of wood; for—and on this sort of question the practical differences between two arts are not immaterial—it must be borne in mind, that engraving, in the ordinary sense of the term, and carving in wood, are quite different processes. In the one—that is, metal engraving—the figure to be printed is formed by the parts hollowed out by the graving instrument; in the other, the figure to be printed is formed by the surfaces left prominent, all between them being cut out: so that the mechanical operation of wood-cutting is not engraving at all; still less is it etching, which consists in producing the destruction, to a certain depth, of a portion of the metal plate, by means of some acid or mordant. Bearing also in mind, that at the time when the acts of the 8 Geo. 2 and 7 Geo. 3 were passed, none but prints of the rudest and coarsest kind were ever produced by wood-cutting, and so that, in fact, the protection of wood-cuts was not likely to

be thought of, it is submitted that the Engraving Acts do not, either in terms or in spirit, extend to prints from carved wood—that is, to what are technically as well as popularly called wood-cuts. Now, assuming that to be so, the next step is to inquire what is the effect of the Copyright Acts upon the copyright in wood-cuts. The old Copyright Act, 8 Anne, gave, as is well known, copyright in “books.” The case of *Donalson v. Becket* (4 Burr. 2408; 2 Bro. P. C. 145) decided, that, at common law, an author had copyright in his works, and that the statute of Anne took away that right, substituting for it the statutory right. Now, though that case immediately concerned literary composition, and not the composition of printed figures produced by carving wood, yet the reasoning of the case applies equally to the latter, as a production of the mind; and it is submitted that that case would be an authority to shew that, at common law, the author of a drawing carved out of wood, and reproduced by printing, would have copyright in it. If so, then formerly the 8 Anne, and now the act of Victoria, which is substituted for it, would have one of two effects—either it would include wood-cuts under the general term of books*, and then would give in them the statutory copyright; or it would not include them, and then, if it did not include them, it would not destroy the common-law right: so that, assuming designs carved in wood not to be within the Engraving Acts, they are the subject of copyright, either within the meaning of and subject to the 5 & 6 Vict. c. 45, or at common law. Of course, on a point so untouched by authority before the decision of Vice-Chancellor Parker, all arguments must be more or less inconclusive; and we merely, therefore, throw out the above views for the consideration of our readers.

Correspondence.

PROFITS WITHOUT LIABILITY.

TO THE EDITOR OF “THE JURIST.”

SIR.—After reading your very clear exposure of the absurdity of Lord Eldon’s dictum in *Ex parte Hopper*, I was rather disappointed to find that you acquiesced in his Lordship’s assertion, that the unintelligible proposition is part of the law of England. That it was not law up to the moment when that dictum was uttered is certain, (see Collyer on Partn. 24; Bisset on Partn. 13), for the cases “clearly settling” the distinction so much regretted by Lord Eldon never existed but in his Lordship’s imagination. That it was not made law by what was said and done in *Ex parte Hopper* will appear from a statement of the case. Separate commissions of bankruptcy had issued against Rogers and Thomas, and Thomas had obtained his certificate, which lay before the Lord Chancellor for allowance. A joint commission then issued, and the joint creditors, with a view to supersede the separate commissions, presented a petition to stay the certificate. This was opposed by Thomas, who denied that there was any partnership to support a joint commission, or any joint property—the goods consigned to Thomas at lading having been originally purchased by Rogers with bills

drawn by him. It was admitted that Thomas was personally liable to the partnership creditors, and the only question was as to the ownership of the property sought to be administered under the joint commission, and whether the admitted personal liability gave the joint creditors a preferential claim on the goods which formed the subject of the joint adventure. There was an express agreement to share the profits, and of course it was not suggested that anything turned on the nicety of the distinction between a share in the profits and a right to a sum equal to a share of the profits. But Lord Eldon was not in the habit of confining his remarks to the matter in hand; and Mr. Vesey tells us, that in the course of conversation his Lordship said, “They may clearly agree that all the property shall be the property of one exclusively, but that the other shall participate in the profit arising from it. The cases have gone further to this nicety,—upon a distinction so thin, that I cannot state it as established upon due consideration,—that if a trader agrees to pay another person for his labour in the concern a sum of money, even in proportion to the profits, that will not make him a partner; but if he has a specific interest in the profits themselves, as profits, he is partner. Another consideration is the consequence of that as to third persons.” His Lordship was here plainly speaking of the constitution of partnership between the parties; and the distinction stated by him to be thin seems to be perfectly sound and satisfactory. It is a rule of construction merely. As between themselves the parties may agree either to be or not to be partners. If they agree in so many words, there is no question: if their agreement is silent on the point, the intention must be made out by inference; and an intention not to be partners may well be inferred where the parties take the trouble to stipulate that the remuneration of one of them shall be, not a share of the profits, but a sum fluctuating with the profits. The remuneration will be the same in each case if profits are made; but the relative positions of the parties will be, as they were intended to be, very different in the two cases. The distinction is not thin, but substantial and reasonable. On a subsequent day his Lordship said, “Thomas is clearly a partner as to third persons; whether as between himself and Rogers is a very different consideration. The ground as to third persons is this—it is clearly settled, though I regret it, that if a man stipulates that as the reward of his labour he shall have, not a specific interest in the business, but a given sum of money, even in proportion to a given quantum of the profits, that will not make him a partner; but if he agrees for a part of the profits as such, giving him a right to an account, though having no property in the capital, he is, as to third persons, a partner; and, in a question with third persons, no stipulation can protect him from loss. Upon the memorandum, therefore, and the letters in this case, there is no doubt that Thomas would be liable.” Here we have what two days before was stated to be the test of partnership inter se, now used, by way of contrast, as a test of liability as a partner to creditors. The first remark suggested by this dictum is, that it does accurately state the test of partnership inter se, although his Lordship, contradicting his former remark, said that that was a very different consideration. An agreement to share profits certainly does constitute a partnership as between the parties, even though it be coupled with a special agreement that one party shall bear all the loss. (*Gilpin v. Enderby*, 5 B. & Al. 964; *Bond v. Pittard*, 3 M. & W. 357). The dictum appears still more inexplicable when the facts of the case are considered. Not only was there no stipulation against a partnership or community of profit and loss, but the parties in their correspondence styled themselves partners, and spoke of their house; and, according to the report in 1 Ross, 89, (nom. *Ex parte*

* There is not wanting authority for including designs, to be reproduced by printing, within the statute of Anne. See the case of *Beck v. Longman*, (Cowp. 523), in which Lord Mansfield intimated that hieroglyphics would be within the act.

Roselandson), there was an express stipulation to share profit or loss.

The dictum in *Es parte Hamper* was not founded on any previous decision, and it has not since been acted on. Mr. Begbie, following Dr. Story, supposes that Lord Eldon relied principally on *Waugh v. Carver* (2 H. Bl. 235) and *Grace v. Smith*, (2 W. Bl. 998). But *Waugh v. Carver* merely decided that liability to creditors arises out of an agreement to share profits; and the point in *Grace v. Smith* was, that a fixed annuity to a retiring partner does not render him liable to new creditors. In *Es parte Langdale* (18 Ves. 300) it was alleged that certain brewers stipulated with a publican that they should supply him with beer at 17s. per barrel above the market price, they paying half his rent; and Lord Eldon directed an issue to ascertain whether the agreement was for an interest in the profits. That case, therefore, is not in point. And *Dry v. Boswell*, (1 Camp. 329), which is often cited in connexion with *Es parte Hamper*, is equally irrelevant. There the stipulation was for half of the gross earnings of a lighter, which Lord Ellenborough held was very different from a participation of profit and loss. This was followed in *Pott v. Eyton*, (3 C. B. 32), (when the Court erred in stating that in *Es parte Hamper*, Lord Eldon acted on his dictum). See *Barry v. Nesham*, (3 C. B. 641).

Mr. Begbie seems to consider that his position is fortified by the weight of Dr. Story's authority; but that writer's reputation is rapidly declining, and even at its greatest height would scarcely have been sufficient to cover the extraordinary blunders which he has committed in his attempt to explain and justify Lord Eldon's doctrine. Whoever will take the trouble to examine the 100 pages devoted to this subject in Dr. Story's Commentaries on Partnership, will find that, in addition to the cases noticed above, the following are cited as being in point:—*Withington v. Herring*, (3 Nev. & P. 30); *Es parte Digby*, (1 Deac. 341); *Es parte Hodgkinson*, (19 Ves. 29); *Saville v. Robertson*, (4 T. R. 720); and *Es parte Gellar*, (1 Rose, 297)—cases in which the existence of a partnership was never questioned: and also the following cases, in each of which the question was solely as to the existence of a partnership as between the parties themselves:—*Heaketh v. Blanchard*, (4 East, 144); *Smith v. Watson*, (2 B. & Cr. 401); *Dixon v. Cooper*, (2 Wils. 40); *Benjamin v. Porteus*, (2 H. Bl. 590); *Giddons v. Wilcox*, (2 Stark. 45); *Es parte Watson*, (19 Ves. 481); *Green v. Burley*, (2 Scott, 164); *Mair v. Glennie*, (4 Mau. & S. 240); *Perrot v. Bryant*, (2 Y. & C. 61); *Cheap v. Cramond*, (4 B. & Al. 663); *Meyer v. Sharpe*, (5 Taunt. 74); *Farrant v. Copeland*, (2 Bing. 270); *Peacock v. Peacock*, (2 Camp. 45); *Coppard v. Page*, (Forr. 1); and *Gilpin v. Enderby*, (5 B. & Al. 954). After this statement I shall be excused from discussing Dr. Story's commentary on *Es parte Hamper*.

In confirmation of your remark, that Lord Eldon's test, founded on the existence or non-existence of the right to an account, is no test at all, the case of *Katsch v. Schack* (13 Jur. 668) may be referred to, where the late Vice-Chancellor, without deciding whether a partnership existed or not, held, that the remedy of the plaintiff must be the same in either view, because he had an interest to know what was the amount of profits.

No question is more frequently put to a commercial lawyer than the question, by what device may a capitalist, a person having skill, or a person having influence, be enabled to participate in the profits of a business without becoming liable for its losses; and if there were any element of soundness and practicability in the doctrine laid down by Lord Eldon in 1811, it is no disparagement to Mr. Begbie's ingenuity to say, that it must have produced some practical result long

before the announcement of the Steam Gondola Company in 1862.

It is almost superfluous to test Lord Eldon's dictum by a reference to the foundation of the rule, that participation in profits involves liability to losses. The reason commonly given for that rule, that he who takes a part of the profits takes from the creditors a part of that fund which is the proper security to them for the payment of their debts, (per Eyre, C. J., in *Waugh v. Carver*, 2 H. Bl. 235), is not very satisfactory; for, until the creditors are paid or provided for, there are no profits; so that he who shares the profits comes in after the creditors, and not in competition with them. But he who is paid, according to Lord Eldon's distinction, a remuneration proportional to a share of the profits, if he is not a partner, comes in as a creditor, and, if his claim is not promptly discharged as it arises, may, by enforcing it after a reverse has happened, diminish the fund which ought to be applied for the benefit of subsequent creditors. The true ground of the rule appears to be, the expediency of discouraging that kind of speculation in trade which would prevail if the credit which the possession of skill or capital naturally attracts were allowed to be made use of for the purpose of realising large profits to the possessor of the skill or capital, without involving him in corresponding liability. The relaxation of the usury laws has nearly deprived the rule of its efficacy, so far as capitalists are concerned; and the practical results of the change have been such as to justify the inquiry, whether, instead of adopting the French law of partnership, it would not be wiser, without returning to the absurd prohibitions of the old usury laws, to give to the ordinary creditors of persons in trade a priority over those whose claims are founded on loans at a rate of interest considerably above the market value of money.

P. T.

Reviews.

An Essay on the New Statutes relating to Limitations of Time, Estates Tail, Dower, Descent, Operation of Deeds, Merger of Attendant Terms, Defective Execution of Powers of Leasing, Wills, Trustees, and Mortgagees. By Sir EDWARD SUGDEN. 8vo., pp. 488. [Sweet.]

SIR EDWARD SUGDEN explains that the foundation of this Essay was the chapter on the New Statutes in the treatise on Vendors and Purchasers, which, however useful in that work, when the new laws were but little known, no longer forms a fit portion of it, now that the decisions upon the act have become numerous and important, as it would be inconsistent with the main object of the treatise to load it with the introduction of the points decided. We may add, that the section on the Statute of Wills appears to contain all that is now interesting of the Essay on the Statute of Wills, which was published under the name of Mr. H. Sugden. But these materials form but a small proportion of the elaborate work before us, which, with the exception of a reprint of the Trustee Act, 1860, consists entirely of commentary. The commentary on the Statute of Limitations (3 & 4 Will. 4, c. 27) occupies 168 pages.

We never could understand the doubt expressed by the Court of Common Pleas, in *James v. Salter*, (3 Bing. N. C. 344), as to the effect of the 3rd section of that act, and we are glad to observe that it is not sanctioned by Sir Edward, who pithily disposes of the doubt by observing that the devise of a particular estate, or a rent newly limited by the will of the owner of the fee, "may fairly be considered to claim 'the estate or interest of a deceased person who continued in possession 'in respect of the same estate or interest until his

'death;' for the estate or interest which he does claim 'is part of and derived out of that estate or interest; they are not distinct subjects, but the same subject differently modified, and they fall clearly within the 'intention of the act.' (P. 24).

In *Owen v. De Beauvoir* (16 M. & W. 167) the Court acted upon the literal construction of the provision with respect to rent-charges, that, for the purpose of computing the period of limitation, the right to recover the rent shall be deemed to have first accrued at the last time when the rent was received, and not at the time when, after the last payment, it first fell into arrear. The effect of this construction would be, as the Court admitted, in many cases, to neutralise the provision in the 16th section, for the disability of the party entitled at the time when the right first accrued—for he would, in fact, have no right to distrain or bring an action until the rent fell into arrear. On this Sir Edward Sugden has the following suggestion:—

"In the course of the argument in the Exchequer, Alderson, B., observed, that if they took the literal and plain construction of sect. 2, they should escape from the difficulties in which sect. 3 would plunge the case, with reference to the savings for disabilities. It is much to be regretted that this view was not adopted. In favour of the clear intention, this construction seems to have been open to the Court. If a case within the 2nd section should not fall within the 3rd, then clearly the 16th section would operate only from the time at which the right to make an entry or distress, or bring an action, first accrued. The words do not seem to be too powerful to be struggled with where the case is within both the 2nd and 3rd sections. In such cases the 3rd section prescribes the period when the right shall be deemed to have first accrued, in order to fix the time when the twenty years' bar shall commence; and that would still operate in the given case, although the 16th section should receive a limited construction. Now, the 2nd section forbids any person to prosecute his right but within twenty years after the time at which the right to enter, distrain, or sue shall have first accrued. Leaving, therefore, the 3rd section to provide in certain, but not in all, cases where the twenty years shall begin to run, we may pass on to the 10th section, which enacts, that if, at the time at which the right of any person to make an entry, &c. shall have first accrued as aforesaid, such person shall be under any of the disabilities enumerated, he may, notwithstanding the twenty years shall have expired, prosecute his right within ten years after he shall have ceased to be under a disability, &c. Now here the time spoken of is not with reference to the time allowed, but with reference to the incapacity of the person entitled at the time at which his right to make an entry or distress, or to sue, first accrued as aforesaid. Why should not this refer, as it was no doubt intended to do, to what it expresses—the time when his right to enter, &c. first accrued—or, in other words, to the 2nd section, instead of to a period when he had no such right, which is arbitrarily appointed by the 2nd section for a distinct object? Omitting altogether the 3rd section, the construction would admit of no doubt. Leaving to that section its manifest object to operate upon, still the construction would not be open to any serious difficulty." (P. 74).

In treating of the Prescription Act, we observe that Sir Edward Sugden cites with approbation the decision in *Harbidge v. Warwick*, (3 Exch. 552), that under that act the existence of a light for twenty years does not confer a right as against the owner of the adjacent tenement, if that tenement has been during the period in the occupation of the owner of the light. The 3rd section of the act (2 & 3 Will. 4, c. 71) enacts, that where the access and use of light to any building "shall

have been actually enjoyed therewith for the full period of twenty years, without interruption, the right thereto shall be deemed absolute and indefeasible, unless it shall appear that the same was enjoyed by some consent or agreement expressly made or given for that purpose, by deed or writing." In *Harbidge v. Warwick* the owner of the house in which the light was had occupied the adjacent garden of the defendant during the period on which he founded his claim, as a yearly tenant; and that unity of possession was held to have prevented the operation of the statute. Parke, B., said that the enactment only referred to cases where the access of light had been enjoyed in the character of an easement, and without interruption—that is, where the adjoining owner had power to interrupt. The forms of pleading in the 5th section, which render an allegation of enjoyment, as of right, during the period named in the act, in all cases where formerly it would have been necessary to allege the right to have existed from time immemorial, were also relied on by the Court, as shewing that an enjoyment during unity of possession could not have been intended; but the same Court had already intimated that some cases, (as where a right in gross is claimed), which could not be brought within the form given in the section, might yet be within the act. (*Welcome v. Upton*, 5 M. & W. 404; 6 M. & W. 542). But it is obvious that the forms given in the 5th section are only to be taken as permissive, and applicable to cases where a difficulty or doubt would otherwise exist as to the mode of pleading. No such difficulty or doubt could exist as to the form of pleading, in the case of a right claimed under the 3rd section. The decision seems to us to deserve reconsideration. The language of the 3rd section is pointedly contrasted with that of the clauses relating to other rights, and appears to warrant the inference, that in every case where a light has actually existed for the space of twenty years, though not in the character of an easement, the owner of the light shall have a right to its continuance, unless its enjoyment has been expressly regulated by some written agreement. The words are, "where the access and use of light shall have been actually enjoyed:" the words in the other sections, "by some person claiming right thereto," are omitted, no doubt intentionally; and effect cannot be given to the judgment of the Court of Exchequer without restoring them; for the effect of that judgment is to place claims to lights, after twenty years' enjoyment, on exactly the same footing as claims to other easements after forty years' enjoyment, except in the cases specially provided for by the 6th section. In the case actually before the Court the unity of possession was under a yearly tenancy, so that the party interested in preventing the growth of the right had full power and opportunity to do so.

In treating of the Attendant Terms Act, Sir Edward Sugden states, and expresses his dissent from, the decision of the Court of Queen's Bench in *Doe d. Clay v. Jones*, (13 Jur. 834).

At p. 308 it is said that the Wills Act (7 Will. 4 & 1 Vict. c. 26) "does not affect the will of an alien; such a will would not become operative by his subsequent naturalisation;" and *Fish v. Klein* (2 Mer. 431) and *Fourdrin v. Gowdey* (3 My. & K. 383) are cited. Now, *Fourdrin v. Gowdey* is inconsistent with *Fish v. Klein*, and both cases related to a conveyance *inter vivos*. But where the alien has made a will which is governed by the late act, and then his title to lands previously purchased is confirmed, it seems clear that his will may operate on those lands just as much as it would operate upon them if, not being an alien, he had purchased them after the date of his will. Indeed, we doubt whether, under the old law of wills, a devise by an alien, followed by a retrospective grant of denisation and naturalisation, would not have been operative.

A considerable space is devoted to an examination of the decisions on the enactment requiring a will to be signed at the foot or end thereof. "Upon this simple provision great numbers of wills have been held void upon technicalities, which it is difficult to support according to the plain meaning of the words. In order to prevent a fraudulent addition to any will, a rule has been adopted which has destroyed numerous wills open to no suspicion; and unless the law is altered, that rule will continue to render inoperative numerous wills in times to come. I do not believe that the decisions to which I refer have acted upon any but genuine testamentary dispositions; they have not struck at one fraudulent will, nor is the rule upon which they proceed likely ever to do so. It would seem to be clear that the words 'foot or end' are not synonymous, though different opinions on this point have been held even by the same judges." (P. 311).

We have not space to extract or comment upon the discussion of the very difficult question as to the effect of a will devising a leasehold estate, followed by the purchase and conveyance of the reversion in fee, (p. 364).

We shall conclude with a few remarks upon the recent discreditable attacks on Sir Edward Sugden in the Law Review, which require notice rather for the purpose of arousing the sleeping vigilance of the editors of that usually inoffensive publication, than for the defence of the learned author. After Mr. Dart had accomplished his feat of mounting himself on Sir Edward Sugden's shoulders, he was loudly applauded, and the instrument of his elevation as unsparingly abused, in the Law Review; and at the same time—Sir Edward Sugden having naturally announced his intention, if his treatise must be abridged, to abridge it for himself, according to his own judgment—the reviewer, who on this occasion felt himself to be not only critical but prophetic, foretold that the experiment would fail; and when Sir Edward Sugden's "Concise View" appeared, the complete fulfilment of the prediction was duly announced. But this was not enough, and the recent appearance of Sir Edward Sugden's pamphlet on Registration was used as an excuse for inserting in a periodical more accessible than appropriate, the "Globe," not a refutation of the learned author's arguments against a general registry, but further abuse of his work on Vendors and Purchasers—the sun which extinguishes Mr. Dart's moon, "at once its lustre and its shade."

The two articles in the Law Review and the late article in the Globe, depreciating Sir Edward Sugden's work on Vendors and Purchasers, are manifestly from the same hand. It would be difficult to conjecture who is the writer: it cannot be any one who has benefited by Sir Edward's labours, for it is only a footpad who thinks his job not perfect until he has personally maltreated the man whose property he has appropriated. However, no criticism was ever more ignorant or more unjust, and, apparently, its sole object was to check the sale of the work in question. The Profession will know how to appreciate an assertion that the work on Vendors and Purchasers is full of blunders, and will mislead purchasers, and that the Profession itself is ringing with the blunders of the work. No law book is perfect; but every man in practice knows how Sir Edward Sugden's work is relied upon by the Bench and the Bar, and by general practitioners, and how much it is made a text-book for students. The Concise View, against which the reviewer's spleen is directed, contains some 3700 cases; and it is manifest that none has ever been inserted in that list without previous examination. Perhaps no other law book contains so much matter, really the writer's own, in so small a compass; and few treatises have had so extensive a circulation as the Vendors and Purchasers. The

Concise View is a condensation of the eleventh edition of the larger and original work, and it is an harmonious whole; every part of it is on the same scale, and the reader would naturally suppose that it was an entirely new composition, if he could bring himself to think that such a mass of learning was ever brought together at once by a man's own labour. It has cost the most learned and industrious real property lawyer of the age the labour of nearly half a century to produce the Concise View in its present shape; and this is the work which Mr. Dart's injudicious friend (if the dishonest critiques in question can be traced to so respectable a source as friendship) would persuade us can be superseded by a work evidently founded upon it, and got up in commercial rivalry.

The more compact work of Sir Edward Sugden is, in truth, not merely a condensation of the eleventh edition, but in that shape it is a new edition of it, for considerably more than 500 cases are added to the Concise View; although for full discussions of many important points, the results of which only are stated in the Concise View, recourse must still be had to the eleventh edition. In preparing the Concise View, upon which manifestly no labour has been spared, the author has had this advantage, that he could adopt his own well-considered propositions, and was not compelled by the law of copyright to disguise them at the risk of error*.

The substance of the criticism is as petty as its motive. It consists, for the most part, of complaints that, notwithstanding the 3700 cases which the Concise View does comprise, some few trifling or unimportant cases are omitted. It is said that in treating on specific performance a case before Wigram, V. C., is not cited; but the case is quoted in its proper place, and evidently was not cited in the place pointed out because it was not required there. The reviewer complains that the repealed bankruptcy acts are quoted as existing authorities. What is the fact? In p. 121 a section of 6 Geo. 4 alone is referred to, and it is still the law, for it was repeated in the late act, which act is accurately stated in p. 576.

We will now draw attention to a great abuse of criticism. The reviewer says, "that in p. 426 we find it intimated that a deed is *invalid* if impressed with stamps appropriated to a different instrument, or not corresponding with the consideration stated on the face of the instrument. We need scarcely say," the reviewer adds, "that the want of a stamp, or the insufficiency of its amount, in no way affects the *validity* of a deed, but merely renders it inadmissible in evidence until the proper stamp is affixed." This is really too bad. Sir Edward, in pl. 5, p. 426, simply, but accurately, states, *in the very words of the act of Parliament*, that although the stamps used are of an improper denomination, yet in the cases mentioned the deed will be *valid*; and this the reviewer finds to be an *intimation* that a deed is *invalid* in the given cases. The law as to the operation of an unstamped deed is stated with perfect accuracy in the very page referred to by the reviewer, and in p. 424.

The reviewer proceeds to say, "We find, 'when interest is recovered at law, it is always at the rate of 5l. per cent.' The reference is, 'See now 3 & 4 Will. 4, c. 28.' The act leaves the rate to the jury, but fixes, as a maximum, the current rate. The words 'see now' seem to intimate that the author's attention was, in fact, drawn to the alteration produced by the

* Mr. Dart is compelled to fill the margin of his book with incessant references to Sugden; but he allows himself to send it forth with a preface, in which he bespeaks the gratitude of the Profession for the supplying of an urgent want, and takes care not to hint an acknowledgment of his obligations to the mine which he has so unscrupulously worked.

statute; but yet, either from carelessness, or from an insuperable predilection for obsolete rather than existing law, the original statement in the text remains unaltered." Now this alleged fault is in p. 502, but a reader of the review would scarcely expect to find in pp. 499, 500, of the work, an accurate statement of the statute and of its operation. In p. 502 the original text seems to have been left undisturbed, *but with a reference to the statute*, manifestly because the passage stated the law correctly as it stood before, and still does stand, independently of the statute, for there are many cases which would not fall within the act. The text requires no alteration.

The reviewer finds fault with the statement as to the law of puffing, for he says, "Although the case of *Thornett v. Haines* is referred to in the work, the reader would scarcely suppose from the text that in this, the last reported case upon the subject, the barons of the Exchequer laid down the *contrary doctrine in the broadest terms*." Now, Sir Edward says, that "*although great authorities have differed upon the subject*," [and he refers to all the cases in two classes], "yet the better opinion appears to be, that a bidder may be privately appointed, in order to prevent the estate being sold at an undervalue. Clearly," he adds, "the same rule ought to be adopted at law and in equity." This surely cannot be found fault with, unless condensation is to be avoided. The fact of a difference of opinion between great authorities, to whom reference is made, is stated, and then an opinion is expressed that law and equity should adopt the same rule. In *Thornett v. Haines* two barons went out of their way, not to deny the rule in equity, which they both admitted, but to state that, at law, it is fraud to employ one person to bid to protect the property at an undervalue. The text in the work before us states the better opinion to be the other way, and gives the author's opinion that that which is *not* fraud at an action is *equity*, cannot be deemed fraud at law. Any one who has read the decisions and dicta in the Exchequer during the last ten years, by the light either of principle or of the court of error, will be able to judge whether Sir Edward Sugden must necessarily be wrong when he dissents from a dictum of one or two barons of that court.

One thing more, and we have done. The review says that there is the old, cumbrous, and inaccurate statement of *Goodall v. Pickford*, (6 Sim. 379). What does this mean? The report in Simons is itself in nine lines, and the point is accurately stated in pp. 69, 70, of the work in less than four lines, and so it was in the eleventh edition. It would be a waste of time to examine any more of this reviewer's objections. Notwithstanding his bold assertions, not a single blunder has he been able to point out in the Concise View, although in attempting to do so he has himself fallen into many blunders. The only inaccuracy which he has pointed out is in a portion of the statement, in p. 525, of the Vice-Chancellor's opinion in *Brasier v. Hudson*, (9 Sim. 1), and even that does not affect the point decided; but this, of course, should be corrected.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Robert Henry Speed, of Nottingham; Joseph Stone, of Wirksworth and Cromford, Derbyshire.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Sir Brook William Bridges, Bart., for the county of Kent, (Eastern Division), in the room of John Pemberton Plumtre, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

LIST OF SHERIFFS AND UNDER-SHERIFFS, WITH THEIR DEPUTIES AND AGENTS, FOR 1852.

[Warrants are not granted in Town for those places marked (*). The term of office of the Sheriffs, &c. for Cities and Towns expires on the 9th November. Office hours, in Term, from 11 till 4; and in Vacation, from 11 till 3.]

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Depts., Taylor & Collinson, 28, Great James-street, Bedford-row.
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Undersh., { R. Douglas, Esq., (of the firm of Pratt & Douglas), Berwick-upon-Tweed.
 R. Shum, Esq., 3, King's-rd., Bedford-row. A. U.
Depts., Pringle, Stevenson, & Shum, 3, King's-road, Bedford-row.
- *Bristol**—J. B. Harford, Esq., Stoke House, near Bristol.
Undersh., W. O. Hare, Esq., 3, Small-st., Bristol.
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- Buckinghamshire**—Charles Robt. Scott Murray, Esq., Danesfield, near Great Marlow.
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 E. R. Baynes, Esq., Aylesbury. A. U.
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Undersh., Robert Walker, Esq., St. Dunstan's, Canterbury.
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Undersh., { George Reid, Esq., Congleton.
 John Hostage, Esq., Chester. A. U.
Depts., George Frederick Hudson, 23, Bucklersbury.
- *Chester**—Peter Eaton, Esq., Chester.
Undersh., Edward Cunnagh, Esq., Chester.
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Undersh., William Shilson, Esq., St. Austell.
Depts., Coode, Brown, Kingdon, & Cotton, 10, King's Arms-yard, City.
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Undersh., William Thomas Thomas, Esq., Quay-street, Carmarthen.
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Undersh., David Randall, Esq., Neath.
Depts., Holmes, Loftus, & Young, New-inn, Strand.
- **Haverfordwest*—W. Rees, Esq., Haverfordwest.
Undersh., William Rees, Esq., Haverfordwest.
Depts., Hastings, Best, & Smith, 3, Southampton-st., Bloomsbury.
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Undersh., William Gibbon, Esq., Pembroke.
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Depts., Meredith & Reeve, 8, New-sq., Lincoln's-inn.

London Gazettes.

FRIDAY, FEBRUARY 20.

BANKRUPTS.

- SIMON ABRAHAM KISCH, Bedford-street, Covent-garden, Middlesex, tailor and robe maker, March 2 and 30 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Laurence, 12, Bread-street, City.—Petition filed Feb. 18.
- WILLIAM ELPHS HOLLAND, late of Godalming, Surrey, and now of Portland-place, St. Mark's-road, Kennington, Surrey, brewer, dealer and chapman, March 5 and April 2 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrance & Co., 14, Old Jewry-chambers, London.—Petition filed Feb. 17.
- JOB CLARK, New-road, Willenhall, Staffordshire, bolt manufacturer, dealer and chapman, March 2 and 24 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Brown, Bilston; Hodgson, Birmingham.—Petition dated Feb. 16.

- THOMAS MYRING, Walsall, Staffordshire, bridle cutter, dealer and chapman, March 1 at half-past 10, and March 27 at 1, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Thomas, Walsall; Hodgson, Birmingham.—Petition dated Feb. 17.
- GEORGE GREENSTOCK, Bristol, milliner, draper, and haberdasher, March 9 and April 6 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Cornish & Parnell, Bristol.—Petition filed Feb. 9.
- WILLIAM SAVAGE, Bradford, Yorkshire, dispensing druggist, March 9 and 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Foster, Bradford; Porritt & Swithinbank, Leeds.—Petition dated Feb. 17.
- FRANCIS INGHAM, Doncaster, Yorkshire, grocer, tea dealer, and tallow chandler, March 6 and April 17 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Smith, Doncaster.—Petition dated Feb. 10.
- CHRISTOPHER STEADMAN and CHARLES SID-DALL BAKEWELL, Manchester, joiners and builders, (carrying on business under the style or firm of Steadman & Co.), March 5 and April 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Rowley, Manchester; W. & H. P. Sharp, Verulam-buildings, London.—Petition filed Feb. 19.

MEETINGS.

- Wm. Woods* and *Samuel Thomas*, Cheapside, London, wholesale hardwaremen, March 5 at 1, Court of Bankruptcy, London, pr. d.—*James Spalding*, Cambridge, ironmonger, March 5 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*John Ruttly*, Gerrard-st., Soho, Middlesex, draper, March 2 at 1, Court of Bankruptcy, London, last ex.—*Wm. Chadwick*, Manchester and Salford, Lancashire, paper manufacturer, March 1 at 12, District Court of Bankruptcy, Manchester, last ex.—*Charles Walker*, Basinghall-st., London, and Leeds, Yorkshire, woollen cloth manufacturer, March 12 at 11, Court of Bankruptcy, London, aud. ac. and div.—*E. Curtis*, Blackfriars-road, Surrey, cheesemonger, March 9 at 12, Court of Bankruptcy, London, aud. ac.—*John Fuller*, Ely, Cambridgeshire, stonemason, March 3 at 12, Court of Bankruptcy, London, aud. ac.—*Solomon Solomon*, Strand, Middlesex, tailor, March 3 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Smith Bucknole*, Castle Cary, Somersetshire, draper, March 4, District Court of Bankruptcy, Bristol, aud. ac.—*J. Williams*, Bristol, tea dealer, March 19 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Rhodes*, Clogg Hall, and *James Rhodes*, Rochdale, Lancashire, cotton spinners, March 4 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Edw. Leigh*, Glossop, Derbyshire, cotton manufacturer, March 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.; March 15 at 12, div.—*John Wood* and *Henry Wood*, Dearnley-mill, Huddersfield, Rochdale, Lancashire, woollen manufacturers, March 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Heardman*, Manchester, wine merchant, March 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Edwin Clarke*, *Charles Buckles*, and *Hodgson Inghold*, Manchester, and Swinton, Lancashire, contractors and brickmakers, March 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Seymour*, Sunderland, Durham, linen and woollen draper, March 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 17 at 11, div.—*John Greenshields* and *Matthew Strang*, Liverpool, March 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Kyrke*, Bryn Malley, Wrexham, Denbighshire, limeburner, March 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Isaac Wakefield*, Liverpool, tea dealer, March 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Unsworth*, Liverpool, joiner, March 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Penock*, York, farrier, March 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Whitworth*, Leeds, Yorkshire, millwright, March 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*William Mason*, Halifax, Yorkshire, draper, March 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Cummins*, Bradford, Yorkshire, linedraper, March 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Charles Read*, Great Grimaby, Lincolnshire, wine merchant, March 3 at 12, District Court of Bankruptcy, Hull, aud. ac.—*Walter Levy*, White's-row, Spitalfields, Middlesex, macaroni manufacturer, March 12 at 11, Court of Bankruptcy, London,

div.—*Owen Gray*, Great Tower-street, London, builder, March 12 at 1, Court of Bankruptcy, London, div.—*Carsten Holthouse*, Great Tower-street, London, sugar broker, March 12 at 12, Court of Bankruptcy, London, div.—*Wm. Powell, Jefferys-street*, Camden-town, Middlesex, builder, March 12 at 11, Court of Bankruptcy, London, div.—*John Boniface*, Eastergate, Sussex, maltster, March 12 at 12, Court of Bankruptcy, London, div.—*Isaac Boyd*, Spital-square, Middlesex, silk manufacturer, March 16 at 11, Court of Bankruptcy, London, div.—*Charles James Sanders*, Collingwood-street, Blackfriars-road, Surrey, provision merchant, March 16 at 1, Court of Bankruptcy, London, div.—*Samuel Lock*, Stoke D'Auberton, Surrey, auctioneer, March 12 at half-past 11, Court of Bankruptcy, London, div.—*Richard Fowke*, Wolverhampton, Staffordshire, chemist, March 18 at half-past 11, District Court of Bankruptcy, Birmingham, div.—*Robert Heardman*, Manchester, wine merchant, March 15 at 12, District Court of Bankruptcy, Manchester, div.—*Thomas Brighouse*, Liverpool, contractor, March 15 at 11, District Court of Bankruptcy, Liverpool, div.—*John Warburton*, Liverpool, tailor, March 16 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Dutton Reeves*, Liverpool, spirit dealer, and *Rich. Herdman Dawson*, Oxton, Cheshire, out of business, March 15 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *R. Herdman Dawson*; March 16 at 11, div. joint est.—*John Richards*, Merthyr Tydvil, Glamorganshire, woollendrapery, March 17 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Williams, Bristol, shipowner, March 24 at 11, District Court of Bankruptcy, Bristol.—*Robert Seymour*, Sunderland, Durham, linendraper, March 12 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*David Boobbyer*, Tavistock, Devonshire, ironmonger, March 16 at 11, District Court of Bankruptcy, Exeter.—*Edw. Wilkinson* and *Thomas Bentley*, Liverpool, tailors, March 15 at 11, District Court of Bankruptcy, Liverpool.—*James Cooper*, Liverpool, butcher, March 16 at 11, District Court of Bankruptcy, Liverpool.—*George Brear*, Wakefield, Yorkshire, innkeeper, March 16 at 12, District Court of Bankruptcy, Leeds.—*Samuel Mason*, Newcastle-under-Lyne, Staffordshire, draper, March 17 at half-past 11, District Court of Bankruptcy, Birmingham.—*Thomas U. Anderson*, Wellington, Shropshire, mercer, March 24 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James G. Watson, Sunderland, Durham, grocer.—*William Young*, Newport, Monmouthshire, victualler.—*J. Warburton*, Liverpool, tailor.—*Charles Pigot*, Wigan, Lancashire, scrivener.—*Thomas Birch*, Chorlton-upon-Medlock, Manchester, common brewer.—*Richard Fowke*, Wolverhampton, Staffordshire, chemist.—*Thomas Carr*, Doncaster, Yorkshire, innkeeper.

PETITIONS ANNULLED.

Wm. Platts, Crawford-st., Marylebone, Middlesex, draper.—*Frederick F. Cobb*, Canterbury, grocer.

PARTNERSHIPS DISSOLVED.

John Agre the younger and *Edward Calder*, Bristol, attorneys and solicitors.—*William Smith*, *Charles E. Grover*, and *William Frederick Smith*, Hemel Hempstead, Hertfordshire, attorneys and solicitors, (as far as regards *Wm. F. Smith*).

SCOTCH SEQUESTRATIONS.

William Shaw, Glasgow, jeweller.—*Smith & Macculum*, Leith, merchants.—*George Dunlop & Co.*, Kilbagie, Clackmannanshire, distillers.—*Wm. Donald*, deceased, Inverary, tanner.

INSOLVENTS.

Wm. Wade, Bootle, Lancashire, plumber, March 3 at 10, County Court of Lancashire, at Liverpool.—*Margaret Hodgson*, Everton, near Liverpool, milliner, March 3 at 9, County Court of Lancashire, at Liverpool.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard F. Jennings, Holsworthy, Devonshire, attorney-at-

law, March 12 at 11, County Court of Devonshire, at Holsworthy.—*Wm. Stephens*, Rhyming Iron-works, Gellygaen, Glamorganshire, contractor, March 8 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*James Bland*, Denbigh, chemist, March 10 at 11, County Court of Denbighshire, at Denbigh.—*Augustine Atherton*, Yatton, Somersetshire, innholder, March 3 at 11, County Court of Gloucestershire, at Bristol.—*J. Unsworth*, West Derby, Lancashire, cabinet maker, March 3 at 10, County Court of Lancashire, at Liverpool.—*J. Smallman*, Strood, Rochester, Kent, wheelwright, March 4 at 10, County Court of Kent, at Rochester.—*James S. Lacey*, North Killingholme, Lincolnshire, out of business, March 30 at 12, County Court of Lincolnshire, at Barton-upon-Humber.—*Samuel Birkitt*, Barton-upon-Humber, Lincolnshire, hatter, March 30 at 12, County Court of Lincolnshire, at Barton-upon-Humber.—*Wm. Knott*, Brigg and Yawthorpe, Corringham, Lincolnshire, vessel owner, March 12 at 11, County Court of Lincolnshire, at Brigg.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 3 at 10, before Mr. Commissioner LAW.

John L. Mourgue, Canterbury-place, Penton-street, Walworth, Surrey, dancing master.

March 5 at 10, before Mr. Commissioner LAW.

Robert Dunchley, Bromley, Kent, smith.—*C. J. F. Olfers*, Frith-street, Soho, Middlesex, artist in hair.

March 6 at 11, before Mr. Commissioner PHILLIPS.

Richard Lewis Townsend, Dorset-street, Portman-square, Middlesex, upholsterer.—*Rich. Horton*, Cumberland-street, Hackney-road, Middlesex, carpenter.—*Henry Colnet*, Rutland-terrace, Brompton, Middlesex, clerk of the kitchen of the Junior United Services Club.—*Isaiah Wilcox*, Garrett-lane, Wandsworth, Surrey, chandler-shop keeper.

March 8 at 10, before Mr. Commissioner LAW.

Arthur L. Dawson, Edward-street, Wharf-road, City-road, Middlesex, machinist.

March 8 at 11, before Mr. Commissioner PHILLIPS.

Wm. Henry Cornish, Bell-street, Edgware-road, Middlesex, furniture dealer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 5 at 11, before the CHIEF COMMISSIONER.

Charles Borer, Elliott's-row, Lower-street, Lower-road, Islington, Middlesex, grocer.—*Wm. W. Ogbourne*, The Terrace, Kennington-common, Surrey, out of business.—*James Clare*, Ann's-place, Whitmore-road, Hoxton, Middlesex, cheecamonger.—*J. M. Digby*, Crown-street, Finsbury, Middlesex, out of business.—*Chas. Wm. G. Guthrie*, Frith-street, Soho, Middlesex, surgeon.

March 5 at 10, before Mr. Commissioner LAW.

Francis Farrow, Harrow-on-the-Hill, Middlesex, stonemason.—*Francis Groves*, Tower-street, Waterloo-road, Surrey, carman.

March 6 at 11, before Mr. Commissioner PHILLIPS.

Matthew Cunningham, Featherstone-street, City-road, Middlesex, licensed hawk.—*Alfred Parr*, London-road, Southwark, Surrey, dealer in music.

March 8 at 10, before Mr. Commissioner LAW.

Edward Elstone, Princess-street, Stamford-street, Blackfriars-road, Surrey, out of business.—*Chas. Wm. Bevan*, New Bridge-street, Blackfriars, London, actuary of the English and Cambrian Assurance Society.—*George Bish*, Stratford, Essex, smith.

March 8 at 11, before Mr. Commissioner PHILLIPS.

A. Motte, Keppell-street, Southwark-bridge-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at MANCHESTER, March 5 at 12.

Bernard Carrigan, Manchester, out of business.

At the County Court of Devonshire, at EXETER, March 6 at 10.

James Greenslade, Bampton, farmer.

At the County Court of Lincolnshire, at LINCOLN, March 16 at 12.

James Charles, Waddingham, near Kirton-in-Lindsey, bricklayer.

At the County Court of Kent, at DOVER, March 17 at 10.

George Wills, Dover, clerk to an attorney.

TUESDAY, FEBRUARY 24.

BANKRUPTS.

ROBERT FURNISS LONG and ROBERT WHATKINSON LONG, Gray's-inn-place, and Warwick-street, Regent-street, Middlesex, builders, March 6 at half-past 12, and April 10 at 11, Court of Bankruptcy, London: Off. Ass. Pinnell; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition filed Feb. 13.

HENRY JOHNSON, York-buildings, Adelphi, Middlesex, coal merchant, Feb. 28 at half-past 2, and April 3 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Tilson & Co., Coleman-street, London.—Petition dated Feb. 23.

WILLIAM DENMAN, Cheam, Surrey, carpenter, Feb. 28 at 2, and April 3 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Paxon, 16, Bloomsbury-square.—Petition dated Feb. 18.

JAMES WRIGHT, Chesham, Buckinghamshire, grocer and cheesemonger, dealer and chapman, March 6 at half-past 11, and April 10 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Pontifax & Moginie, 5, St. Andrew's-court, Holborn.—Petition filed Feb. 10.

WILLIAM HARDING, Apton, Middlesex, miller, corn merchant, dealer and chapman, March 5 and April 16 at 12, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Murrough, 5, New-inn, Strand.—Petition filed Feb. 20.

WILLIAM HADEN RICHARDSON, BENJAMIN RICHARDSON, and JONATHAN RICHARDSON, Wordesley, Staffordshire, and Lamb's Conduit-street, Middlesex, glass manufacturers and dealers in glass, March 8 and April 15 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Colmore & Beale, Birmingham; Collis & Bernard, Stourbridge.—Petition dated Feb. 14.

HENRY COOKE, Leamington Priors, Warwickshire, hatter and hosier, dealer and chapman, March 8 and April 8 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Forder, Leamington Priors.—Petition dated Feb. 20.

WILLIAM HARRIS, Kingston-upon-Hull, draper, dealer and chapman, March 17 and April 7 at 12, District Court of Bankruptcy, Hull: Off. Ass. Carrick; Sols. Sale & Co., Manchester; J. & H. Richardson & Gaunt, Leeds.—Petition dated Feb. 7.

GEORGE SHERLOCK and BENJAMIN SUTTERBY, Hulme, Lancashire, joiners and builders, March 6 and 26 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Eitoff, Manchester; Jaques & Co., 8, Ely-place, Holborn, London.—Petition filed Feb. 21.

WILLIAM CALDWELL, Shevington, Lancashire, coal proprietor, March 8 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Janion, Manchester; J. & E. Whitley, Liverpool.—Petition filed Feb. 17.

MEETINGS.

James Knight, Wigan and Haydock, Lancashire, butcher, March 5 at 12, District Court of Bankruptcy, Manchester, pr. d.—William Edward Johnson, New-wharf, Little Abingdon-street, Westminster, coal merchant, March 5 at half-past 12, Court of Bankruptcy, London, last ex.—John Boniface, Eastergate, Sussex, maltster, March 6 at 1, Court of Bankruptcy, London, aud. ac.—Carsten Holthouse, Great Tower-

street, London, sugar broker, March 6 at 1, Court of Bankruptcy, London, aud. ac.—John Whitfield and George James Whitfield, Lamb's Conduit-street, Middlesex, cheesemongers, March 10 at half-past 12, Court of Bankruptcy, London, aud. ac.; March 16 at half-past 12, div.—William Wadsworth Bragger and Richard Bragger the younger, Camberwell-green, Surrey, and Laurance-lane, London, dealers in hoists, March 9 at 11, Court of Bankruptcy, London, aud. ac.—William Mashman, Charlotte-st., Portland-place, Middlesex, carpenter, March 5 at 11, Court of Bankruptcy, London, aud. ac.—Francis Seife, Sheerness, Isle of Sheppy, Kent, watchmaker, March 5 at 11, Court of Bankruptcy, London, aud. ac.—Joshua Eyre, Sheffield, Yorkshire, grocer, March 6 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—John Rusty, Gerrard-st., Soho, Middlesex, draper, March 16 at 11, Court of Bankruptcy, London, div.—Henry Byske, otherwise Bisk, Brighton, Sussex, builder, March 16 at 1, Court of Bankruptcy, London, div.—Andrew Paton Halliday and Eliza Paton, Cornbrook, Hulme, Manchester, manufacturing chemists, March 19 at 12, District Court of Bankruptcy, Manchester, fin. div.—J. Entwisle, Radcliffe and Manchester, cotton manufacturer, March 18 at 12, District Court of Bankruptcy, Manchester, div.—Chas. Read, Great Grimsby, Lincolnshire, wine merchant, March 24 at 12, District Court of Bankruptcy, Hull, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on w before the Day of Meeting.

Henry Robert Sabine, Poppin's-court, Fleet-st., London, card maker, March 17 at half-past 1, Court of Bankruptcy, London.—John Solomon Ellis, Aldgate, London, tailor, March 17 at 12, Court of Bankruptcy, London.—William Nash, Noble-st., London, woollen warehouseman, March 17 at 1, Court of Bankruptcy, London.—Wm. Woods, Graham-rooms, Basinghall-st., London, warehouseman, March 17 at half-past 1, Court of Bankruptcy, London.—Hen. Adams, Hastings, Sussex, hardwareman, March 13 at 1, Court of Bankruptcy, London.—C. R. Pottinger, Hardwick-place, Commercial-road East, Middlesex, wine merchant, March 16 at 2, Court of Bankruptcy, London.—John Wagstaff, Worcester, cattle dealer, March 18 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Samuel George Quartermains, Eaton-mews, West Finch, Middlesex, horse dealer.—Robert Brown, Gravel-lane, Southwark, Surrey, and St. Mary-at-Hill, London, basket maker.—Austin Robert Stace, Strood, Kent, ironmonger.—Thomas Edwin Southee, Fleet-st., London, advertising agent.—James Fuller, City-road, Finsbury, Middlesex, glass merchant.—J. Steeny, Crosby-row, Walworth-road, Surrey, grocer.—Wm. Mashman, Charlotte-street, Portland-place, Middlesex, carpenter.—James Sykes and Thomas Sykes, Sevenhills Mill, Soyland, Halifax, Yorkshire, woollen manufacturers.

PETITION ANNULLED.

Zechariah Richard Catchpole, Upper Lisson-st., Lisson-grove, St. Marylebone, and Cable-st., Wellclose-square, Radcliffe-highway, St. George's-in-the-East, Middlesex, cheesemonger.

SCOTCH SEQUESTRATIONS.

Edward Buchanan, Glasgow, builder.—Samuel Howarth, Glasgow, funeral undertaker.—William Downie, Jamestown, Dumbartonshire, innkeeper.—Morris Cohnert, Edinburgh, jeweller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Thomas, New Windsor, Berkshire, tailor, March 12 at 10, County Court of Berkshire, at Windsor.—Charles E. Budd, Horton, Oxfordshire, out of business, March 12 at 10, County Court of Berkshire, at Windsor.—George R. Green, Southsea, Portsea, Southampton, dairyman, March 17 at 10, County Court of Hampshire, at Portsmouth.—Fredk. Chas. Bradley, Chester, canal and railway company's clerk, March 17 at 11, County Court of Cheshire, at Chester.—Jas. Salfick, Ealy-green, Over Stowey, Somersetshire, innkeeper, March 16 at 11, County Court of Somersetshire, at Bridgewater.—George Wright, Great Horkeley, Essex, in no business, March 22 at 12, County Court of Essex, at Colchester.

—*Benj. Wymant Palmer*, Colchester, Essex, commercial traveller, March 22 at 12, County Court of Essex, at Colchester.
 —*Thos. Stammers*, Finchingfield, Essex, poulterer and beer seller, March 11 at 11, County Court of Essex, at Braintree.
 —*J. Patchitt*, Boddymore Heath, Kingsbury, Warwickshire, March 12, County Court of Warwickshire, at Tamworth.
 —*Jas. Seinsbery*, Cardiff, Glamorganshire, butcher, March 10 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. T. Darnell*, Southtown, Suffolk, out of business, March 10 at 10, County Court of Norfolk, at Great Yarmouth.—*G. Ellett*, Great Yarmouth, Norfolk, grocer, March 10 at 10, County Court of Norfolk, at Great Yarmouth.—*Joha Gaze*, Great Yarmouth, Norfolk, bricklayer, March 10 at 10, County Court of Norfolk, at Great Yarmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 10 at 11, before the CHIEF COMMISSIONER.

George Cook, King's Arms-place, Commercial-road East, and Fore-st., Limehouse, Middlesex, shoemaker.—*Wm. W. Smithson*, Newman-st., Oxford-st., painter.—*Arthur Martin* the younger, Mereton-st., Fimlico, Middlesex, out of business.—*John Sewill*, Chigwell, Essex, builder.

March 10 at 10, before Mr. Commissioner LAW.

Henry Newport, Kenton-street, Brunswick-sq., Middlesex, milkman.

Saturday, Feb. 21.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Carl H. F. Sommer, Bedford-st., Covent-garden, Middlesex, teacher of music: in the Debtors Prison for London and Middlesex.—*John T. Gain*, Hawkins-street, Sydney-st., Stepney, Middlesex, clothcap manufacturer: in the Debtors Prison for London and Middlesex.—*David Williams*, Great Winchester-street, London, fruiterer: in the Debtors Prison for London and Middlesex.—*Richard R. Pond*, Church-st., Old Kent-road, Surrey, printer: in the Debtors Prison for London and Middlesex.—*Horatio W. Hall*, Castle-street, Leicester-square, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Christopher Holt*, Liverpool-street, King's-cross, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*George R. Smith*, Bridge-road, Hammersmith, Middlesex, omnibus driver: in the Debtors Prison for London and Middlesex.—*Robert Black*, St. John-st., Smithfield, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*John Hubbard*, George-street, New North-road, Islington, Middlesex, locksmith: in the Debtors Prison for London and Middlesex.—*John Theo. Mattingley*, Reading, Berkshire, ale brewer: in the Debtors Prison for London and Middlesex.—*Wm. Peppler*, Circus-st., New-road, St. Marylebone, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Lion Mets*, Mitre-sq., Aldgate, London, dealer in cigars: in the Debtors Prison for London and Middlesex.—*Mary Jackson*, Arlington-street, Mornington-crecent, Camden-town, Middlesex, milliner: in the Debtors Prison for London and Middlesex.—*J. H. Morris*, King William-street, Strand, Middlesex, patent floor-cloth manufacturer: in the Debtors Prison for London and Middlesex.—*George Grace*, Epnom-common, Surrey, dealer in malt: in the Gaol of Surrey.—*Henry F. Wollaston*, Union-grove, Wandsworth-road, Surrey, secretary to the Hall of Commerce: in the Queen's Prison.—*J. Bennett*, Suffolk-street, Cambridge-road, Mile-end, Middlesex, eating-house keeper: in the Debtors Prison for London and Middlesex.—*Samuel Tillet*, Colchester, Essex, conveyancer: in the Gaol of Springfield.—*Charles James*, Ipsley, Warwickshire, retail brewer: in the Gaol of Coventry.—*Arthur Lodwick*, Liverpool, shopman: in the Gaol of Lancaster.—*Charles James*, Llanddewybrefi, Cardiganshire, carpenter: in the Gaol of Cardigan.—*John Hebson*, Liverpool, butcher: in the Gaol of Lancaster.—*Ashley James Petty*, Bittern, Hampshire, cabinet maker: in the Gaol of Southampton.—*George H. Watson*, Bradford, Yorkshire, commission agent: in the Gaol of York.—*J. Butcher*, Ipswich, Suffolk, hatter: in the Gaol of Ipswich.—*Wm. Deakin*, Sheffield, Yorkshire, grocer: in the Gaol of

Sheffield.—*Thomas Lonsdale*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*William M'Kenzie*, Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*James Ormerod*, Blackburn, Lancashire, ale dealer: in the Gaol of Lancaster.—*Joseph Sparrow*, Bebbington, near Birkenhead, Cheshire, milk dealer: in the Gaol of Chester.—*W. Wheeler*, Seaham Harbour, Durham, bread baker: in the Gaol of Durham.—*Mary Blomfield*, Walsall, Staffordshire, upholsteress: in the Gaol of Stafford.—*Thos. Hopps*, Birmingham, licensed victualler: in the Gaol of Coventry.—*John Allen*, Norwich, Norfolk, wood turner: in the Gaol of Norwich.—*J. Butcher*, Manchester, pork butcher: in the Gaol of Lancaster.—*Joseph Berry*, Patricroft, near Manchester, cotton manufacturer: in the Gaol of Lancaster.—*John Collins*, Chorlton-upon-Medlock, Manchester, traveller in hardware: in the Gaol of Lancaster.—*Wm. Edgar*, Liverpool, warehouseman: in the Gaol of Lancaster.—*Wm. Holden*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*Peter Hadfield*, Hulme, Manchester, out of business: in the Gaol of Lancaster.—*Wm. Howell*, Caerhys, Trawsfynydd, Merionethshire, labourer: in the Gaol of Dolgellay.—*Michael M'Notty*, Chorlton-upon-Medlock, Manchester, egg dealer: in the Gaol of Lancaster.—*John Pickles*, Hollins, near Oldham, Lancashire, provision-shop keeper: in the Gaol of Lancaster.—*James Perrins*, Birmingham, brush manufacturer: in the Gaol of Coventry.—*John Topping*, Hulme, Manchester, stonemason: in the Gaol of Lancaster.—*H. Topping*, Hulme, Manchester, stonemason: in the Gaol of Lancaster.—*Thomas Vincent*, Southampton, Hampshire, captain on half-pay in the Royal York Rangers: in the Gaol of Southampton.—*T. J. Whidborne*, Tranmere, near Liverpool, ship chandler: in the Gaol of Lancaster.—*G. Laver*, Lyminge, near Elham, Kent, attorney at law: in the Gaol of Dover.—*Wm. Clayton*, Wigan, Lancashire, joiner: in the Gaol of Lancaster.—*Edmund Cross*, Rolleston, near Burton-upon-Trent, Staffordshire, butcher: in the Gaol of Coventry.—*Robert Hunter*, Bristol, Somersetshire, lisendraper: in the Gaol of Bristol.—*John Kay*, Oldham, Lancashire, cotton waste dealer: in the Gaol of Lancaster.—*Chas. Wray*, Leeds, Yorkshire, stonemason: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 10 at 10, before Mr. Commissioner LAW.

Daniel Alder, Old Weston-street, Southwark, Surrey, merchant.

March 11 at 11, before Mr. Commissioner PHILLIPS.

Francis Dinndale, Lower Queen-street, Rotherhithe, Surrey, coal dealer.—*David Williams*, Great Winchester-street, London, fruiterer.—*George H. Hall*, Poland-street, Oxford-street, Middlesex, booking clerk to the Great Western Railway Company.—*Benj. Brand*, Duke-street, Spitalfields, Middlesex, mariner.—*W. Key*, Kirby-street, Hatton-garden, Middlesex, printer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, March 12 at 10.

John Butcher, Ipswich, hatter.—*Wm. T. Spratt*, Halesworth, coachmaker.

At the County Court of Norfolk, at NORWICH, March 12.

George Hewitt, Heigham, ironfounder.

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The Jurist

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MARCH 6, 1852.

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LONDON, MARCH 6, 1852.

WE have received from the author of the pamphlet noticed in THE JURIST of the 14th February, an argument in support of his view of the law of partnership, as opposed to the view taken by our correspondent of last week on the same subject; and although, in general, we do not admit controversy in this journal, yet, on a point of so much commercial importance, (until the Legislature shall have established partnership en commandite), we think it may be useful that the subject should be as nearly exhausted as possible, and we therefore insert the arguments of Mr. Begbie. The substance of them is as follows:—

Referring to the article in THE JURIST of last week, he says, "One might be led to understand from the statement of the case *Ex parte Hamper*, that his Lordship did not lay down the rule otherwise than 'in the course of conversation;' that he so laid it down at p. 404, expressly confining it to the rights of the parties inter se; and at p. 412, two days later, incautiously, and indeed inexplicably, contradicted himself, and laid down the rule as extending to the rights of third parties. Now, although what is reported at p. 404 was, perhaps, spoken animo deliberandi, yet it surely was something more than mere 'conversation;' and 'P. T.' has no right to take words which Vesey puts at the commencement of a new paragraph, and tack them to a preceding sentence. Your readers will see what I object to, on a reference to the report. But be it that the rule at p. 404 was laid down in the loosest possible manner, at p. 412 it was laid down most distinctly, and there, at least, animo judicandi. Yet one might suppose 'P. T.' to attribute more virtue to a loose conversational remark than to this well-considered

definite law, extorted from an unwilling judge. I would add, that the report of the case *Ex parte Hamper* came repeatedly before the notice of Lord Eldon in *Es parte Watson*, *Es parte Langdale*, &c., in the course of the sixteen years during which he remained on the woolsack, and always met his approbation. Yet we are now told that it was founded solely on his Lordship's 'imagination,' and that his Lordship did not, in fact, intend to lay down any such rule.

"In support of his proposition, that the rule in *Ex parte Hamper* was not law previous to the case of *Ex parte Hamper*, 'P. T.' refers to Coll. Part. 24, which surprised me somewhat, as I had referred to the same passage in support of my view. Collyer says—'These dicta do not seem to have been warranted by any express decision anterior to his Lordship's own judgments. They are, however, generally admitted to be correct statements of the law on the subject, and are the foundation of some decisions which it is necessary to notice in this place;' and which he proceeds to notice accordingly.

"There is, perhaps, no reported case in which it was necessary to decide the express point; but the key to the rule in *Ex parte Hamper* is to be found in the judgment in *Grace v. Smith*, (2 W. Bl. 998)—'Every man who has a share of the profits ought also to bear his share of the loss; and if any one takes' [or, I would even say, contracts to take] 'part of the profits, he takes a part of that fund on which the creditor relies for his payment. A loan is no specific lien on the profits of the trader, yet the lender is generally interested in those profits; he relies on them for repayment. . . . The true criterion is, to inquire whether S. agreed to share the profits with R.,' [i. e. in Lord Eldon's words, 'agreed for a share of the profits them-

selves as profits'], 'or whether he only relied on those profits as a fund of payment.' All these principles 'P. T.' treats as non-existing. Neither does he attribute any importance to the leading case of *Waugh v. Carver*; and I must be permitted to say, that *Ex parte Langdale* (18 Ves. 300) is entirely different, in facts and in decision, from what he represents.

"I would prefer supposing Lord Eldon to have relied on some unreported case, rather than on cases 'which never existed except in his Lordship's imagination.' There is, however, I submit, authority enough to be found; and at any rate, when 'P. T.' says, 'The dictum in *Ex parte Hamper* was not founded on any previous decision, and it has not since been acted on,' he is directly at issue with Lord Eldon on the first point; and, on the second point, with his own referee and authority, Mr. Collyer, in the paragraph he himself cites; for there is but one paragraph of Mr. Collyer's in all the page referred to. (Coll. Part. 24).

"'P. T.' seems to think that a test, reluctantly but clearly laid down by Lord Eldon, can be exploded by bringing it in contact with the expressions of Sir L. Shadwell in *Katsch v. Schenck*, (13 Jur., part 1, p. 668). The opinion of that most estimable judge, however, is surely not to outweigh Lord Eldon's, even if decidedly expressed, and decidedly in contradiction of his Lordship. But the expressions in *Katsch v. Schenck* may fairly be termed 'conversational' only. The Vice-Chancellor is reported to have said, 'Before I hear a reply, I wish to state my present impression as to this matter. It strikes me, that by the agreement the plaintiff has become a partner. . . . This interest is, in itself, very like a partnership interest.' And the matter was settled (in conformity with this opinion) by arrangement.

"But so far is this opinion from being in opposition to Lord Eldon's rule, that if the Vice-Chancellor had had *Ex parte Hamper* (which does not appear to have been cited) before him, he must have said, 'In accordance with Lord Eldon's rule, I must decide in favour of a partnership; for Schenck has agreed, not for a sum of money equal to a given portion of the profits, but for a share of the profits themselves.' But to attribute any authority whatever to *Katsch v. Schenck*, while we toss aside, as unworthy our attention, all the principles laid down in *Gracs v. Smith*, *Waugh v. Carver*, and *Ex parte Hamper*, appears contradictory in the extreme.

"If *Ex parte Hamper* did not exist, I conceive my argument would remain just as strong on principle; and, according to 'P. T.,' no weaker by losing so valueless an authority. The positions which I have advanced, and near which 'P. T.' does not come, are these:—

"1. The law of England does not allow of a partnership with limited liability.

"2. There is no sound principle, nor any judicial dictum or decision, favourable to the proposition, that a person advancing to a trading concern capital for a remuneration, varying according to the rate of profit; is thereby made a partner.

"3. There are judicial authority, dicta, and decisions, that a person giving his labour or influence for such a varying remuneration is not thereby made a partner.

"4. On principle, and on judicial dicta, there is no difference between the case of a person advancing, on such a contract, labour or influence, for the benefit of

a trading concern, and a person advancing capital—these things are all money or money's worth.

"5. There are cases in which an advance of capital to a trading concern for a remuneration depending on the profits has been held not necessarily to constitute a partnership.

"From which several propositions I conclude that convertible bonds, in the form mentioned in the pamphlet already referred to, constitute a contract of debt merely, and not a contract of partnership."

We ourselves continue of the opinion expressed in our former paper on the same subject, viz. that *Ex parte Hamper* is exceedingly absurd, but that it is nevertheless law; not because it was law before, for none of the cases referred to by any writer on the subject come up at all to the distinction laid down in that case—not because *Ex parte Hamper* made it law—but because, that case having assumed that it was law, the authority of that case having never been overruled, but having been, on the contrary, continually since adopted and followed in practice, it has become a sort of customary rule of law, perhaps the more strictly binding because it is unintelligible. Whether the convertible bonds adopted by the Gondola Company will stand, cannot, as we have before observed, be safely either assumed or denied, until they shall have been the subject of judicial decision.

SALE OF TIMBER ON COPYHOLD LAND.

In the case of *Crosse v. Lawrence*, (16 Jur., part 1, p. 142), lands of freehold and copyhold tenure, lying intermixed and undistinguishable, were, with the timber standing on them, sold by auction. It was stipulated by the conditions of sale, that the vendors should not be bound to distinguish the freeholds from the copyholds, or to shew the respective quantities of each; and the particulars of sale contained the following statement:—"The timber trees and saplings and underwood of above seven years' growth on the respective lots, which are to be paid for by the purchasers, have been carefully valued by Mr. M., of N., for the purpose of this sale, and the amount upon each lot will be declared at the time of the sale, and will be required to be paid on the completion of the purchases, in addition to the purchase money for the lots." It was not shewn that the custom of the manor authorised the tenant to cut timber. The purchaser objected to pay for any timber which was not shewn to be on freehold ground. But Sir G. J. Turner, V. C., held that he was bound to pay for all the timber, because there were not two contracts for the land and the timber separately, but a single contract for the purchase of the land with the timber on it at one price; and by the conditions the vendors were not to be required to distinguish the freeholds, and therefore were not to be required to shew a title to the timber;—as, if a man selling a leasehold house sold the fixtures at so much, stating his inability to distinguish the tenant's fixtures from the landlord's. The difficulty attending this decision is, that it allows the vendors to act inconsistently—to tell the purchaser that they cannot distinguish the timber which is to belong to him from the rest, at the same time that they say to him that they have made the distinction so well as to enable an appraiser to value them "carefully." If this had been said in so many words, the purchaser might reasonably be held bound by his assent even to such an absurdity; but to imply his assent to such a result merely because it may be inferred from a con-

dition in another part of the agreement, as to the evidence of boundaries, seems to be contrary to the rule of construing conditions of sale favourably to the purchaser. Nor does the inference appear to be necessary. The vendors may well state that they will not be bound, for the purposes of title, strictly to identify and shew the boundaries of every parcel of freehold land, and at the same time consistently state (as in the case under notice they clearly did by inference) that they know certain parcels to be freehold, and have valued the timber on those parcels. But if there be an inconsistency, then it is impossible that any valuation can have been made; and what was a mere guess, the vendors have falsely represented to be a valuation.

It is remarkable, however, that in the case of *Crosse v. Keene*, (16 Jur., part 1, p. 144), which arose out of the same sale, and was argued at the same time, his Honor abandoned the ground on which he had rested his decision in *Crosse v. Lawrence*. In *Crosse v. Keene* the lot was, and was described as being, wholly copyhold, and a valuation price for the timber on it was declared at the sale. The Vice-Chancellor held that it must be paid. "The question in this case is similar to that in the last. The distinction which is to be taken between this case and the case of the sale of a crop of corn, which the vendor can give no right to cut, is this—that corn cannot be enjoyed except by reaping it; whereas the trees may be enjoyed without cutting them. There is often much value and enjoyment in the possession of trees quite apart from the value of them as timber. I think this is all one contract. There is no separate and distinct contract, one for land and another for the trees." True, but there was a contract for such a right of property in the trees as was capable of valuation in the ordinary way of valuing timber. No doubt an auctioneer might enlarge on the utility of the shelter and ornament of timber which could not be cut; but his Honor appears to have overlooked the significance of the fact that the timber was valued. The notion of a land-agent valuing the enjoyment to be derived by an unknown purchaser from standing timber which he cannot cut is simply ludicrous. It would depend upon the object of the purchase, or the taste or even constitution of the purchaser, whether such timber would be a benefit or a nuisance. There can be no doubt whatever that the timber was valued as timber which might be cut, and that it was sold as having been so valued, and we do not see how the inference can be avoided, that the sale of the land and timber on that footing amounted to a representation that the purchaser would be entitled to cut the timber. Notice to him that the land was copyhold was not, in the face of this representation to the contrary, notice that he could not cut the timber, because it was to be inferred, from the vendors assuming to sell it as timber to be cut, that there was a custom enabling the tenant to cut it. To take the illustration from fixtures adopted in the other case, if a man selling a leasehold were to stipulate for a further sum for the fixtures, would it not be understood that he contracted to give an absolute title to the fixtures—that they were his, not the landlord's? Yet the fixtures in a leasehold house more frequently belong to the landlord than to the tenant, as the timber on copyholds more frequently belongs to the lord than to the copyholder.

If, as we contend, Keene was entitled to infer that he would be able to cut the timber on his lot, the same inference was open to Lawrence from the same particulars and conditions with respect to the copyhold part of his lot, involving the consequence that the condition as to distinguishing the freeholds from the copyholds, would not affect his right to a clear title to the timber. In this view the two decisions must stand or fall together.

London Gazette.

FRIDAY, FEBRUARY 27.

BANKRUPTS.

GEORGE HART and THOMAS HART, Union-street, Southwark, Surrey, trimming manufacturers, hat and cap makers, dealers and chapmen, March 6 at 12, and April 16 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Worthington & Shipman, Manchester; Reed & Co., 59, Friday-street, Cheapside, London.—Petition filed Feb. 26.

JAMES NORRIS, Watford, Hertfordshire, grocer, dealer and chapman, March 6 at half-past 1, and April 16 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lawrence & Co., 14, Old Jewry-chambers, Old Jewry, London.—Petition filed Feb. 21.

JULIEN THOMAS DENIS, Lime-street, London, and Spur-street, Leicester-square, Middlesex, wine merchant, dealer and chapman, March 9 at half-past 12, and April 8 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Goddard & Eyre, Wood-street, Cheapside.—Petition filed Feb. 25.

JOHN RALPH THREADGOLD, Southampton, tea dealer and grocer, dealer and chapman, March 5 at 12, and April 8 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Clark, Bishopsgate Churchyard.—Petition filed Feb. 14.

ARTHUR HILLS, Woodside, near Croydon, Surrey, and Isle of Dogs, Poplar, Middlesex, oil of vitriol manufacturer, dealer and chapman, March 8 and April 20 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Freeman & Bothamley, 36, Coleman-street, London.—Petition filed Feb. 24.

JOHN SIMMONDS, Blandford Forum, Dorsetshire, builder, March 10 at 1, and April 16 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Chitty, Shaftesbury; Venning & Co., Tokenhouse-yard, London.—Petition filed Feb. 12.

GEORGE SENIOR, Fordingbridge, Southampton, apothecary, dealer and chapman, March 8 and April 20 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Hoddings & Co., Salisbury; Tilson & Co., Coleman-street, London.—Petition filed Feb. 14.

JOHN WILKINS, Brighton, Sussex, builder, dealer and chapman, March 6 at half-past 1, and April 10 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Kennett, Brighton; Sowton, Great James-street.—Petition filed Feb. 3.

SARAH WILSON, Nottingham, hotel keeper, March 5 and April 2 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Parsons, Nottingham.—Petition dated Feb. 18.

WILLIAM BAYNES, Leeds, Yorkshire, flax spinner, dealer and chapman, March 12 and April 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Holden & Son, Hull; Atkinson & Co., Leeds.—Petition dated Feb. 20; filed Feb. 21.

GEORGE GILLOTT, Castleford, Yorkshire, grocer, dealer and chapman, March 15 and April 5 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds.—Petition dated Feb. 24.

JAMES OGLE HOLMES, Sunderland, and **YOUNG LOWSON MARSHALL**, Roker, Durham, timber merchants, (carrying on business at Sunderland under the style or firm of Holmes & Marshall), March 12 at 12, and April 6 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Young, Sunderland; Maples & Co., 6, Frederick's-place, Old Jewry, London.—Petition filed Feb. 17.

MEETINGS.

Wm. Williams and Robt. Mudge Marchant, Great George-street, Westminster, Middlesex, and Liverpool, and Campden, Gloucestershire, contractors for public works and builders, March 10 at 10, Court of Bankruptcy, London, pr. d.—*Chas. Lucas, R. Wilkinson, and E. Bond*, Manchester, and Hayfield, Derbyshire, calico printers, March 11 at 12, District Court of Bankruptcy, Manchester, last ex.—*I. Hodgkinson*, Bolton-le-Moors, Lancashire, ironfounder, March 8 at 12, District Court of Bankruptcy, Manchester, last ex.—*Robert Thorman*, New-

castle-upon-Tyne, engine builder, March 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*William Miller*, Hawley-place, Kentish-town, Middlesex, baker, March 10 at 1, Court of Bankruptcy, London, aud. ac.—*John Rully*, Gerrard-street, Soho, Middlesex, draper, March 10 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Robert Trower*, College-street, Chelsea, Middlesex, builder, March 12 at 12, Court of Bankruptcy, London, aud. ac.—*Benjamin Wyon*, Regent-street, Middlesex, engraver, March 16 at 12, Court of Bankruptcy, London, aud. ac.; March 23 at 11, div.—*John Entwisle*, Radcliffe and Manchester, cotton manufacturer, March 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Andrew Paton Halliday* and *Eliza Paton*, Cornbrook, Hulme, Manchester, manufacturing chemists, March 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Clement Nuttall*, Bacup, Lancashire, innkeeper, March 9 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Daniel Hemus Waldron*, Birmingham, grocer, March 13 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; April 3 at half-past 10, div.—*Samuel Pearse*, Topsham, Devonshire, coal merchant, March 16 at 11, District Court of Bankruptcy, Exeter, aud. ac.; March 24 at 11, div.—*Frederick Edward Preedy*, Sherborne, Dorsetshire, wine merchant, March 16 at 11, District Court of Bankruptcy, Exeter, aud. ac.; March 24 at 11, div.—*Joseph Palmer Godfrey*, Cullompton, Devonshire, paper maker, March 16 at 11, District Court of Bankruptcy, Exeter, aud. ac.; March 24 at 11, div.—*John Bradshaw Taylor*, Liverpool, commission agent, March 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Andrew Edwards*, Toxteth-park, near Liverpool, lodging-house keeper, March 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Dulton Reeves*, Liverpool, spirit dealer, and *Richard Herdman Dawson*, Orton, Cheshire, out of business, March 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Chas. Love Meates*, Conduit-street, Middlesex, grocer, March 19 at half-past 1, Court of Bankruptcy, London, div.—*Charles Christopher Cussack Geary*, Colchester, Essex, cheesemonger, March 19 at 2, Court of Bankruptcy, London, div.—*Benjamin Smith*, Threadneedle-street, London, and Bow-common, Middlesex, copper smelter, March 20 at 11, Court of Bankruptcy, London, div.—*Andrew Clark*, Bear-gardens, Southwark, Surrey, plumber, March 22 at 11, Court of Bankruptcy, London, div.—*Thomas Cox*, Cambridge, chemist, March 22 at 11, Court of Bankruptcy, London, div.—*Morgan Powell Edwards*, Tredegar, Monmouthshire, linendraper, March 23 at 11, Court of Bankruptcy, London, div.—*William Mashman*, Charlotte-street, Portland-place, Middlesex, carpenter, March 22 at 11, Court of Bankruptcy, London, div.—*John Beales*, Halesworth, Suffolk, apothecary, March 22 at half-past 11, Court of Bankruptcy, London, div.—*Edward Thomas Leeming*, Manchester, hosier, March 22 at 12, District Court of Bankruptcy, Manchester, div.—*Hamlet Mullion*, Liverpool, merchant, March 19 at 11, District Court of Bankruptcy, Liverpool, div.—*Edward Wickham Dickenson*, Liverpool, merchant, March 19 at 11, District Court of Bankruptcy, Liverpool, div.—*William Baird*, Liverpool, paperhanger, March 22 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

J. Fairbrother, Brighton, Sussex, cowkeeper, March 23 at 11, Court of Bankruptcy, London.—*Edw. Wickins*, Faversham, Kent, linendraper, March 22 at 1, Court of Bankruptcy, London.—*Thomas Compere*, Aylesford, Kent, and Cleveland-st., Mile-end, Middlesex, paper maker, March 22 at 12, Court of Bankruptcy, London.—*John Slater Marshall*, Goswell-road, Clerkenwell, Middlesex, boot dealer, March 20 at 11, Court of Bankruptcy, London.—*Edward Martyn* and *Henry Martyn*, Aldgate High-st., London, woollendrapers, March 20 at 12, Court of Bankruptcy, London.—*Richard Caldicott*, Cardiff, Glamorganshire, grocer, March 23 at 11, District Court of Bankruptcy, Bristol.—*John Fleetwood*, Liverpool, grocer, March 19 at 12, District Court of Bankruptcy, Liverpool.—*Cornelius Bainbridge*, Birkenhead, Cheshire, iron-monger, March 19 at 11, District Court of Bankruptcy, Liverpool.—*John Varley*, Manchester, chemist, March 22 at 12, District Court of Bankruptcy, Manchester.—*Joseph Day* and *Thomas Day*, Macclesfield, Cheshire, silk manufacturers, March 19 at 12, District Court of Bankruptcy, Manchester.—

Frederick Edward Preedy, Sherborne, Dorsetshire, wine merchant, March 13 at 11, District Court of Bankruptcy, Exeter.—*James Potter*, Birmingham, mill manufacturer, March 23 at half-past 10, District Court of Bankruptcy, Nottingham.—*Thomas Robinson*, Kingston-upon-Hull, broker, April 7 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Frederick Pegler, Hampton, Middlesex, grocer.—*James Bennett*, Fox-place, Sandy-hill-road, Woolwich, Plumstead, Kent, carpenter.—*Moses Orme* and *William Henry Lymas*, Liverpool, ale merchants.—*Thomas Tucker* and *J. Tucker*, Liverpool, ship builders.—*Hugh Dixon* and *Launcelet Dixon*, Liverpool, merchants.—*Wm. Neil Monies*, Liverpool, wine merchant.—*James Richardson* the younger, Glasgow, Lanarkshire, Scotland, agent, and Liverpool, Lancashire, wine merchant.—*Thomas Penrose Dixon*, Falmouth, Cornwall, printer.—*John Lewis*, Bristol, wine merchant.—*Robt. Heath*, Manchester, Lancashire, and *John Heath Barber*, Burslem, Staffordshire, ironmasters.

SCOTCH SEQUESTRATIONS.

Johnstone, Scott, & Co., Greenock, commission agents.—*John Cameron*, Edinburgh, wholesale and retail stationer.—*James Walker*, Helensburgh, Dumbartonshire, fisher.—*T. Tennant*, Dalkeith, engineer.—*James Watson & Son*, Dundee, corn merchants.—*John Jessiman*, Berkenhills, Towie, Turiff, Aberdeen, cattle dealer.—*Andrew Thomson*, Tillicoultry, builder.—*Joseph Beck, jun.*, Dumfries, coachbuilder.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Evans, Liverpool, straw-hat maker, March 3 at 10, County Court of Lancashire, at Liverpool.—*Anne Smith*, Birmingham, stay maker, March 6 at 10, County Court of Warwickshire, at Birmingham.—*Charles Wm. Green*, Birmingham, bridle bit manufacturer, March 6 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Pratt*, Birmingham, coal dealer, March 6 at 10, County Court of Warwickshire, at Birmingham.—*Charles Hewitt*, Ipswich, Suffolk, baker, March 12 at 10, County Court of Suffolk, at Ipswich.—*John Williams*, Blackboy, St. John the Evangelist, Brecknockshire, mason, March 5 at 10, County Court of Brecknockshire, at Brecon.—*Harvey Herbert*, Whitechurch, Southampton, plumber, March 20 at 11, County Court of Hampshire, at Andover.—*Robert Rooke*, Exeter, out of business, March 6 at 10, County Court of Devonshire, at Exeter.—*John Taylor*, Whitechurch, Hampshire, blacksmith, March 20 at 11, County Court of Hampshire, at Andover.—*Wm. Woodthorpe Browne*, Jarrow, near South Shields, Durham, surgeon, March 22 at 10, County Court of Durham, at South Shields.—*Robert Turnbull*, Blackhill, near Shotley Bridge, Durham, blacksmith, March 26 at 10, County Court of Durham, at Shotley Bridge.—*John Gazard*, Bristol, auctioneer, March 3 at 11, County Court of Gloucestershire, at Bristol.—*Thos. Head*, Bristol, licensed victualler, March 3 at 11, County Court of Gloucestershire, at Bristol.—*John Powell*, Llwynllwyd, Llanigon, Brecknockshire, farm labourer, March 4 at 10, County Court of Brecknockshire, at Hay.—*Thomas Thomas*, Caedraw, Merthyr Tydfil, Glamorganshire, potato merchant, March 8 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*William Richardson*, Ledbury, Herefordshire, jobbing smith, March 27 at 9, County Court of Herefordshire, at Ledbury.—*Joseph Sturley*, Kenilworth, Warwickshire, bricklayer, March 15 at 2, County Court of Warwickshire, at Warwick.—*Henry Ballinger*, Warwick, licensed victualler, March 15 at 2, County Court of Warwickshire, at Warwick.—*William Harris*, Warwick, last maker, March 15 at 2, County Court of Warwickshire, at Warwick.—*Charles Read*, Leamington Priors, Warwickshire, coach-body maker, March 15 at 2, County Court of Warwickshire, at Warwick.—*Thomas Banks*, Kingswinford, Staffordshire, butty collier, March 22 at 10, County Court of Worcestershire, at Stourbridge.—*Thos. Lewis*, Halesowen Forge, Worcestershire, general use iron manufacturer, March 22 at 10, County Court of Worcestershire, at Stourbridge.—*Zechariah Ottywill*, Ipswich, Suffolk, coach builder, March 12 at 10, County Court of Suffolk, at Ipswich.—*Edw. Amund Johnson*, Ipswich, Suffolk, keeper of the county gaol at Ipswich,

March 12 at 10, County Court of Norfolk, at Ipswich.—*Charles Baker*, Ipswich, Suffolk, butcher, March 12 at 10, County Court of Suffolk, at Ipswich.—*Jos. Eastwood*, Hemmingborough, Yorkshire, innkeeper, March 19 at 10, County Court of Yorkshire, at Howden.—*Wm. De Caus*, Norwich, licensed victualler, March 12 at 10, County Court of Norfolk, at Norwich.—*Jonathan Stockings*, Norwich, baker, March 13 at 10, County Court of Norfolk, at Norwich.—*Owen Roberts*, Festiniog, Monmouthshire, surgeon, March 26 at 11, County Court of Carnarvonshire, at Portmadoc.—*Linn Dillon*, Runcorn, Cheshire, joiner, March 9 at 10, County Court of Cheshire, at Runcorn.—*Charles Purkis*, Woolston, Hampshire, yeoman, March 11 at 10, County Court of Hampshire, at Southampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 12 at 11, before the CHIEF COMMISSIONER.
Henry Flood, John-st., Fitzroy-sq., Middlesex, tailor.

March 12 at 10, before Mr. Commissioner LAW.
Henry Byne, Upper Whitecross-st., St. Luke's, Middlesex, tin worker.

March 13 at 11, before Mr. Commissioner PHILLIPS.
John W. Herbert, Prospect-place, Queen's-road, Dalston, Middlesex, out of business.

March 15 at 10, before Mr. Commissioner LAW.
George Bilby, Golden-lane, St. Luke's, Middlesex, parochial schoolmaster.

March 15 at 11, before Mr. Commissioner PHILLIPS.
Philip Brake, Bell-st., Edgeware-road, Middlesex, cheesemonger.—*Edward William Burt*, High Holborn, Middlesex, servant.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 12 at 11, before the CHIEF COMMISSIONER.
Wm. G. Brown, White Horse-lane, Stepney, Middlesex, tailor.—*George Healer*, Spring-gardens, Elizabeth-st., Pimlico, Middlesex, out of business.—*Robert Woodcock* the elder, High-st., Kensington, Middlesex, tailor.

March 12 at 10, before Mr. Commissioner LAW.
Horatio W. Hall, Castle-street, Leicester-sq., Middlesex, out of business.—*Wm. Davis*, Whalebone-court, Little Bell-alley, Moorgate-street, London, chimney sweeper.—*G. Brown*, Jernyn-st., St. James's, Middlesex, tailor.

March 15 at 10, before Mr. Commissioner LAW.
Thomas Pearson, Minorities, Middlesex, out of business.—*M. G. Smith*, Great James-st., Middlesex, solicitor.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, March 12.
W. Wheeler, Seaham Harbour, baker.—*Robert Gowland*, New Cassop, publican.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, March 12.
Charles Boutell the younger, Litcham, clerk.
At the County Court of Lancashire, at LANCASTER, March 12 at 11.

John Williams, Swinton, near Manchester, tailor.—*John Grundy*, Salford, butter dealer.—*William Clayton*, Soles, Wigan, joiner.—*John Hebson*, Liverpool, butcher.—*Michael McNulty*, Chorlton-upon-Medlock, Manchester, egg dealer.—*William H. Bennett*, Blackburn, linen draper.—*B. Josephson*, Liverpool, shopman to a cabinet maker.—*Thos. J. Whidborne*, Tranmere, Liverpool, out of business.—*Samuel Timperley*, Ashton-under-Lyne, out of business.—*John Butcher*, Manchester, pork butcher.—*Wm. Schofield*, Liverpool, grocer.—*Thomas C. Iliffe*, Culcheth, near Leigh, rope manufacturer.—

Christopher Bullen, Preston, out of business.—*Wm. Holden*, Blackburn, grocer.—*John Collins*, Chorlton-upon-Medlock, Manchester, traveller in hardware.

At the County Court of Norfolk, at the Guildhall, NORWICH, March 13.

John Allen, Norwich, wood turner.
At the County Court of Warwickshire, at WARWICK, March 15 at 10.

Samuel Potter, Warwick, labourer.
At the County Court of Kent, at DOVER, March 17 at 10.
George Laver, Lyminge, near Elham, attorney-at-law.

At the County Court of Worcestershire, at WORCESTER, March 17 at 10.

John Parker, Worcester, out of business.
At the County Court of Gloucestershire, at BRISTOL, March 17 at 11.

Robert Hunter, Bristol, in no business.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas Holmes, Kirkdale, near Liverpool, joiner, March 8, Dodge's, Liverpool: 12s. 10½d. in the pound.

MEETING.

William Brook, Battle, Sussex, plumber, March 15 at 4, George Inn, Battle, sp. aff.

TUESDAY, MARCH 2.

BANKRUPTS.

ALEXANDER BRISTOW FRASER and CHARLES LIGHTFOOT, Lime-street, London, merchants, March 12 at 1, and April 16 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sale & Co., Manchester; Reed & Co., 59, Friday-street, Cheapside, London.—Petition filed March 1.

GEORGE BENNETT and ALEXANDER BOOTH, Long-acre, Middlesex, dealers in Scotch whisky and bottled beers, March 11 at 12, and April 5 at 11, Court of Bankruptcy, London: Off. Ass. Johnston; Sol. Langton, 10, Staple-inn, Holborn.—Petition filed March 1.

SAMUEL WATKINSON, Writtle, Essex, innkeeper, March 11 at 11, and April 5 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Gepp & Veley, Chelmsford; Hawkins & Co., New Boswell-court.—Petition filed Feb. 27.

JOHN STAFFORD, West Smithfield, London, tailor and draper, dealer and chapman, March 16 at 1, and April 20 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Feb. 28.

FRANCES PETTIT and THOMAS ARGENT, Newmarket, St. Mary, Suffolk, saddlers and harness makers, dealers and chapman, March 16 at 2, and April 20 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Phillips, Newmarket, Suffolk; Abbott & Co., 8, New-inn, Strand, London.—Petition filed Feb. 27.

THOMAS BROOKES, Banbury, Oxfordshire, printer and stationer, dealer and chapman, March 16 at half-past 2, and April 20 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Smallbridge, Gloucester; Rogerson & Ford, 50, Lincoln's-inn-fields, London.—Petition filed Feb. 19.

ALFRED ELBOROUGH, Crescent-road, Millbank, Westminster, coal merchant, dealer and chapman, March 11 at 1, and April 20 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Dale, 9, Warrford-court, Throgmorton-street.—Petition filed March 1.

JOHN ROGERS, Leicester, grocer, provision dealer, dealer and chapman, March 19 and April 16 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. R. & G. Toller, Leicester; James, Birmingham.—Petition dated Feb. 26.

WILLIAM BROMBY, Kingston-upon-Hull, maltster and brewer, dealer and chapman, March 17 and April 14 at 12, District Court of Bankruptcy, Hull: Off. Ass. Carrick; Sol. Smith, Sheffield.—Petition dated Feb. 14.

JOHN YATES, Prescot, Lancashire, builder, March 16 and April 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Fisher & Stone, Liverpool.—Petition filed Feb. 28.

WILLIAM THOMAS and GRIFFITH THOMAS, Aberdare and Aberaman, Glamorganshire, grocers, drapers, dealers and chapmen, March 16 and April 20 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Brittan & Sons, Bristol; Sols & Co., London.—Petition filed Feb. 16.

JOHN FREDERICK REEVES, Taunton, Somersetshire, scrivener, carrier, dealer and chapman, March 10 and April 14 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Walter, Taunton; Stogdon, Exeter.—Petition filed Feb. 13.

JOHN DAVIES, Abergele, Denbighshire, grocer, March 12 and April 8 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Evans & Son, Liverpool.—Petition filed Feb. 26.

JOHN ELLISON, Liverpool, ironmonger, March 16 and April 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Toulmin, Liverpool.—Petition filed Feb. 28.

WILLIAM PEVERLEY and JOHN AYREY CHARLTON, Sunderland-near-the-Sea, Durham, shipbuilders, March 17 at 1, and April 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. A. J. & W. Moore, and Ranson & Son, Sunderland.—Petition filed Feb. 24.

GEORGE TURNBULL, Coxhoe, Durham, draper and grocer, dealer and chapman, March 17 at half-past 11, and April 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane.—Petition filed Feb. 20.

MEETINGS.

Robert Sewell, Swaffham, Norfolk, scrivener, March 12 at 12, Court of Bankruptcy, London, ch. ass.—*Wm. M. Neill*, Liverpool, merchant, March 13 at 2, Court of Bankruptcy, London, last ex.—*Spencer Ashlin*, Eastcheap, London, corn factor, March 13 at 12, Court of Bankruptcy, London, last ex.—*Robert W. Ogilvie*, Newcastle-upon-Tyne, shipbroker, March 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Edward Sills Clarke*, St. Mary Cray, Kent, baker, March 17 at 12, Court of Bankruptcy, London, aud. ac.; March 23 at 12, div.—*William Jones*, New-road, Whitechapel, Middlesex, and East Ham, Essex, cowkeeper, March 12 at 1, Court of Bankruptcy, London, aud. ac.—*D. Bonnet*, Mark-lane, London, and Golden-square, St. James, Westminster, Middlesex, wine merchant, March 12 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Charles C. C. Geary*, Colchester, Essex, cheesemonger, March 12 at 1, Court of Bankruptcy, London, aud. ac.—*C. L. Meates*, Conduit-st., Hanover-sq., Middlesex, grocer, March 12 at 1, Court of Bankruptcy, London, aud. ac.—*Abraham Hooley*, Macclesfield, Cheshire, silk manufacturer, March 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Burt* and *James Burt* the younger, Manchester, and *Wm. T. Watson*, Leeds, Yorkshire, commission agents, March 15 at 12, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *Wm. T. Watson*, March 24 at 12, div.—*J. Warburton*, Liverpool, tailor, March 15 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Reid*, Huddersfield, Yorkshire, merchant, March 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.; March 23 at 11, div.—*J. Colquhoun*, Parson's Hill, Woolwich, Kent, money scrivener, March 6 (and not Feb. 28, as before advertised) at 11, Court of Bankruptcy, London, div.—*Nathaniel B. French*, *Augustine B. French*, and *John Barton*, Old South Sea House, Broad-st., London, merchants, March 23 at half-past 12, Court of Bankruptcy, London, div. sep. est. of *N. B. French*.—*Alexander Beattie* and *Francis Macnaghten*, Nicholas-lane, Lombard-st., London, merchants, March 26 at 11, Court of Bankruptcy, London, div. joint est., and div. sep. est. of *Alexander Beattie*.—*W. Haywood*, Birmingham, grocer, March 13 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; March 23 at half-past 10, div.—*Joseph Adams*, Halghton, Hanmer, Flintshire, cheese factor, March 24 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Nicholson, Woolwich, Kent, grocer, March 24 at 1, Court of Bankruptcy, London.—*David Lloyd Williams*,

Cwmnantyrtaw Colliery, Thornhill-Llandilo, Carmarthenshire, and Albert-st., Camden-town, Middlesex, coal owner, March 24 at half-past 1, Court of Bankruptcy, London.—*Henry C. Gausden*, Hove, Sussex, licensed victualler, March 24 at 12, Court of Bankruptcy, London.—*William Moss* the younger, Stock, Essex, miller, March 25 at 11, Court of Bankruptcy, London.—*George Martin*, Bishop's Stortford, Hertfordshire, sack manufacturer, March 26 at 12, Court of Bankruptcy, London.—*Francis F. Woods*, Pelham-terrace, Brompton, and Little Portland-st., Oxford-st., Middlesex, builder, March 26 at half-past 11, Court of Bankruptcy, London.—*S. Clabden*, Stapleford, Cambridgeshire, newspaper proprietor, March 25 at 12, Court of Bankruptcy, London.—*John R. Irving* and *Wm. Irving*, Liverpool, shipwrights, March 25 at 11, District Court of Bankruptcy, Liverpool.—*Joseph J. Smith*, Liverpool, earthenware manufacturer, March 25 at 11, District Court of Bankruptcy, Liverpool.—*Hugh Brown*, Liverpool, ship chandler, March 25 at 11, District Court of Bankruptcy, Liverpool.—*Joseph Longbottom* and *Thomas Fawcett*, Leeds, Yorkshire, cloth merchants, March 25 at 11, District Court of Bankruptcy, Leeds.—*Samuel Crosland*, Elland, Yorkshire, corn miller, March 25 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Marshall Bewick, Norwich, wine merchant.—*W. Stanton*, Buckingham, watchmaker.—*James T. Coultread* the younger and *Wm. Dyer*, Union-st., Southwark, white lead makers.—*Wm. Boyce* the elder, Dover, Kent, hotel keeper.—*Donald Macleod*, Ealing, Middlesex, dealer and chapman.—*Samuel Vines*, Crutched-friars, London, corn factor.—*Rich. Stanford* and *Benjamin Lewis*, Wednesbury, Staffordshire, engineers.

PETITIONS ANNULLED.

James T. Jones, Rathbone-place, Middlesex, Manchester warehouseman.—*Samuel Clegg*, West Derby, Lancashire, engineer.

PARTNERSHIPS DISSOLVED.

John Clare and *Charles Hesketh Hill*, Liverpool, attorneys-at-law and solicitors.—*Thos. Dean*, *Edward Frederick Leeds*, and *Henry Syme Redpath*, St. Swithin's-lane, London, solicitors and attorneys.

SCOTCH SEQUESTRATIONS.

Andrew M' Cormick, Stranraer, builder.—*James Wilson*, Irvine, innkeeper.—*David M'Kay*, Glasgow, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Humphrey Ginns, Pipwell, Northamptonshire, farmer, March 19 at 10, County Court of Northamptonshire, at Kettering.—*Wm. Loweth*, Bythorn and Keyston, Huntingdonshire, miller, March 18 at 3, County Court of Northamptonshire, at Thrapston.—*Francis Bickley* the younger, Carlisle, Cumberland, surgeon, March 22 at 10, County Court of Cumberland, at Carlisle.—*Robert Robson*, Stanaby, St. Cuthbert, Cumberland, skinner, March 22 at 10, County Court of Cumberland, at Carlisle.—*James Begeant*, Hythe, Kent, shoe-maker, March 15 at 11, County Court of Kent, at Hythe.—*Henry Riva*, Holyhead, Anglesea, victualler, March 31 at 10, County Court of Anglesea, at Llangefni.—*Charles Benzey*, Portsea, Southampton, retailer of beer, March 17 at 10, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 17 at 11, before the CHIEF COMMISSIONER.

Friend Bottle, Webb-st., Southwark, Surrey, saddler.—*J. Oaten*, Jubilee-place, Chelsea, Middlesex, turtle dealer.

March 17 at 10, before Mr. Commissioner LAW.

Clement Sharp the elder, Lordship's-terrace, Stoke Newington, Middlesex, accountant.

Saturday, Feb. 28.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Richd. Sculthorpe, Northampton, publican, No. 74,498 C.; Charles Walker, assignee.—Charles Halstead, Mansfield-st., Kingland-road, Middlesex, silk mercer, No. 62,471 T.; J. Crewick, assignee.—Wm. Ann Chinery, St. John's Wood-terrace, St. John's Wood, Middlesex, widow, No. 62,724 T.; John Hughes, assignee.—Frederick Ward, Friar-st., Blackfriars-road, Surrey, commission agent, No. 62,770 T.; Moss Frankford, assignee.

Saturday, Feb. 28.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Joseph Cocking, Tachbrook-st., Pimlico, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—Philip Davies, Tooley-st., Southwark, Surrey, grocer: in the Debtors Prison for London and Middlesex.—Joseph Godfree, Charles-place, Hertford-road, Kingland, Middlesex, baker: in the Debtors Prison for London and Middlesex.—George Hammon, Skinner-street, Clerkenwell, Middlesex, watch case manufacturer: in the Debtors Prison for London and Middlesex.—Joseph William Last, Victoria-terrace, Stockwell, Surrey, printer: in the Debtors Prison for London and Middlesex.—Hes. Rose, Bridge House-place, Newington-causeway, Surrey, corn merchant: in the Queen's Prison.—T. Green, Hatton-garden, Holborn, Middlesex, auctioneer: in the Queen's Prison.—James Mayhew, Cambridge-street, Hyde-park, Middlesex, collector: in the Debtors Prison for London and Middlesex.—W. Clark, Eastfield, Peterborough, Northamptonshire, farmer: in the Debtors Prison for London and Middlesex.—Michael Turner, Great Portland-street, Oxford-st., Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—Robert Dundas Brown, Penton-place, Walworth, Surrey, clerk in the Admiralty Office, Somerset House: in the Debtors Prison for London and Middlesex.—George King, Wells-st., Oxford-st., Middlesex, waiter: in the Debtors Prison for London and Middlesex.—Frederick Derbishire, Sloane-square, St. Luke's, Chelsea, Middlesex, out of business: in the Gaol of Surrey.—Thomas Keeley, Onslow-terrace, Lorimer-road, Walworth, Surrey, licensed victualler: in the Queen's Prison.—Christopher Bullen, Preston, Lancashire, plumber: in the Gaol of Lancaster.—Charles Boutell the younger, Litcham, Norfolk, clerk: in the Gaol of Norwich.—Wright Buckley, Heaton Norris, near Manchester, carter: in the Gaol of Lancaster.—Mary Baker, Bath, Somersetshire, butcher: in the Gaol of Wilton.—Thomas Collier, Preston, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—Terence Evans, Liverpool, ship broker: in the Gaol of Lancaster.—Thos. Cooke Iliffe, Culcheth, near Leigh, Lancashire, twine manufacturer: in the Gaol of Lancaster.—John Matheu, Margate, Kent, saddler: in the Gaol of Dover.—John Oldis, Liverpool, canvas dealer: in the Gaol of Lancaster.—James Pimm, Salford, Lancashire, landscape gardener: in the Gaol of Lancaster.—Wm. Schofield, Liverpool, grocer: in the Gaol of Lancaster.—Samuel Timperley, Ashton-under-Lyne, Lancashire, grocer: in the Gaol of Lancaster.—John Wallace, Leyland, near Preston, Lancashire, grocer: in the Gaol of Lancaster.—Robt. Yates the younger, Oldham, Lancashire, out of employment: in the Gaol of Lancaster.—George Hey, Bradford, Yorkshire, pork butcher: in the Gaol of York.—James Hawthorn, Wolverhampton, Staffordshire, carpenter: in the Gaol of Coventry.—George Fountain, Leeds, Yorkshire, fruiterer: in the Gaol of York.—Thomas Mackney, Dover, Kent, brewer: in the Gaol of Dover.—James Berriman, St. Ives, Cornwall, master mariner: in the Gaol of Bodmin.—John Crossley, Wakefield, Yorkshire, coach proprietor: in the Gaol of York.—Thomas Fielding, Hebben-bridge, near Halifax, Yorkshire, hme merchant: in the Gaol of York.—Thomas Fearnsley, Bradford, Yorkshire, shopkeeper: in the Gaol of York.—R. Hayley, Huddersfield, Yorkshire, carrier: in the Gaol of York.—H. Hayley, Huddersfield, Yorkshire, carrier: in the Gaol of York.—Frederick King, Brighton, Sussex, perfumer: in the Gaol of Lewes.—John Lipcombe, Brighton, Sussex, hair-dresser: in the Gaol of Lewes.—H. Shaw, Brighton, Sussex, licensed victualler: in the Gaol of Lewes.—William White, Astley, near Leeds, Yorkshire, innkeeper: in the Gaol of

York.—George Heyes, Blackburn, Lancashire, cloth manufacturer: in the Gaol of Lancaster.—Chas. G. Teather, Bloxwich, Walsall, Staffordshire, grocer: in the Gaol of Stafford.—Jonathan Mallinson, Marsh, near Huddersfield, Yorkshire, woollen weaver: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 16 at 11, before the CHIEF COMMISSIONER.

Edwin Wickham, Long-lane, West Smithfield, London, out of business.

March 17 at 10, before Mr. Commissioner LAW.

Wm. Puddicombe, Windsor-place, Southwark-bridge-road, Southwark, Surrey, clerk to wholesale ironmongers.

March 18 at 11, before Mr. Commissioner PHILLIPS.

Joseph Manuel, Farmer-st., Shadwell, Middlesex, mariner.—Lion Metz, Mitre-square, Aldgate, London, dealer in cigars.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northamptonshire, at NORTHAMPTON, March 17.

John N. Rogers, Chelveston-cum-Caldecott, near Higham Ferrers, farmer.—Joseph Lamb, Chelveston-cum-Caldecott, near Higham Ferrers, in no business.

At the County Court of Kent, at DOVER, March 17 at 10.

Thomas Mackney, Dover, brewer.—John Mathew, Margate, saddler.

At the County Court of Somersetshire, at TAUNTON, March 17.

Mary Baker, Bath, butcher.—Thomas Underwood, Bristol, warehouseman.

At the County Court of Warwickshire, at COVENTRY, March 18 at 10.

Edmund Cross, Rolleston, near Burton-upon-Trent, labourer.—Charles James, Ipsley, retail brewer.—Jas. Perrins, Birmingham, brush manufacturer.—Thomas Hopps, Birmingham, out of business.—James Hawthorn, Wolverhampton, Staffordshire, carpenter.

At the County Court of Wiltshire, at SALISBURY, March 19 at 10.

Henry Stephenson, Warminster, musical instrument tuner.

At the County Court of Cumberland, at CARLISLE, March 22 at 10.

Joseph Atkinson, Rockliffe, out of business.

The Lord Chancellor has made the following appointments: to the office of—

Principal Secretary, Mr. N. Simons.

Secretary of Commissions, Mr. N. J. Senior.

Secretary of Presentations, Mr. John Stuart, jun.

Private Secretary and Gentleman of the Chamber, Mr. F. S. Reilly.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Martin Kemp Welch, of the town of Poole, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the town and county of the town of Poole; also in and for the counties of Dorset and Hants.

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The Jurist

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LONDON, MARCH 13, 1852.

It is not a little singular that with all the unpopularity of the Court of Chancery, notwithstanding all its alleged delays and expenses, still the people of this country are so fond of having their differences as to rights of property discussed and settled by it, that they resort to this dreadful tribunal more than ever they did.

We have now, besides the Lord Chancellor and his assistant Court of Appeal, consisting of two judges of the highest talent and reputation, four distinct courts, viz. that of the Master of the Rolls, and those of three Vice-Chancellors, all adapted for the transaction of the ordinary business of the Court. This, however, is practically scarcely enough; those who practise in the Court of Chancery are well aware that the judges are scarcely enough for their business. The so much dreaded and hated Court of Chancery has, in fact, become, in spite of all that the most popular writers of fiction can suggest, so necessary to the people, that its business has within the last quarter of a century much more than doubled. In the early days of Lord Eldon's Chancery, the time of one Chancellor, and half the time of a Master of the Rolls—who hunted, or doted, or otherwise disported himself during the hours while the sun was above the horizon, and never sat for judicial business till lamps were lighted—were sufficient to dispatch all the Chancery business of the country. A few years later it became necessary, in order to meet the growing wants of the country as regarded the business of Chancery, to increase the judicial strength of the Court; and accordingly, after much discussion and much opposition, an assistant judge to the Chancellor, called the Vice-Chancellor, was appointed; and, in addition, after

a few years, the Master of the Rolls substituted for the old system of the three hours of post-prandial sittings, the better and the more wholesome day sittings of from ten in the morning till three in the afternoon. Such was the state of the Court of Chancery till the year 1841; by that time the unpopularity of the Court of Chancery had so greatly increased, that the existing judges were quite insufficient to meet the popular wants, and two new Vice-Chancellors were appointed.

These judges, together with the Master of the Rolls and the original Vice-Chancellor, (then called, by way of honourable distinction, the Vice-Chancellor of England), carried on for nearly ten years the business of the Court of Chancery; that Court in the meantime being, during every year, assailed with more and more vituperation, becoming every year apparently more and more unpopular, approaching every year more and more that point when, if we were to judge from the storm of outwardly-expressed hatred, it would be nearer its destruction; yet still the business of this detested Court of Chancery has so marvellously increased, that in the year 1851 it became necessary to increase its judicial strength by the addition of a second Court of Appeal, in addition to the three Vice-Chancellors: so that we have now, instead of one Chancellor and the half of a Master of the Rolls, who were sufficient in the early days of Lord Eldon; or of a Chancellor, a Master of the Rolls, and one Vice-Chancellor, who were sufficient in the latter days of Lord Eldon—we have now, besides the Chancellor, a second Court of Appeal, three Vice-Chancellors, and a Master of the Rolls; and yet such is the run of business upon this unpopular Court of Chancery, that these seven judges, all working from five to six hours a day

in court, besides, to take a most moderate average, three hours a day to every man of them out of court, are unable, although they are all men of great capacity and bodily energy, to keep down the business of the Court. Such are, using general language, the statistics of the Court of Chancery; and admitting that there is much in the procedure of that Court which may be expensive, dilatory, and prejudicial to the interests of the public, it is impossible to suppose that there can be a substantial want of advantage or attraction in that administration of justice which has, in the course of a quarter of a century, so increased the business of a Court, that double the number of judges is literally unable to administer to the wants of the litigating public.

We cannot but think that this simple and obvious view of the state of the Court of Chancery is an answer to those who think, that to find fault with that Court and its proceedings is of itself an evidence of patriotism and intelligence.

There are, no doubt, very great defects in its procedure, and we, in this journal, have never been sparing in our comments upon these defects; but the Chancery Commission, of whose report we published a summary in a former number, has suggested remedies for the most material of those defects.

It is said, that without waiting for the tedious proceeding of an act of Parliament, the Lord Chancellor and the judges of the Court will frame and issue General Orders for carrying into effect the principal recommendations of the commissioners; and if they do so, the result will be to simplify and accelerate the mode of procedure in the court, in the ratio of at least two to one, and to diminish the expense of Chancery proceedings, probably in the ratio of three to one, certainly in the ratio of two to one; whereby, judging from the past, it may be anticipated that the resort of the public to the much-abused Court of Chancery will, in spite of all that is said and written about its dangers and unpopularity, increase two or three fold.

The truth, with respect to the unpopularity of the Court of Chancery, is simply this:—Until towards the latter end of the last century, and perhaps the beginning of this century, it was the court of the rich only. Few except the rich had disputes to settle which required the aid of the Court of Chancery to settle them; but as wealth, and particularly commercial wealth, diffused itself, and as, in consequence, persons, to whom expense was a matter of importance, required the aid of that Court, which could alone administer substantial justice to the complicated wants of the most modern civilisation, and had recourse to it, the public, by degrees, began to notice the defects of a jurisdiction of which, in principle, they felt the immense advantage, but of which the details were a grievance. This is the true secret of the continually increasing outwardly expressed hatred of the Court of Chancery, and, as a singular contrast, of its continually and immensely increasing business. Its principles are, in fact, essentially and integrally advantageous to the administration of justice, particularly in the most complicated commercial disputes; but the details of its forms of pleading and procedure were not originally framed for, or adapted for, the exigencies of modern subjects of litigation.

The forms of pleading and procedure, however, are

the mere instruments, the tools with which the principles of equity are worked out. The adaptation of new instruments to work out the principles of equity, so as to adapt them to the wants of existing civilisation, has been the business; and the successfully conducted business, of the Chancery Commission; and if the principal recommendations of that Commission are carried into effect, whether by General Orders or by an act of Parliament, we confidently expect, that whether the Court of Chancery continues to be abused or not—and probably, from habit, it will continue to be abused—its business will be increased two or three fold.

Correspondence.

PROFITS WITHOUT LIABILITY.

TO THE EDITOR OF "THE JURIST."

SIR,—The importance of this question will perhaps justify you in allowing a second word to me as well as to Mr. Begbie in relation to it.

When I said that Lord Eldon laid down the rule "in the course of conversation," I alluded to what I thought was generally recognised—his Lordship's habit of making desultory remarks, after the argument had concluded, on matters not at all in question before him; for though his discourse flowed on without interruption by counsel, and occasionally even concluded with a decision, yet the greater part of it, having no practical bearing, was properly conversation, and not judgment. Of this character clearly was the second as well as the first dictum in *Ex parte Hamper*; for, as I have already shewn, so far from any question having arisen in that case on the distinction between sharing the profits and being paid according to the profits, it was admitted that there was an agreement to share profits, and that there was a consequent liability to creditors; the only question was, whether specific goods were partnership property or not; and with that question Lord Eldon's dicta had not the remotest connexion. Mr. Begbie misunderstands me in thinking that I deny Lord Eldon's intention to lay down such a rule. What I said was, that the decisions referred to by Lord Eldon were imaginary; and as I did not claim any originality in that remark, I referred to the works of Messrs. Collyer and Bisset, who both declare their ignorance of any such decisions; and Mr. Begbie now admits that "there is, perhaps, no reported case in which it was necessary to decide the express point." Yet Lord Eldon stated the rule as "clearly settled"—to his own dissatisfaction!

But I am referred to the prior cases of *Grace v. Smith* and *Waugh v. Carver*. In the former, the question was as to the continuing liability of a partner after a formal dissolution, the alleged ground of liability being, that on retiring he lent a sum of money to the continuing partner for seven years, at legal interest, and also stipulated for an annuity of 300% during the same period. In deciding that there was no partnership, De Grey, C. J., said, "I think the true criterion is, to inquire whether Smith agreed to share the profits of trade with Robinson, or whether he only relied on those profits as a fund for payment—a distinction not more nice than usually occurs in questions of trade or usury. The jury have said this is not payable out of the profits, and I think there is no foundation for granting a new trial." That judgment was possibly intended to distinguish the case in hand from the *Nisi Prius* decision of Lord Mansfield in *Bloxham v. Pell*, cited on behalf of the plaintiff, which case, as stated in W. Bl. 999, appears to have been identical in its circumstances with *Grace v. Smith*, (the agreement being that Pell should retire, and Brook give him a bond for his share

of the capital, with 5l. per cent. interest, and pay to Pell an annuity of 200l. for six years, if Brook so long lived, as in lieu of profits, Pell having liberty to inspect the books), but was decided contrarily, Lord Mansfield holding that it was either a secret partnership or usury, and therefore the former. Now, I do not say that I assent to the terms of the judgment of De Grey, C. J., so understood; for *Blasham v. Pell* was, I think, clearly overruled in *Grace v. Smith*; but it is obvious, that in no case can a stipulation for a fixed annuity be understood to mean a share in the profits. The judgment of Blackstone, J., in *Grace v. Smith*, places the decision on its true grounds—"I think the true criterion (where money is advanced to a trader) is to consider whether the profit or premium is certain and defined, or casual, indefinite, and depending on the accidents of trade. In the former case it is a loan, (whether usurious or not is not material to the present question); in the latter a partnership. The hazard of loss and profit is not equal and reciprocal if the lender can receive only a limited sum for the profits of his loan, and yet is made liable to all the losses, all the debts contracted in the trade, to any amount." Whatever may be the meaning of the judgment of De Grey, C. J., in *Grace v. Smith*, it is clear that neither the decision nor the judgment is any authority on the question as to the effect of a stipulation for a remuneration *varying with the profits*. But the judgment of Blackstone, J., is directly opposed to the dictum in *Ex parte Hamper*.

Mr. Begbie complains that I attribute no importance to the leading case of *Waugh v. Carver*. I repeat that it is of no importance in favour of the distinction in question, for the distinction was not taken in that case, and the decision was, that, under the circumstances, a partnership existed; and no case in which the existence of a partnership is affirmed can be an authority in favour of Lord Eldon's dictum, which is infirm, not in that branch of it which recognises the existence of a partnership under certain circumstances, but in that which denies its existence under what his Lordship thought would be different circumstances; and the report of *Waugh v. Carver* does not contain a single remark in the slightest degree favouring Lord Eldon's distinction.

With respect to *Ex parte Langdale*, I must claim credit for the accuracy of my statement of it, until Mr. Begbie substantiates his assertion that it was entirely different, both in facts and in decision, from what I represent.

The case of *Katsch v. Schenck* (13 Jur., part 1, p. 668) may be referred to without opposing the authority of the late Vice-Chancellor to that of Lord Eldon. It shews, that when an attempt is made to act upon Lord Eldon's speculative distinction, its impracticability is demonstrated. The workman, who applies a pump to a forty feet well, effectually demolishes Aristotle's notion that Nature abhors a vacuum, without being an Aristotle.

The result then is, that it is admitted that Lord Eldon's dictum is not supported by a single reported decision of prior date; and that it has not since been acted upon in a single case, for I have no doubt, that if there had been such a case, Mr. Begbie would have cited it, instead of referring me to Mr. Collyer's treatise, which I have cited, not as an authority, but merely in justice to the learned author, and as affording, from its generally acknowledged completeness, some presumption against the existence of cases which are not mentioned in it.

Mr. Begbie concludes with a repetition of his five propositions. The first, that "our law does not allow of a partnership with limited liability," is indisputable, if specially privileged companies are excepted; and I trust that it will never become obsolete. The second, that "there is no sound principle, nor any judicial dictum

or decision, favourable to the proposition, that a person advancing to a trading concern capital, for a remuneration varying according to the rate of profit, is thereby made a partner," is, I believe, so far as it relates to "sound principle," peculiar to Mr. Begbie and Dr. Story. No other writer has ever alluded to Lord Eldon's dictum without disapprobation, and Lord Eldon himself condemned the rule while he stated it. A doctrine, enabling parties to evade a rule of public policy by a mere form of words, would certainly be contrary to sound principle. To my apprehension, all the cases deciding that an agreement to share profits involves liability to creditors, are authorities to the same effect, for I am unable to recognise a difference in Lord Eldon's distinction. And there is one dictum at least which may be set against what was said in *Ex parte Langdale*—I mean Lord Mansfield's opinion in *Young v. Astell*, (cited in *Waugh v. Carver*), that an agreement that A. should receive 2s. for every chaldron of coals sold by B. to a certain class of customers, rendered A. liable as a partner. The third proposition, that "there are dicta and decisions, that a person giving his labour or influence for such a varying remuneration, is not thereby made a partner," is true as to dicta, to this extent, that we have Lord Eldon's dictum to that effect, repeated two or three times by himself, and on two or three occasions cited by other judges with respect. But it is to be observed, that whenever that dictum has been referred to by other judges, it has been for the purpose of applying, not the negative branch of it, but the affirmative—that when the profits are shared there is liability. As to decisions, I deny Mr. Begbie's proposition: if any such existed, he would doubtless have cited them. The fourth proposition, that there is no difference, for the purposes of Lord Eldon's dictum, between an advance of labour or influence and an advance of capital, I do not feel concerned to question. The fifth, that "there are cases in which an advance of capital to a trading concern for a remuneration depending on the profits has been held not necessarily to constitute a partnership," seems to be indeterminate without the elision of the word "necessarily;" and so altered, I must assume that it is erroneous, since Mr. Begbie has not cited such a case.

P. T.

London Gazette.

FRIDAY, MARCH 5.

BANKRUPTS.

- THOMAS FREEMAN, Northampton, innkeeper, March 12 and April 16 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside, London.—Petition filed Feb. 25.
- THOMAS FOWKES, Redditch, Worcestershire, innkeeper, corn dealer, dealer and chapman, March 19 and April 19 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Browning, Redditch; Hodgson, Birmingham.—Petition dated Feb. 25.
- EDWARD BRIAN SMITH HOFF, Holbeach, Lincolnshire, dealer in chicory, March 19 and April 16 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Shirton & Co., Holbeach; Motteram & Co., Birmingham.—Petition filed Feb. 14.
- JOHN WOMERSLEY the younger, Huddersfield, Yorkshire, ironmonger, dealer and chapman, March 22 at 11, and April 19 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Barker, Huddersfield.—Petition dated March 4.
- ANNE BAILES, late of Doncaster, but now of Sheffield, Yorkshire, licensed victualler, dealer and chapwoman, March 20 and April 24 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Bramley & Gainsford, Sheffield; Selby & Mackeson, 59, Lincoln's-inn-fields, London.—Petition dated Feb. 24; filed Feb. 26.

RICHARD WELLS, Brigg, Lincolnshire, draper, dealer and chapman, March 24 and April 14 at 12, District Court of Bankruptcy, Hull: Off. Ass. Carrick; Sols. Blackburn, Leeds; Jones, Sise-lane, London.—Petition dated Feb. 25.

JAMES BERTRAM, Sheffield, Yorkshire, ironmonger, dealer and chapman, March 20 and April 24 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Hoole & Yeomans, Sheffield.—Petition dated March 1; filed March 2.

JOSHUA SHAW, Manchester, warehouseman, dealer and chapman, March 22 and April 19 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed Feb. 21.

JOSEPH HULL, Wavertree, Lancashire, miller, March 17 and April 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Thornley & Jevons, Liverpool.—Petition filed March 1.

WILLIAM SHARP, Birkenhead, Cheshire, and Liverpool, merchant, shipowner, dealer and chapman, March 17 and April 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Neal & Martin, Liverpool.—Petition filed March 1.

MEETINGS.

Robert Debenham, Edward-st., Portman-square, Middlesex, draper, March 26 at 11, Court of Bankruptcy, London, last ex.—*George Betts*, Forncett St. Peter, Norfolk, draper, March 19 at 11, Court of Bankruptcy, London, last ex.—*John Whitehead*, *John Whitehead* the younger, and *George Wyatt*, Princes-st., Lambeth, Surrey, rectifiers, March 22 at 1, Court of Bankruptcy, London, last ex. of *George Wyatt*.—*J. Cheshire*, Hartford, Cheshire, salt manufacturer, March 22 at 11, District Court of Bankruptcy, Liverpool, last ex.—*John Stephen Orford* and *William Kirkham*, Manchester, paper hangers, March 18 at 12, District Court of Bankruptcy, Manchester, last ex.—*Charles Henry Gausden*, Hove, Sussex, licensed victualler, March 24 at 12, Court of Bankruptcy, London, aud. ac.—*James Nicholson*, Woolwich, Kent, grocer, March 24 at 1, Court of Bankruptcy, London, aud. ac.—*H. Hodges*, Addington-place, Camberwell, Surrey, coach builder, March 17 at 12, Court of Bankruptcy, London, aud. ac.—*James Clark*, Upwell, Cambridgeshire, miller, March 24 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Wm. Moss* the younger, Stock, Essex, miller, March 25 at 11, Court of Bankruptcy, London, aud. ac.—*Philip Summers*, Tabernacle-walk, Finsbury, Middlesex, fancy printer, March 19 at 11, Court of Bankruptcy, London, aud. ac.—*Dodson Blake* the younger, George-st., London, and West-st., Southwark-bridge-road, Surrey, yarn merchant, March 16 at 11, Court of Bankruptcy, London, aud. ac.—*Caleb W. Elliott*, Aylesbury, Buckinghamshire, grocer, March 22 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Wickins*, Faversham, Kent, linendraper, March 22 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Mills*, Painswick, Gloucestershire, quarry master, March 26 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*W. Wood*, Bristol, provision merchant, March 25 at 11, District Court of Bankruptcy, Bristol, aud. ac.; April 8 at 11, div.—*John Dewhurst*, Preston, Lancashire, provision dealer, March 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; April 2 at 12, div.—*Robert Plowden Weston*, Wellington, Shropshire, surgeon, March 29 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Edw. Robson*, South Shields, Durham, chain manufacturer, March 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*H. Mullion*, Liverpool, merchant, March 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward W. Dickenson*, Liverpool, merchant, March 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Johnson*, Liverpool, merchant, March 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; March 29 at 11, div.—*Henry Leatham*, Liverpool, builder, March 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Manuel Jones*, Wrexham, Denbighshire, cheese factor, March 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Moses Orme* and *Wm. H. Lyness*, Liverpool, porter merchants, March 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Wilkinson* and *Thomas Bentley*, Liverpool, tailors, March 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est., and March 29 at 11, div. sep. est. of *E. Wilkinson*.—*M. A. Keell*, Liverpool, coffee-house keeper, March 17 at 11, Dis-

trict Court of Bankruptcy, Liverpool, aud. ac.; March 30 at 11, div.—*John Sherwin*, Liverpool, baker, March 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Ramsey*, High Wycombe, Buckinghamshire, money scrivener, March 26 at half-past 12, Court of Bankruptcy, London, div.—*William Taylor*, Creek-road, Deptford, Kent, shipwright, March 30 at 11, Court of Bankruptcy, London, div.—*Joseph Notting*, Poole, Dorsetshire, currier, March 30 at 12, Court of Bankruptcy, London, div.—*Archibald Mowat*, Creed-lane, London, wine merchant, March 30 at 11, Court of Bankruptcy, London, div.—*James Christie*, South Sea-chambers, Threadneedle-st., London, and Tunbridge, Kent, coal merchant, March 29 at 12, Court of Bankruptcy, London, div.—*Matthew Rowlandson* and *Lancelot Rowlandson*, Whitechapel-road, Middlesex, drapers, March 27 at 11, Court of Bankruptcy, London, div.—*John Bavin*, Wisbeach, Cambridgeshire, draper, March 27 at 11, Court of Bankruptcy, London, div.—*George Bonny*, Gravesend, Kent, licensed victualler, March 29 at half-past 12, Court of Bankruptcy, London, div.—*Joseph Frith Everett*, High Holborn, Middlesex, hydraulic engineer, March 26 at 1, Court of Bankruptcy, London, div.—*Benjamin Thompson*, Derby, draper, March 19 at 12, District Court of Bankruptcy, Nottingham, aud. ac.; April 2 at 12, div.—*John Fletcher*, Netherton, Dudley, Worcestershire, publican, March 27 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*Gordon John J. Grant*, Liverpool, tobacco broker, March 26 at 11, District Court of Bankruptcy, Liverpool, div.—*Isaac Abrahams*, Liverpool, tailor, March 26 at 12, District Court of Bankruptcy, Liverpool, div.—*Samuel Glenn*, Liverpool, commission merchant, March 26 at 11, District Court of Bankruptcy, Liverpool, div.—*John Sherwin*, Liverpool, baker, March 29 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Unsworth*, Liverpool, joiner, March 30 at 11, District Court of Bankruptcy, Liverpool, div.—*J. Wilkinson*, Birkenhead, Cheshire, builder, March 29 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Welsh*, Huddersfield, Yorkshire, woollen cloth merchant, March 26 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Sarah Isherwood and *Nicholas T. Isherwood*, Ludgate-hill, London, house decorators, March 26 at 11, Court of Bankruptcy, London.—*John Bates*, Highgate and Finchley-road, Middlesex, plumber, March 30 at 11, Court of Bankruptcy, London.—*Adolf Heilbronn*, Great St. Helen's, London, dry-salter, March 27 at half-past 11, Court of Bankruptcy, London.—*Alfred Markwick*, Martin's-lane, Cannon-st., London, manufacturer, March 27 at 12, Court of Bankruptcy, London.—*Richard Billing* the younger, Reading, Berkshire, brick-maker, March 26 at 1, Court of Bankruptcy, London.—*Wm. Gossage*, Widnes, Prescot, Lancashire, manufacturing chemist, March 26 at 11, District Court of Bankruptcy, Liverpool.—*John J. Rayner*, Manchester, tailor, March 26 at 12, District Court of Bankruptcy, Manchester.—*George Chadfield*, Manchester, plasterer, March 29 at 12, District Court of Bankruptcy, Manchester.—*Wm. J. Foulkes*, Birkenhead, Cheshire, druggist, March 30 at 11, District Court of Bankruptcy, Liverpool.—*Robert Welsh*, Huddersfield, Yorkshire, woollen cloth merchant, March 26 at 11, District Court of Bankruptcy, Leeds.—*R. Barr*, Glasgow, Scotland, and *J. Sykes*, Huddersfield, Yorkshire, spinners, March 26 at 11, District Court of Bankruptcy, Leeds.—*Robert P. Weston*, Wellington, Shropshire, surgeon, March 29 at half-past 11, District Court of Bankruptcy, Birmingham.—*Philip Rufford*, *Francis Rufford*, and *Charles J. Wragge*, Stourbridge, Worcestershire, bankers, March 30 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Robert M'Kean, Liverpool, and Birkenhead, Cheshire, contracting engineer.—*James Forster*, Liverpool, filter merchant.—*Joseph Palmer Godfrey*, Cullompton, Devonshire, paper-maker.—*Thomas Atkinson*, Leeds, Yorkshire, grocer.—*John Thomson* and *William Leith*, Liverpool, timber merchants.—*William Farrell*, Liverpool, provision dealer.—*Alexander Canah*, Liverpool, provision dealer.—*John Phillips*, Birmingham, druggist.

PETITION ANNULLED.

James Gilston, Leeds, Yorkshire, woollendraper.

PARTNERSHIPS DISSOLVED.

James Ives and Alexander Crosley, Clement's-lane, London, attorneys and solicitors.—*William Smalley Rutter and John Henshall*, Manchester, attorneys-at-law.

SCOTCH SEQUESTRATIONS.

William Cross, Glasgow, carver and gilder.—*Ebeneszer Weir*, Glasgow, provision merchant.—*Robert Dick*, Glasgow, house factor.—*John Bowman*, Glasgow and Helensburgh, baker.—*Robert Johnston*, Huntly, merchant.—*James Wilson & Co.*, Cartadyke, Greenock, soap manufacturers.—*James Macnair*, deceased, Glasgow, Congreve match manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Showsmith, Ilkley, Yorkshire, shoemaker, March 22 at 10, County Court of Yorkshire, at Otley.—*Jeremiah Dalton*, Newport, Monmouthshire, painter, March 16 at 12, County Court of Monmouthshire, at Newport.—*John Pallister*, York, shoemaker, March 22 at 10, County Court of Yorkshire, at York.—*Richard Poppowell*, Selby, Yorkshire, gas fitter, March 11 at 10, County Court of Yorkshire, at Selby.—*John Skaitth*, Helpely, Yorkshire, grocer, March 23 at 10, County Court of Yorkshire, at Easingwold.—*John Hewett*, Chichester, Sussex, baker, March 27 at 11, County Court of Sussex, at Chichester.—*James Peter Prudence*, Pakyns Manor-house, Hurstperpoint, Sussex, servant, March 25 at 12, County Court of Sussex, at Cuckfield.—*John Chilcott*, Cuckfield, Sussex, auctioneer, March 25 at 12, County Court of Sussex, at Cuckfield.—*George Glosop*, Arundel, Sussex, upholsterer, March 20 at 11, County Court of Sussex, at Arundel.—*John Lewis*, Caegrobos, Swansea, Glamorganshire, butcher, March 15 at 10, County Court of Glamorganshire, at Swansea.—*William Morgys*, Cross-y-ceilog, Llanvrechva Lower, Monmouthshire, licensed retailer of beer, March 18 at 10, County Court of Monmouthshire, at Pontypool.—*James Crossley*, Halifax, Yorkshire, tailor, March 19 at 10, County Court of Yorkshire, at Halifax.—*Richard Horsfall* the younger, Hartshead-cum-Clifton, Dewsbury, Yorkshire, stonemason, March 19 at 10, County Court of Yorkshire, at Halifax.—*Benjamin Batten Street*, Torquay, Devonshire, schoolmaster, March 27 at 10, County Court of Devonshire, at Newton Abbot.—*Martin Murphy*, Bradford, Yorkshire, beerseller, March 23 at 11, County Court of Yorkshire, at Bradford.—*John Crowther*, Bradford, Yorkshire, general-shop keeper, March 23 at 11, County Court of Yorkshire, at Bradford.—*Thos. Moore* the younger, Coventry, Warwickshire, bricklayer, March 18 at 10, County Court of Warwickshire, at Coventry.—*John Slattery*, Manningham, Bradford, Yorkshire, tailor, March 23 at 11, County Court of Yorkshire, at Bradford.—*Thomas Greendale*, South Cave, Yorkshire, innkeeper, April 3 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Charles Robert Haddelsey*, Caistor, Lincolnshire, attorney-at-law, April 3 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Isaiah Baker*, Cradley-heath, Rowley Regis, Staffordshire, working miner, March 25 at 12, County Court of Worcestershire, at Dudley.—*James Careless*, Oldbury, Worcestershire, blacksmith, March 20 at 2, County Court of Staffordshire, at Oldbury.—*Edwin Lynex*, Walsall, Staffordshire, dealer in china, March 18 at 12, County Court of Staffordshire, at Walsall.—*Joseph Thomas Jennings*, Walsall, Staffordshire, beerseller, March 18 at 12, County Court of Staffordshire, at Walsall.—*Thomas Jephcott*, Foleshill, Warwickshire, ribbon manufacturer, March 18 at 10, County Court of Warwickshire, at Coventry.—*Edward Jordan Merry*, Coventry, Warwickshire, jeweller, March 18 at 10, County Court of Warwickshire, at Coventry.—*Edward Kenyon Bullman*, Bristol, coal merchant, March 31 at 11, County Court of Gloucestershire, at Bristol.—*George John Hayman*, Bristol, tailor, April 14 at 11, County Court of Gloucestershire, at Bristol.—*Benjamin Wrigley*, Rochdale, Lancashire, reed maker, March 25 at 12, County Court of Lancashire, at Rochdale.—*James Cryer*, Rochdale, Lancashire, woollen manufacturer, March 25 at 12, County Court of Lancashire, at Rochdale.—*Enoch Hackwood*, Wednesbury, Staffordshire, tailor, March 18 at 12, County Court of Staffordshire, at Walsall.—*Jacob Moseley*, Neath, Glamorganshire, watchmaker, March 13 at 10, County Court of Glamorganshire, at Neath.—*Charlotte Reynolds*, widow, Hinton, Pontefbury, Shropshire, out of business, March 16 at 10,

County Court of Shropshire, at Shrewsbury.—*Isaac De Bock Kennard*, Margate, Kent, hat maker, March 12 at 12, County Court of Kent, at Margate.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 15 at 11, before Mr. Commissioner PHILLIPS.

Adjourned Final Order.

Thos. R. L. Pilkington, Bower-street, Albert-square, Commercial-road East, Middlesex, coal merchant.

March 17 at 10, before Mr. Commissioner LAW.

George A. Potter, Gainford-street, Richmond-road, Islington, Middlesex, watch-case maker.

March 19 at 11, before the CHIEF COMMISSIONER.

John Harvey, Cleaver-st., Kennington-cross, Surrey, tailor.

March 20 at 11, before Mr. Commissioner PHILLIPS.

George Brand, Sandy-street, Widegate-street, Bishopsgate-street Without, London, beer retailer.—*John G. Matthews*, Romford, Essex, clerk to a brewer.

March 22 at 10, before Mr. Commissioner LAW.

Robert Callow, Brunton-place, Commercial-rd., Middlesex, baker.—*Mary Williams*, widow, Sydney-street, Fulham-road, Chelsea, Middlesex, in no employment.

March 22 at 11, before Mr. Commissioner PHILLIPS.

Robert Watt, Exmouth-street, Clerkenwell, Middlesex, jeweller.—*John Davies*, High-street, Homerton, Middlesex, butcher.—*Wm. S. Munton*, Albert-terrace, Ball's Pond-road, Islington, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 19 at 11, before the CHIEF COMMISSIONER.

Mary Jackson, Arlington-street, Mornington-crescent, Middlesex, milliner.—*George Richard Smith*, Bridge-road, Hammersmith, Middlesex, omnibus driver.—*John Potter*, Guildford-place, Lower Kennington-lane, Surrey, clerk to an attorney.

March 19 at 10, before Mr. Commissioner LAW.

Wm. Jennings, Fore-street, Cripplegate, London, in no employment.

March 20 at 11, before Mr. Commissioner PHILLIPS.

Thos. Green, Hatton-garden, Holborn, Middlesex, general auctioneer.—*Frederick Derbishire*, Sloane-square, Chelsea, Middlesex, in no employment.

March 22 at 10, before Mr. Commissioner LAW.

John H. Morris, King William-street, Strand, Middlesex, in no employment.—*Christian H. Heter*, Nelson-street, New-road, Commercial-road East, Middlesex, out of business.—*J. Wolsey*, Oxford-street, Middlesex, house agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cumberland, at CARLISLE, March 22 at 10.

John Beck, Carlisle, innkeeper.

At the County Court of Yorkshire, at YORK CASTLE, March 22.

Benjamin Lamplough, Doncaster, woollendrapers.—*Joseph F. Higgins*, Keighley, architect.—*George Henry Watson*, Bradford, out of business.—*George Fountain*, Mabgate, Leeds, out of business.—*Thomas Fearnley*, Bradford, out of business.—*Joseph Turner*, Huddersfield, innkeeper.—*Thomas Fielding*, Hebden-bridge, near Halifax, coal merchant.—*Thomas Moss*, Leeds, general dealer in guano.—*Richard Hayley*, Huddersfield, carrier.—*Henry Hayley*, Huddersfield, carrier.—*Jonathan Mallinson*, Marsh, near Huddersfield, out of business.—*Richard Henry Hardisty*, Leeds, fruiterer.—*Charles Wray*, Leeds, stonemason.—*John Crossley*, Wakefield, out of business.—*Wm. White*, Astley, near Leeds, farmer.—*Robt.*

G. Moore, York, out of business.—George Hey, Bradford, pork butcher.—Joseph Mitchell the younger, Ossett, Dewsbury, near Wakefield, cloth manufacturer's assistant.

At the County Court of Sussex, at Lewes, March 23.

Frederick King, Brighton, perfumer.—H. Shaw, Brighton, licensed victualler.—J. Lipscombe, Brighton, hair dresser.

TUESDAY, MARCH 9.

BANKRUPTS.

JOSEPH LOADER, Pavement, Finsbury, London, upholsterer, March 19 and April 17 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Taylor, 15, South-street, Finsbury.—Petition filed Feb. 25.

AMOS DEAN, Brighton, Sussex, clothier, hatter, and general outfitter, March 15 at 11, and April 17 at half-past 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Kennett, Brighton; Sowton, 6, Great James-street.—Petition filed March 6.

MILBOURNE CLARK, Pudding-lane, London, commission agent, dealer and chapman, March 22 at 2, and April 26 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Cooper, 14, Gray's-inn-square, and Old Cavendish-street.—Petition filed March 9.

AUGUSTUS ALEXANDER LACKERSTEEN, Broad-street-buildings, London, merchant, dealer and chapman, (trading under the firm of A. A. Lackersteen & Co.), March 19 at half-past 12, and April 23 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Co., 14, Old Jewry-chambers, Old Jewry, London.—Petition filed March 8.

WILLIAM HENRY BRIDGE the younger, late of Bracknell, Berkshire, but now of Warnborough, near Odiham, Hampshire, butcher, dealer and chapman, March 19 at 12, and April 23 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Richardson, 3, Moorgate-street, London.—Petition filed March 8.

CLEMENT COURTNEY, Exmouth, Littleham, and Exmouth, Devonshire, victualler, March 16 and April 15 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Herniman; Sol. Laidman, Exeter.—Petition filed March 3.

JOHN OYSTON, Wakefield, Yorkshire, linendraper, dealer and chapman, March 25 and April 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds; Parker, 18, St. Paul's-churchyard, London.—Petition dated Feb. 28; filed March 1.

STAVROS J. NEGROPONTE, Manchester, merchant, (carrying on business in Manchester with Constantino D. Milliotti, of Constantinople, under the style or firm of S. J. Negroponte & Co.), March 22 and April 21 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed March 5.

WILLIAM FROST, Macclesfield, Cheshire, silk throwster, March 19 and April 27 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Worthington & Earle, Manchester; Fox & Son, 40, Finsbury-circus, London.—Petition filed March 6.

GEORGE TOWNSON, Church, Whalley, Lancashire, plumber and glazier, grocer, dealer and chapman, March 19 and April 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Alcock, Skipton; Higson & Robinson, Manchester.—Petition filed March 5.

MEETINGS.

J. Henry Stulpner and Deidrich Carsten Herman Lomer, Mark-lane, London, general merchants, March 20 at 12, Court of Bankruptcy, London, last ex. of J. Henry Stulpner.—George Milnes, Huddersfield, Yorkshire, cloth merchant, March 30 at 12, District Court of Bankruptcy, Leeds, last ex.—Benjamin Smith, Threadneedle-street, London, and Bow-common, copper smelter, and Duke-street, Lincoln's-inn-fields, Middlesex, silversmith, March 19 at 1, Court of Bankruptcy, London, aud. ac.—John Rumsey, High Wycombe, Buckinghamshire, money scrivener, March 19 at 11, Court of Bankruptcy, London, aud. ac.—James Ingram, Southampton, seedsman, March 20 at 11, Court of Bankruptcy, London, aud. ac.—Timothy Tilden, Hayes, Kent, maltster, March 20 at 1, Court of Bankruptcy, London, aud. ac.—George Wakeling, Chelmsford, Essex, auctioneer, March 20 at 11, Court of Bankruptcy, London, aud. ac.—William

Benjamin Richards, West Bromwich, Staffordshire, grocer, April 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—G. J. J. Grant, Liverpool, tobacco broker, March 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—Charles Henry Gauden, Hove, Sussex, licensed victualler, March 30 at 12, Court of Bankruptcy, London, div.—James Clark, Upwell, Cambridgeshire, miller, March 30 at half-past 11, Court of Bankruptcy, London, div.—Wm. H. Griffiths, Lime-street, London, wine merchant, March 30 at 12, Court of Bankruptcy, London, div.—Wm. Robinson, West Lynn, Norfolk, grocer, March 30 at 2, Court of Bankruptcy, London, div.—Wm. Hayhow, Ratcliffe-highway, and High-street, Shadwell, Middlesex, boot maker, March 18 at 11, Court of Bankruptcy, London, div.—Edward Robson, South Shields, Durham, boat builder, March 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Knight the elder and John Knight the younger, Waltham-green, Middlesex, butchers, March 30 at 12, Court of Bankruptcy, London.—Thomas Lett, Aspley Guise, Bedfordshire, builder, March 31 at 12, Court of Bankruptcy, London.—Isaac Abrahams, Liverpool, tailor, March 31 at 12, District Court of Bankruptcy, Liverpool.—James Henry Gillan, Liverpool, commission merchant, April 1 at 11, District Court of Bankruptcy, Liverpool.—John Entwistle, Radcliffe, Manchester, cotton manufacturer, April 1 at 12, District Court of Bankruptcy, Manchester.—Wm. Shaw, Leeds, Yorkshire, millwright, April 1 at 11, District Court of Bankruptcy, Leeds.—Laban Longley the elder, Benj. Longley, Laban Longley the younger, and Joseph Longley, Almondsbury, near Huddersfield, Yorkshire, woollen manufacturers, April 1 at 11, District Court of Bankruptcy, Leeds.—Edward Tinsley, Cradley-heath, Rowley Regis, Staffordshire, cooper, March 31 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. H. Buckland, Abchurch-lane, London, and Maesteg, Glamorganshire, of the Maesteg Iron Company.—Charles L. Meates, Conduit-street, Hanover-square, Middlesex, grocer.—Edward Leech, Chichester, Sussex, apothecary.—James Hicks, Mill-pond-bridge, Rotherhithe, Surrey, cooper.—E. Andrews, Iwerne Courtney, Dorsetshire, farmer.—John Cummins, Bradford, Yorkshire, linendraper.—John A. Edwards, Toxteth-park, near Liverpool, lodging-house keeper.—G. I. Higginson, Everton, near Liverpool, dealer in cattle.

PETITION ANNULLLED.

Benjamin Holmes the younger, Bradford, Yorkshire, cattle salesman.

PARTNERSHIP DISSOLVED.

Alexander John Baylis and Aurelius Henry W. Drews, Redcross-street, London, attorneys-at-law and solicitors.

SCOTCH SEQUESTRATIONS.

William Hill, Edinburgh, commission agent.—Cadenhead, Barron, & Co., Newbridge, Aberdeen, brewers.—Rev. Alexander Matheson, Kippen, cattle dealer.—G. K. Bogle, Glasgow, merchant.—Alexander Hay, Glasgow, engineer.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John See, Cambridge, mail contractor, March 22 at 10, County Court of Cambridge, at Cambridge.—Jos. Farr, Bedford, carpenter, March 26 at 11, County Court of Bedfordshire, at Bedford.—John Young, Bedford, licensed victualler, March 26 at 11, County Court of Bedfordshire, at Bedford.—Mary Ann Abrahams, Nantwich, Cheshire, dealer in small wares, March 31 at 11, County Court of Cheshire, at Nantwich.—Charles Statham, Little Missenden, Buckinghamshire, out of business, March 12 at 11, County Court of Buckinghamshire, at Chesham.—James Cambrey, Great Missenden, Buckinghamshire, saddler, March 12 at 11, County Court of Buckinghamshire, at Chesham.—John Steptoe, Northleigh, Oxfordshire, farmer, March 25 at 12, County Court of Oxfordshire, at Witney.—Joseph Smith, Ardwick, Manchester, builder, March 19 at 1, County Court of Lancashire, at Manchester.—John Thomas Andrews, Manchester, shoemaker,

March 19 at 1, County Court of Lancashire, at Manchester.—*Robert Smith*, Southwold, grocer, March 18 at 12, County Court of Suffolk, at Halesworth.—*James Mills*, Worthingham, Suffolk, wheelwright, March 16 at 12, County Court of Suffolk, at Beccles.—*Thos. Rackham*, Snape, Suffolk, thatcher, March 19 at 10, County Court of Suffolk, at Framlingham.—*Robt. Smith*, King's Langley, Hertfordshire, tailor and hatter, March 19 at 10, County Court of Hertfordshire, at Watford.—*Sarah Brodie*, widow, Birkenhead, Cheshire, dealer in baskets, March 19 at 10, County Court of Cheshire, at Birkenhead.—*John Tilbury*, Chipping Wycombe, Buckinghamshire, bricklayer, March 16 at 11, County Court of Buckinghamshire, at High Wycombe.—*Thos. Pilling*, Birtle-cum-Bamford, Lancashire, cotton waste spinner, March 24 at 11, County Court of Lancashire, at Bury.—*W. Jenkins*, Newcastle-upon-Tyne, print publisher, March 25 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 24 at 11, before the CHIEF COMMISSIONER.

Daniel West, Edmund-st., Addington-square, Camberwell, Surrey, timber merchant.—*Edw. Reynolds*, Red Lion-street, Clerkenwell, Middlesex, file cutter.—*Anthony Mahon*, Portsmouth-place, Kennington-lane, Surrey, tobacconist.—*Matt. Webster*, Queen-st., King street, Camden-town, Middlesex, carpenter.

March 25 at 10, before Mr. Commissioner LAW.

Robert James Adams, Hunter-st., Old Kent-road, Surrey, omnibus driver.—*John Bockett*, Peacock's-terrace, Walworth, Surrey, clerk to the London and North-western Railway Company.

Saturday, March 6.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Edward Snowden, York, iron merchant, No. 72,321 C.; *Richard Mills*, assignee.—*Joseph Read*, Holbeck, near Leeds, Yorkshire, commercial traveller, No. 74,657 C.; *Wm. Field*, assignee.—*Elizabeth Redfearn*, Hollingworth, near Rochdale, Lancashire, widow, No. 74,634 C.; *Thos. Wm. Whitehead*, assignee.

Saturday, March 6.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions.)

William Henry Chamberlin, Mount-row, Liverpool-road, Islington, Middlesex, fishmonger: in the Debtors Prison for London and Middlesex.—*William Haggis*, Woolwich, Kent, licensed beer retailer: in the Debtors Prison for London and Middlesex.—*Henry Goring*, Hayes, Uxbridge-road, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Richard Hodder*, Dean-street, Soho, Middlesex, boot maker: in the Debtors Prison for London and Middlesex.—*Thos. Cooper*, King William-street, London, artist: in the Queen's Prison.—*Henry Edward Buckmaster Coe*, John-st., Bedford-row, Middlesex, architect: in the Queen's Prison.—*Edw. Goodwin*, John-st., Bedford-row, Middlesex, architect: in the Queen's Prison.—*Geo. Northcote*, Dudley-place, Harrow-road, Paddington-green, Middlesex, dealer in butter and poultry: in the Debtors Prison for London and Middlesex.—*Jos. Taylor Durrant*, Widford, near Chelmsford, Essex, cattle dealer: in the Debtors Prison for London and Middlesex.—*Jacob Frankenstein*, Moorhall-place, Kennington-lane, Vauxhall, Surrey, commission agent: in the Debtors Prison for London and Middlesex.—*W. Coxhead*, London-road, Southwark, Surrey, and Reading, Berkshire, watchmaker: in the Queen's Prison.—*Samuel Priddle*, Princes-st., Cavendish-square, Middlesex, tailor: in the Queen's Prison.—*William Golden*, Shaftesbury-st., New North-road, Middlesex, cheese factor: in the Debtors Prison for London and Middlesex.—*Isaac Hurn*, Victoria-place, Hackney-road, Middlesex, rope manufacturer: in the Debtors Prison for London and Middlesex.—*Wm. Mills*, Lyndhurst-square, Camberwell, Surrey, commercial clerk: in the Debtors Prison for London and

Middlesex.—*Joseph John Wild*, Pump-row, Old-street-road, Middlesex, cabriolet proprietor: in the Debtors Prison for London and Middlesex.—*John Beck*, Carlisle, Cumberland, innkeeper: in the Gaol of Carlisle.—*Samuel Phillips*, Brighton, Sussex, paperhanger: in the Gaol of Lewes.—*J. Turner*, Manchester, licensed victualler: in the Gaol of Lancaster.—*John Wright*, Pant, Ruabon, Denbighshire, publican: in the Gaol of Ruthin.—*J. Boor*, Holbeach, Lincolnshire, plumber: in the Gaol of Lincoln.—*Edwin Firth*, Oldham, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Robert Bricheno*, Fulbourne, Cambridgeshire, horse dealer: in the Gaol of Cambridge.—*Benjamin Appleton*, Segontium-terrace, Carnarvon, out of business: in the Gaol of Carnarvon.—*William Hole*, Aberdare, Glamorganshire, publican: in the Gaol of Ruthin.—*Wm. Cooke*, Northampton, corn dealer by commission: in the Gaol of Northampton.—*Robert George Clabburn*, Norwich, Norfolk, surgeon-dentist: in the Gaol of Norwich.—*James H. Hepworth*, Alverthorpe, near Wakefield, Yorkshire, commercial traveller: in the Gaol of York.—*Wm. Suthers* the younger, Ipswich, Suffolk, traveller to a tobacco-pipe manufacturer: in the Gaol of Ipswich.—*Joseph Briscoe*, Heaton Norris, Lancashire, out of business: in the Gaol of Lancaster.—*Edward Banks*, Chorley, Lancashire, millwright: in the Gaol of Lancaster.—*Henry Banks*, Chorley, Lancashire, labourer: in the Gaol of Lancaster.—*Wm. Chadwick*, Manchester, tailor: in the Gaol of Lancaster.—*Edward Fawcett*, Salford, Lancashire, rag and bone dealer: in the Gaol of Lancaster.—*Wm. Hudson*, Cheetham, Manchester, butcher: in the Gaol of Lancaster.—*John G. Lawrence*, Upton-upon-Severn, Worcestershire, lieutenant in the Bengal Infantry: in the Gaol of Worcester.—*Elias Levy*, Manchester, tailor: in the Gaol of Lancaster.—*John Leigh*, Ashton-under-Lyne, Lancashire, ale dealer: in the Gaol of Lancaster.—*Joseph Levy*, Manchester, traveller: in the Gaol of Lancaster.—*T. Newton*, Ashton-under-Lyne, Lancashire, beer seller: in the Gaol of Lancaster.—*Alfred Smith*, Scholes Wigan, Lancashire, beer seller: in the Gaol of Lancaster.—*Samuel Siddeley*, Salford, Lancashire, butcher: in the Gaol of Lancaster.—*Francis Winstington*, Chorlton-upon-Medlock, Manchester, pork butcher: in the Gaol of Lancaster.—*James Walker*, Speen, Berkshire, attorney-at-law: in the Gaol of Monmouth.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 23 at 11, before the CHIEF COMMISSIONER.

James Butcher the elder, Lower Marsh, Lambeth, Surrey, out of business.—*Richard R. Pond*, Upper Wellington-street, Strand, Middlesex, proprietor of the Conservative Magazine.

March 25 at 10, before Mr. Commissioner LAW.

Joseph Godfree, Charles-place, Hertford-road, De Beauvoir-town, Kingsland, Middlesex, baker.—*Wm. L. Taylor*, Peacock-st., Walworth, Surrey, out of business.

March 25 at 11, before Mr. Commissioner PHILLIPS.

Wm. F. L. Blatehanay, Great Ormond-street, Queen-sq., Middlesex, wine merchant.—*Charles Burford*, Wellecoe-sq., St. George's-in-the-East, Middlesex, cabinet maker.—*Joseph Coeking*, Tachbrook-st., Middlesex, in no employment.—*G. Hammon*, Skinner-street, Clerkenwell, Middlesex, watch-case manufacturer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Bedfordshire, at BEDFORD, March 25 at 11.

Jacob Schwarz, Bedford, dealer in German clocks.

At the County Court of Carnarvonshire, at CARNARVON, March 29 at 10.

Benjamin Appleton, Carnarvon, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Williams, Woolwich, Kent, shoemaker: 1s. 2½d. in the pound.—*Wm. Conlithurst*, Crimpsall, near Manchester, builder: 2s. 6½d. in the pound.—*Richard Elmore*, Lahore-terrace, Croydon-common, Surrey, assistant surveyor of taxes: 11½d. in the pound.—*Richard Roberts*, Liverpool, superannuated master, R.N.: 5s. 5d. in the pound.—*James Hall*, Brighton, Sussex, butcher: 1s. 2½d. in the pound.—*Walter*

Hawkins, Paris-st., Lambeth, Surrey, plasterer: 1s. 9½d. in the pound.—*James R. Anderson*, Great Russell-st., Bloomsbury, Middlesex, lessee of Drury-lane Theatre: 9½d. in the pound.—*James Harcroe*, Salisbury-court, Fleet-st., London, cheesemonger: 2s. 6½d. in the pound.—*W. Joyce*, Stratford, Middlesex, saddler: 3s. 0½d. in the pound.—*Thos. Chidlow*, Park-place, Kennington-cross, Surrey, ironmonger: 5s. 5d. in the pound.—*Thomas Hayselden*, Warringham, Surrey, grocer: 1s. 7½d. in the pound.—*John Goodyer*, Emmeth, Norfolk, labourer: 12s. 3d. in the pound.—*Mary Ann Mackey*, widow, Upper East India-buildings, Poplar, Middlesex: 8s. 5½d. in the pound.—*Wm. Flowerdew*, Commercial-place, Kingsland-road, Middlesex, oil and colour man: 7½d. in the pound.—*Wm. Brear*, Parston, near Wakefield, Yorkshire, brewer: 2s. in the pound.—*George Balls*, Stowmarket, Suffolk, tailor: 1s. 10½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

Thomas Hawkins, Parkhold, Herefordshire, farmer, March 16, Gregg & Son's, Ledbury, Herefordshire: 12s. 0½d. in the pound, (making, with a prior dividend, 20s. in the pound).—*Edward Bell*, Oxford-st., Middlesex, fishmonger, March 18, Wootton's, 10, Tokenhouse-yard, Bank: 3s. 11d. in the pound.

The Queen has been pleased to direct letters-patent to be passed under the Great Seal of the United Kingdom of Great Britain and Ireland, appointing John Dorney Harding, Esq., D.C.L., to be her Majesty's Advocate-General, in the room of Sir John Dodson.

MASTER IN CHANCERY.—The Lord Chancellor has appointed William Parkes, of Willenhall, Staffordshire, Gent., to be a Master Extraordinary in the High Court of Chancery.

LIST OF SHERIFFS FOR 1852.—In the List of Sheriffs, &c. for 1852, (ante, p. 63), the asterisk before *Northamptonshire* (intimating that warrants are not granted in town for that county) should have been omitted. Warrants for the county of Northampton continue to be granted in town as heretofore.

In the list of appointments made by the Lord Chancellor last week, we omitted to mention the following: *Pursebearer*, Mr. John Doherty.

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The whole of the Judgments in the above Cases have been revised by the Lord High Chancellor Sugden, and will be included in the forthcoming edition of Chitty's Index.

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The Jurist

No. 793—VOL. XVI. MARCH 20, 1852. Price 1s., with Supplement, 2s.

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LONDON, MARCH 20, 1852.

THE mode of ascertaining the rateable value of a portion of railway in any given parish has long been, and notwithstanding the recent judgment in the case of *Reg. v. The Great Western Railway Company*, (16 Jur., part 1, p. 217), still continues to be, vexata questio. The truth, perhaps, is, that the matters in dispute are not properly questions of law, but involve the consideration of the principle on which that portion of the profit which is the subject-matter of rate is to be calculated, so as to confine it to the local earnings.

The law on the subject is exceedingly well digested, and stated with great perspicuity, in Mr. Hodgson's *Treatise on Railway Rating*.

The first cases in which the subject engaged the attention of the Court (*Reg. v. The London and South-western Railway Company*, 1 Q. B. 558; 2 G. & D. 53; 6 Jur., part 1, p. 686; and *Reg. v. The Grand Junction Railway Company*, 4 Q. B. 18; Dav. & M. 237; 8 Jur., part 1, p. 508) were for the most part confined to a consideration of whether the rateable value should be calculated on the tolls authorised to be taken under the Railway Acts, or on the value of the land occupied for the purposes of a railway. It is, perhaps, to be regretted that the Court felt themselves compelled to adopt the latter alternative, as the former presented a ready and substantially a just mode of rating, without involving the necessity of dissecting the accounts of railway companies in order to ascertain the profit of trade, the deduction of which from the local earnings is in practice the great embarrassment in arriving at the rateable value of any given portion of a line of railway.

The next case, *Reg. v. The Great Western Railway*

Company, (the first *Tilehurst case*), (6 Q. B. 179, 203; 10 Jur., part 1, pp. 134, 138), involved the allowance of certain deductions only. It was there assumed that the annual parochial earnings, minus the annual expenses and trade profit, calculated at an uniform rate per mile over the whole railway, constituted the rateable value of the portion in the particular parish.

The parochial earnings are always ascertainable, the charge for carriage of passengers and parcels being a mileage charge; they therefore depend on the traffic, which is always at one uniform amount per mile between station and station; although, as the traffic between some stations is greater than that between others, they are not at one uniform rate per mile throughout the railway, but vary with the traffic. The amount, however, with which they are to be debited, in respect of the annual expenditure and the profit of trade, is a matter, perhaps, incapable of being ascertained with perfect accuracy, and an approximation to it only can be arrived at by calculation. To deduct from the earnings of every mile of railway the same amount as representing the annual expenditure and the profit of trade on such earnings, is manifestly unjust; because it assumes, not only that the expenditure is the same, but that the profit is as great where the traffic is least as where it is greatest, whereas many items of expenditure depend upon the traffic; and it is clear that the profit of trade must have an immediate relation to the traffic receipts. A mileage division, therefore, of the expenditure and trade profits, can never be just except where the traffic is equal over the whole line, or a mileage division of the receipts is admitted by consent of the parties.

In the subsequent case of *Reg. v. The London, Brighton, and South-coast Railway Company* (17 Q.

B. 313; 15 Jun., part 1, p. 372) the question was directly raised, whether the rate should be based on the actual parochial earnings or on a mileage division of the whole receipts; and the Court decided that the rate must be made on the gross profits earned by so much of the railway as lies within the parish, deducting therefrom the expense incurred in respect of that portion of the railway. On the first view the principle here laid down appears as easy of application as it is clearly defined. The local earnings, minus the local expenses, give the local net profits; and such profits, minus the tenant's profits including the profit on trade, give the rateable value. The Court, however, did not intimate any opinion how such expenses are to be ascertained, nor did those cases raise any such question. But it is clear that there is this preliminary inquiry—are all expenses local? If not, with what proportion of such expenses as are not local is the local traffic to be debited? Now, the expenses to which a railway is subject are ordinarily comprised under the following heads:—1. Management. 2. Maintenance of way. 3. Locomotive power. 4. Carriages. 5. Repairs and other expenses of stations and buildings. 6. Parochial and public taxes. Without stopping to attempt a division of the local from the general expenses, it is clear that some of them are not local charges.

The next case which came before the Court, *Reg. v. The Great Western Railway Company*, (the second *Tilhurst* case), (16 Jur., part 1, p. 217), involved a consideration of this question. The parish there commenced their calculation by ascertaining what would be the rateable value of the whole railway if it were wholly situate in one and the same parish. The half-yearly accounts of receipts and expenditure furnished by the company to their proprietors render the provisions of the Parochial Assessment Act easily applicable to such a consideration, there being, as it appears to us, no more practical difficulty in ascertaining from those data what a tenant would give to rent a railway than what he would give to rent a farm. It becomes, however, necessary to deduct therefrom the rateable value of the stations, because, in practice, they are rated separately from the line, and their annual value, instead of being a source of profit, in sense of receipt, is a charge upon the traffic. This deduction being made, the rateable value of the line of road was ascertained. The returns of the company furnished two other data, namely, the actual annual receipts from the local traffic in the parish, and the actual annual receipts from the traffic of the whole line. Taking these data, the parish concluded that the rateable value of the portion of the line in the parish bore the same proportion to the rateable value of the whole line that the local receipts bore to the whole receipts. This was, in effect, to say that none of the expenses are, properly speaking, local, but that the general expenditure is a charge on the local traffic, and that it is to be apportioned in the ratio which the local bears to the general traffic.

The case came before the Court in the shape of an award, the question between the company and the parish having been referred to their respective counsel to state the facts on which the Court might determine

the rateable value. It was argued in Trinity Term of last year, and the Court appear to have felt the difficulty of distinguishing between local and general expenses. (See *Reg. v. The Great Western Railway Company*, 15 Q. B. 386, note (a)). They did not, however, give any judgment in the first instance, but confined themselves to a general statement of the difficulties involved in the case, expressing a hope that before the next term Parliament might interfere to relieve them from the difficult position in which they were placed when called upon to administer the existing law with respect to the rating of railways. (See 16 Jur., part 1, p. 219, note).

In the following vacation the very able pamphlet of Mr. Smirke was published, in which the difficulties which beset the subject are stated with great fairness. We shall avail ourselves largely of his views, because his great experience gives the weight of authority to whatever he advances. His opinions with regard to local expenses so coincide with our own, that we shall state them in his own words. "The division of fares or freight by a mileage in each parish, or intermediate fraction of the permanent way, however convenient, is purely conventional; and as to the expenses, at least four-fifths of the current sources of expense have no attribute of locality at all, and cannot be referred to any particular part of the railway." (Vide p. 14 and the note, which further limits the local expenses).

We also agree with him that the publication of their accounts exposes the property of railway companies to a higher rate of assessment than that which affects other descriptions of property in the parish.

His proposition, by way of remedy for the existing uncertainty and inequality of the assessment, is, that the net annual value of the entire railway should be divided in the ratio of the traffic between station and station throughout the line, and that the resulting sums should be subdivided in the ratio of the area occupied by the company in each parish between station and station. He also proposes that one-third of the net receipts of the railway should be considered to be the rateable value of the entire railway, to be apportioned in the same manner between the inter-station divisions of the railway, and then subdivided in the ratio of the area occupied by the company in each parish. Thus the rateable value of the entire railway would be to the rateable value of the inter-station portion as the traffic of the whole railway to the traffic between such two stations; and the rateable value of the portion of the railway in any parish between such stations would be to the rateable value of the inter-station portion as the area in that parish is to the whole inter-station area.

In this mode it becomes unnecessary to separate the rateable value of the stations from that of the line of railway. Whether this is altogether just will be afterwards considered; but, with this exception, the mode proposed by Mr. Smirke does not essentially differ from that adopted by the respondents in the second *Tilhurst* case. It is assumed, conclusively, that the expense between station and station is in the exact ratio of the traffic. The rateable value of the whole is, therefore, to the rateable value of the part in the ratio which the traffic of the whole bears to the traffic of the part.

But this is the very principle contended for by the parish in the *Tilchurst case*; and we believe, with Mr. Smirke, that it is "an assumption to a great extent well founded in fact;" that it affords the closest approximation to the absolute net profit of any given portion of a railway; that it is "a natural and rational, though arbitrary method of surmounting an admitted difficulty;" and that it is "unjust to no party."

The amount to be deducted in respect of tenant's profits, including the profit of trade, is a question of fact to be determined upon the evidence of those experienced in such valuations. Whether Mr. Smirke has allowed too much or too little under this head we do not undertake to determine; but we agree with him that such profit must be calculated upon the entire railway.

The annual value of the stations is a charge upon all traffic proceeding from or arriving at such stations; it is an expense necessary to earn such traffic. To debit, therefore, the traffic between station and station with the expense of the stations lying within the area occupied by that portion of the railway would be manifestly unjust, because a portion of the traffic proceeding from such stations passes beyond such inter-station space. For instance, the expense of the whole goods and passenger stations at Paddington would be a charge upon the fares earned between Paddington and the first station out of London, although the major portion of the traffic emanating from that station would pass far beyond. It appears to us, therefore, that it is nearer the truth, though not absolutely accurate, to consider the expense of stations a general charge on the whole traffic, and an item of deduction from the general receipts. This also is in accordance with the judgment of the Court in the case of *Reg. v. The Hammersmith Bridge Company*, (15 Q. B. 369; 13 Jur., part 1, p. 190*).

We have thought a statement of the previous decisions, and the suggestions of Mr. Smirke, necessary to an examination of the judgment which the Court finally gave in the second *Tilchurst case*; because we can only understand it on the supposition, that the counsel for the respondents did not succeed in making the Court fully comprehend the statement of their case. The Court say, (16 Jur., part 1, p. 222), "The respondents have taken the deductions at the same rate for every mile of the railway; for they say, 'as the gross receipts of one mile to the gross receipts of the whole, so the rateable value of one mile to the rateable value of the whole.' This is, in effect, to strike off from the gross receipts of a mile an aliquot part of the sum which is struck off from the gross receipts of the whole, and assumes, at least, that the expenses are at one uniform rate throughout the whole line."

This is evidently not the case; the deductions are

* "If the entirety of the works can be divided into two parts, the first directly producing the value, and the second indirectly conducing to such production, such division should be made. Then all the expenses incidental to the second part, including the rates to which it may be liable, being deducted from the gross proceeds, and the net rateable value being ascertained, such value is to be apportioned among the districts in which the first part, viz. the part directly producing the value, is situate, in the ratio of the proportion of that value produced in each district." (15 Q. B. 377; 13 Jur., part 1, p. 192).

taken in the ratio of the gross receipts, which vary between station and station, and are equal only in those parishes which lie between the same inter-station spaces. It is the more remarkable that the Court should have come to this conclusion, as they subsequently notice the statement that the *gross receipts* are not at one uniform rate per mile throughout the entire railway. But if they are not, then the effect of the proportion stated by the Court will be, not to strike off from them an aliquot part of the sum which is struck off from the gross receipts of the whole, but a part proportionate to the traffic.

This, for the reasons so well stated by Mr. Smirke, we are disposed to think is the true deduction to be made. In truth, the calculation of the profit of trade compels this mode of apportionment. This, as it appears to us, must be ascertained by a consideration of the result of the whole concern—the total expenditure must be deducted from the total receipts. Each portion of the line is essential to earn, not only the fares paid for passing over that portion alone, but also the fares received from traffic traversing that portion in the course of a longer journey. It follows, therefore, that the trade profit must be deducted from the whole gross receipts, and the local gross receipts are therefore diminished by such deduction in the proportion they bear to the whole receipts. But, if so, the general expenses must also be apportioned in the same ratio.

The statement in the case, "that the actual expenses of the company are not in the proportion of the actual gross receipts," appears to militate against this apportionment. This is undoubtedly the case. It is well observed by Mr. Smirke, that "receipts are the result of traffic; but the expenses of running a train and repairing the way are the same, or nearly so, whether the carriages be empty or full." (P. 14).

In practice, the expenditure must always be sufficient to support the greatest amount of traffic; but the traffic varies from day to day, and seldom reaches its highest point. But it appears to us that this is consistent with the proposition, that the expenditure with which the earnings of a portion of the line are to be charged bears the same proportion to the whole expenditure as those receipts bear to the whole receipts.

THE COPYRIGHT AMENDMENT BILL.

THE following is a short abstract of the Copyright Amendment Bill which was brought in by the late Government, and will probably be proceeded with in its present or in some modified form:—

The preamble recites the International Copyright Act, (7 & 8 Vict. c. 12), and the late convention between the Crown and the French government.

Sec. 1 repeals the 18th section of the 7 & 8 Vict. c. 12, which excluded translations of books protected by that act from its provisions.

Sec. 2. Her Majesty may, by order in council, direct that the authors of books to be (after a future time to be mentioned in such order) published in foreign countries may, for a limited time, (not to exceed five years), prevent unauthorised translations.

Sec. 3. Thereupon the law of copyright shall extend to prevent such translations.

Sec. 4. Her Majesty may, by order in council, direct that the authors of dramatic works represented in foreign countries may, for a limited time, (not to exceed five years), prevent unauthorised translations.

Sec. 5. Thereupon the law for protecting the representation of such pieces shall extend to prevent unauthorised translations.

Sec. 6. Fair imitations or adaptations of dramatic pieces not to be prevented.

Sect. 7. All articles in newspapers and periodicals relating to politics may be republished or translated; also all similar articles on any subject, unless the author has, on the face of the publication, notified his intention to reserve the right. [This clause seems to require the addition, at the end, of the words "published in the same foreign country."]

Sect. 8. Conditions to be performed in order to obtain protection for translations:—

1. Original to be registered and copy deposited, according to provisions of International Copyright Act, within three months of first publication.

2. Notice of intention to reserve right of translation to be placed on title-page.

3. Authorised translation to be published either in country where original is published or in this country, within a limited time, (to be commenced within one year, and completed within three years, of such registration).

4. Authorised translation to be registered within a time to be limited in order.

5. As to books published in parts, each part to be registered and deposited within three months.

6. As to dramatic pieces, authorised translation to be published within three months of registration of original.

7. Articles in newspapers to be included in the above regulations only if afterwards published in a separate form. [What does this mean?]

Sect. 9. Pirated copies not to be imported, and may be seized and destroyed.

Sect. 10. Foregoing provisions and International Copyright Act to be read as one act.

Sect. 11. French translations to be protected as hereinafter mentioned, without further order in council.

Sect. 12. Rates of duty on French books and engravings (under 9 & 10 Vict. c. 58) not to be raised during treaty with France. If further reduction is made for other countries, it may be extended to France.

Sect. 13. Provision for determining to what duty certain works, partly of French and partly of British origin, are subject.

Sect. 14. The provisions of 8 Geo. 2, c. 13; 7 Geo. 3, c. 38; 17 Geo. 3, c. 57; and 7 Will. 4, c. 59, are to include lithographs and prints of every kind. [Will this extend to prints of ordinary patterns on calico?]

As the bill is not limited to its principal object, but takes so wide a range as to include the amendment of the law relating to engravings, there seems to be no reason why it should not include a general amendment of the law of copyright. Perhaps there is scarcely time for the preparation of an act in lieu of the very ill-drawn act of 5 & 6 Vict. c. 45, incorporating the provisions of the 5 & 6 Will. 4, c. 65, as to lectures, but some important amendments might be introduced without much trouble. A crying evil is the want of any efficient registry of title to copyrights. As the law now stands, an author may sell or encumber his copyright ten times over without it being possible for the parties with whom he treats to discover whether he has previously dealt with it. A compulsory register of title to copyright ought to be established, but the registry should be under the regulation and responsibility of the Government, and not left to the careless superintendence of the Stationers' Company. The distinction between engravings and books as to copyright, which, as the law stands, is senseless, and raises difficult questions, should be abolished. If a registry of copyright were established, there could be no objection to this. An intelligible enactment should be substituted for the 18th section of the existing Copyright Act, which was intended to provide for the title to the different parts of a publication containing contributions by several authors.

London Gazettes.

FRIDAY, MARCH 12.

BANKRUPTS.

DANIEL KEITH and THOMAS SHOBRIDGE, Woodstreet, Cheapside, London, warehousemen, dealers and chapmen, March 24 at 1, and April 23 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Reed & Co., Friday-street, Cheapside.—Petition filed March 9.

STEPHEN LUDLOW, Oxford, builder, dealer and chapman, March 19 at half-past 11, and April 22 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Holme & Co., New-inn, Strand.—Petition filed Feb. 13.

ISAAC MORRIS, Derby, innkeeper and cattle dealer, dealer and chapman, March 26 at 12, and April 16 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Smith, Derby.—Petition filed March 11.

WILLIAM NOBLET, Blackpool, Lancashire, post-horse keeper, March 23 and April 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Winstanley & Charnley, Preston; Evans & Son, Liverpool.—Petition filed March 10.

WILLIAM FROST, Macclesfield, Cheshire, silk throwster, March 19 and April 22 (and not the 27th, as advertised in last Tuesday's Gazette) at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Worthington & Earle, Manchester; Fox & Son, 40, Finsbury-circus, London.—Petition filed March 6.

JOHN STARK, West Rainton, Durham, grocer, draper, dealer and chapman, March 19 and April 29 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Armstrong, Newcastle-upon-Tyne; Shield & Harwood, 10, Clement's-lane, Lombard-street, London.—Petition filed Feb. 23.

JOHN RYMER, Gateshead, Durham, paper manufacturer, March 19 at 11, and April 29 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Petition filed March 1.

MEETINGS.

Wm. Knock, Eton, Buckinghamshire, nurseryman, April 2 at 11, Court of Bankruptcy, London, last ex.—*Wm. Hartridge*, Milton next Sittingbourne, Kent, draper, March 30 at half-past 12, Court of Bankruptcy, London, last ex.—*Richard Billing* the elder and *Richard Billing* the younger, Reading, Berkshire, brickmakers, March 26 at 1, Court of Bankruptcy, London, last ex. of *R. Billing* the elder.—*George Cheetham* and *George William Gill*, Strood and Frinsbury, Kent, shipwrights, April 1 at 11, Court of Bankruptcy, London, aud. ac.—*Isaac Abrahams*, Liverpool, tailor, March 25 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*Samuel Glennay*, Liverpool, commission merchant, March 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Roberts*, Rhyl, Flintshire, innkeeper, March 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Adams*, Haighton, Hammer, Flintshire, cheesefactor, March 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Cutts*, Wolverhampton, Staffordshire, grocer, March 29 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*A. Davies*, Wem, Shropshire, coal merchant, March 23 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Woodhouse*, Ripon, draper, March 23 at 11, District Court of Bankruptcy, Leeds, aud. ac.; April 6 at 11, fin. div.—*Robt. Welsh*, Huddersfield, Yorkshire, woollen cloth merchant, March 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*J. F. Gee*, Wakefield, Yorkshire, manufacturing chemist, March 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*James Bell*, Leyburn, Yorkshire, draper, March 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Chas. John Powell*, Kingston, Surrey, draper, April 2 at 11, Court of Bankruptcy, London, div.—*William Laslett*, Houson, Ash next Sandwich, Kent, dealer in hay, April 2 at half-past 11, Court of Bankruptcy, London, div.—*James Ingram*, Southampton, seedsman, April 2 at 11, Court of Bankruptcy, London, div.—*Mary Aisle*, widow, *Joseph Thomas Aisle*, *George Aisle*, and *Charles Aisle*, Coleman-st., London, bookbinders, April 2 at half-past 12, Court of Bankruptcy, London, div.—*Edw. Churton*, Holles-st., Cavendish-square, Middlesex,

bookseller, April 2 at 12, Court of Bankruptcy, London, div.—Sir *Geo. Duckett*, Bart., Sir *Francis Bernard Morland*, Bart., and *Thos. Tyringham Bernard*, Pall-mall, Middlesex, bankers, April 5 at half-past 1, Court of Bankruptcy, London, div.—*William Willis*, Trowbridge, Wiltshire, wool broker, April 8 at 11, Court of Bankruptcy, London, div.—*James Mash*, Colchester, Essex, draper, April 5 at 2, Court of Bankruptcy, London, div.—*William Marsh*, *Josias Henry Stracey*, and *Geo. Edw. Graham*, Berners-street, Middlesex, bankers, April 5 at 11, Court of Bankruptcy, London, div.—*Wm. Taylor* and *Jas. Wyld*, Wood-st., London, and *Lock's* fields, Walworth, Surrey, flock manufacturers, April 3 at 11, Court of Bankruptcy, London, div.—*Geo. Hopkinson*, Liverpool, coach builder, April 2 at 11, District Court of Bankruptcy, Liverpool, div.—*James Brotherton*, Liverpool, merchant, April 2 at 11, District Court of Bankruptcy Liverpool, div.—*James Dixon*, Morley, Batley, Yorkshire, dyer, April 2 at 11, District Court of Bankruptcy, Leeds, div.—*Wm. Cole*, Calverley, Yorkshire, consulting engineer, April 2 at 11, District Court of Bankruptcy, Leeds, div.—*James Napier* the younger, Sheffield, Yorkshire, oil merchant, April 3 at half-past 12, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Philip Phillips, Crowland, Holland, Lincolnshire, common brewer, April 2 at 11, Court of Bankruptcy, London.—*John Leach* and *Edward Leach*, Waterbeach, Cambridgeshire, builders, April 2 at 11, Court of Bankruptcy, London.—*John Frederick Cole*, Toy Hotel, Hampton Court, Middlesex, licensed victualler, April 6 at 1, Court of Bankruptcy, London.—*George Flint*, Lombard-street, London, hosier, April 2 at 11, Court of Bankruptcy, London.—*Morley Beart*, Upwell, Norfolk, brick maker, April 2 at 1, Court of Bankruptcy, London.—*James Boxall*, Brighton, Sussex, coachmaker, April 2 at half-past 11, Court of Bankruptcy, London.—*George Collier*, Landport, near Portsea, Southampton, draper, April 3 at half-past 11, Court of Bankruptcy, London.—*Francis Ruffard Hewlett*, Leyton, Essex, cowkeeper, April 2 at 11, Court of Bankruptcy, London.—*Wm. Edward Johnston*, Little Abingdon-st., Westminster, Middlesex, coal merchant, April 2 at half-past 11, Court of Bankruptcy, London.—*Eduwin Fowler*, Bristol, and *Ponty-pool*, Monmouthshire, draper, April 7 at 11, District Court of Bankruptcy, Bristol.—*Edward Waring*, Liverpool, omnibus proprietor, April 6 at 11, District Court of Bankruptcy, Liverpool.—*George Pride*, *David Jones*, and *John Gibb*, Liverpool, sail makers, April 5 at 11, District Court of Bankruptcy, Liverpool.—*Charles Bacon*, Walton, Somersetshire, tailor, April 14 at 11, District Court of Bankruptcy, Exeter.—*Jas. Copland*, Barnstaple, tea dealer, April 14 at 11, District Court of Bankruptcy, Exeter.—*Thomas Harris*, Camborne, Cornwall, grocer, April 15 at 11, District Court of Bankruptcy, Exeter.—*Francis Tandy*, Stourbridge, Worcester-shire, and *Brierley-hill*, Staffordshire, ironmonger, April 3 at half-past 10, District Court of Bankruptcy, Birmingham.—*David Shaw* and *Joshua Shaw*, Meltham, Almondbury, Yorkshire, manufacturers, April 2 at 11, District Court of Bankruptcy, Leeds.—*John O'Donnell*, Sheffield, Yorkshire, grocer, April 3 at 12, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Alexander Prince, Lincoln's-inn-fields and Russell-square, Middlesex, lithographer.—*Thomas Barajum*, Pall-mall East and Willesden, Middlesex, wine merchant.—*Archibald Mowat*, Creed-lane, London, wine merchant.—*W. Holmes*, Crober's-cottages, Bedford-st., Poplar, Middlesex, builder.—*Thomas A. Young*, Woolwich, Kent, licensed victualler.—*William M. Whalley*, South Mimms, Middlesex, licensed victualler.—*A. Dunbar*, Halifax, Yorkshire, shoemaker.

PARTNERSHIPS DISSOLVED.

Charles Gatliff and *Rivovie Edward de Carteret*, Coleman-street, London, attorneys-at-law and solicitors.—*Charles A. Welby* and *James Wood*, Nottingham, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

James Drysdale, Edinburgh, brush manufacturer.—*Ann Macdougald*, Edinburgh, hosier.—*George S. Turpie*, Dundee, tea merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William G. Trery, Aylesbury, Buckinghamshire, surveyor, March 24 at 12, County Court of Buckinghamshire, at Aylesbury.—*Thomas R. Lucas*, Birmingham, saddler, March 20 at 10, County Court of Warwickshire, at Birmingham.—*A. Dean*, Birmingham, engineer, March 20 at 10, County Court of Warwickshire, at Birmingham.—*Margaret Fisher*, widow, King's Lynn, Norfolk, dealer in wines, March 24 at 4, County Court of Norfolk, at King's Lynn.—*Samuel Rhodes*, King's Lynn, Norfolk, shoemaker, March 24 at 4, County Court of Norfolk, at King's Lynn.—*Rev. John Hague Bloom*, Castle Acre, Norfolk, clerk, March 24 at 4, County Court of Norfolk, at King's Lynn.—*James C. Woods*, King's Lynn, Norfolk, watchmaker, March 24 at 4, County Court of Norfolk, at King's Lynn.—*James Morton*, Hilgay, Norfolk, blacksmith, March 24 at 4, County Court of Norfolk, at King's Lynn.—*J. Stevenson*, Ashton-under-Lyne, Lancashire, tailor, March 18 at 12, County Court of Lancashire, at Ashton-under-Lyne.—*Richard Offord*, Feltwell, Norfolk, common carrier, March 25 at 11, County Court of Norfolk, at Thetford.—*Christopher Porter*, Feltwell Fen, Feltwell, Norfolk, farmer, March 25 at 11, County Court of Norfolk, at Thetford.—*Joseph Childs*, Bury St. Edmund's, Suffolk, whitesmith, March 22 at 10, County Court of Suffolk, at Bury St. Edmund's.—*James Brandle*, Dickleburgh, Norfolk, dealer, March 15 at 1, County Court of Norfolk, at Harleston.—*Eliza Love*, widow, Hampton, Arden, Warwickshire, governess, March 16 at 11, County Court of Warwickshire, at Solihull.—*Geo. Marshall*, Beaver, Ashford, Kent, grazier, March 22 at 10, County Court of Kent, at Ashford.—*Edward Bainbridge*, Sowdham, near Southenell, Nottinghamshire, joiner, April 12 at 11, County Court of Nottinghamshire, at Newark.—*John Simmons*, Cartergate, Newark-upon-Trent, Nottinghamshire, boot maker, April 12 at 11, County Court of Nottinghamshire, at Newark.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 24 at 11, before the CHIEF COMMISSIONER.

Arthur Blyth, Hayes, Middlesex, surgeon.

March 25 at 10, before Mr. Commissioner LAW.

William Day the elder, Park-road, Clapham, Surrey, whitesmith.—*Samuel Taylor*, Mansell-street, Whitechapel, Middlesex, upholsterer.

March 26 at 11, before the CHIEF COMMISSIONER.

John F. Olander, Jewry-st., Aldgate, London, merchant's clerk.—*John H. Grapes*, John-st., Middlesex, clerk.

March 26 at 10, before Mr. Commissioner LAW.

Mary Ann Barber, widow, Mount-row, New Kent-road, Surrey, upholsterer.

March 27 at 11, before Mr. Commissioner PHILLIPS.

James Pearce Lidgold, Hampton Wick, Middlesex, cattle dealer.—*Wm. Graham*, Abchurch-yard, Abchurch-lane, King William-st., London, upholsterer.—*Thomas N. Couwes*, Great Dover-st., Southwark, Surrey, out of business.—*Richard G. Richardson*, Bryan's-terrace, Lower Copenhagen-st., Caledonian-road, Islington, Middlesex, grocer.

March 29 at 10, before Mr. Commissioner LAW.

Thomas Clark, Florence-terrace, New-cross, Deptford, Kent, servant.—*Thomas Murray*, Lichfield-street, Soho, Middlesex, printer.—*Ebenezer Tonkin*, Terrace, Kennington, Middlesex, painter.

March 29 at 11, before Mr. Commissioner PHILLIPS.

Peter Brown, Romford, Essex, ironmonger.—*William Milward*, Arlington-street, New North-road, Islington, Middlesex, wholesale milliner.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 26 at 11, before the CHIEF COMMISSIONER.

John Thomas Mattingley, Reading, Berkshire, brewer.

March 27 at 11, before Mr. Commissioner PHILLIPS.

William King, Newington-common, Stoke Newington, Middlesex, dyer.—John Hubbard, George-street, New North-road, Islington, Middlesex, locksmith.—John Stratton, King-street, Camden-town, Middlesex, out of business.

March 29 at 10, before Mr. Commissioner LAW.

Robert Black, St. John-street, Smithfield, Middlesex, beer-shop keeper.—William Henry Chamberlain, Mount-row, Liverpool-road, Islington, Middlesex, greengrocer.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Edward Leech, Chorlton-upon-Medlock, Manchester, retail dealer in ale, No. 74,682; Theophilus Jackson, assignee.—Howard Garside, Brinnington, near Stockport, Cheshire, mechanist, No. 74,668; Robert Harlow, assignee.—Samuel Stead, Salford, job fent dealer, No. 74,747; John Crabtree and William Massey, assignees.—Robert Inman, Salford, out of business, No. 74,600; John Robinson, assignee.—George Inman, Salford, out of business, No. 74,601; John Robinson, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, March 26 at 11.

James Pimm, Ardwick, Manchester, gardener.—Joseph Berry, Patricroft, near Manchester, cotton manufacturer.—Henry Topping, Hulme, Manchester, stonemason.—John Topping, Hulme, Manchester, stonemason.—John Piekles, Hollins, near Oldham, provision-shop keeper.—Wright Buckley, Heaton Norris, near Manchester, cartier.—Francis Winnington, Chorlton-upon-Medlock, Manchester, pork butcher.—Edwin Frith, Oldham, licensed victualler.—Joseph Levy, Manchester, general dealer.—Robert Yates the younger, Oldham, out of employment.—Samuel Siddeley, Salford, butcher.—John Wallace, Leyland, near Preston, out of business.—William McKenzie, Wigan, stonemason.—John Oldis, Liverpool, sacking dealer.—John Leigh, Ashton-under-Lyne, out of business.—Joseph Briscoe, Heaton Norris, out of business.—William Hudson, Manchester, butcher.—Edward Fawcett, Salford, rag dealer.—Henry Banks, Chorley, labourer.—Edward Banks, Chorley, millwright.—Thomas Collier, Preston, out of business.—William Chadwick, Manchester, tailor.—Elias Levy, Manchester, out of business.—Richard Brown, Birkenhead, near Liverpool, shoemaker.—Thurston Newton, Ashton-under-Lyne, out of business.—Robert Rigg, Rochdale, dealer in drapery.—Samuel Andrew, Knowles-lane, near Ashton-under-Lyne, cotton waste dealer.—William Thomas Moule, Oxtou, near Birkenhead, commission agent.—William Edger, Liverpool, warehouseman.

At the County Court of Hampshire, at WINCHESTER, March 27.

Walter Scott, Havant, printer.

At the County Court of Essex, at CHELMSFORD, March 27.

Samuel Tillett, Lexden, near Colchester, certificated conveyancer.

At the County Court of Hampshire, at SOUTHAMPTON, March 29 at 10.

Thomas Vincent, Southampton, captain on half-pay in the Royal York Rangers.—Ashley James Petty, Bittern, out of business.

MEETING.

Frederick Ward, Friar-street, Blackfriars-road, Surrey, commission agent, March 29 at 11, Keighley's, Basinghall-street, London, sp. aff.

TUESDAY, MARCH 16.

BANKRUPTS.

JAMES FRANKLIN, Great Marlow, Buckinghamshire, innkeeper, coach proprietor, hotel keeper, tavern keeper, livery-stable keeper, farmer, dealer and chapman, March 27 and April 30 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Spicer, 118, Chancery-lane, London.—Petition filed March 10.

SAMUEL GASH, Hatcham New-town, Camberwell, Surrey, builder, dealer and chapman, March 26 at 12, and April 27 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Lawrance & Co., Old Jewry-chambers.—Petition filed March 16.

HENRY HOLLAND, Eldon-road, Kensington, Middlesex, builder, April 2 and 27 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Moxon, 27, Southampton-buildings, Chancery-lane.—Petition filed March 15.

GEORGE WARHURST, Leigh, Lancashire, ironmonger and tin-plate worker, April 2 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Slater, Manchester.—Petition filed March 12.

THOMAS LORD, Ashton-under-Lyne, Lancashire, boot and shoe maker, March 29 and April 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Cobbett, Manchester.—Petition filed March 11.

ROBERT DILKES, Warrington, Lancashire, innkeeper, March 26 and April 19 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Nicholson, Warrington, Lancashire.—Petition filed Feb. 27.

WILLIAM HOUGH the younger, Rochdale, Lancashire, joiner and builder, March 30 and April 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Downey, Rochdale, Lancashire.—Petition filed March 11.

ROBERT JAMES, Lenton, Nottinghamshire, lace maker, dealer and chapman, March 26 and April 23 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Buttery & Son, Nottingham.—Petition dated March 11.

MEETINGS.

Joseph Shelford, Standon, Hertfordshire, butcher, March 26 at 12, Court of Bankruptcy, London, pr. d.—W. Lissett, Houson, Ash next Sandwich, Kent, dealer in hay, March 27 at 12, Court of Bankruptcy, London, last ex.—John Beson Clarke, Charles Buckles, and Hodgson Inghold, Manchester and Swinton, Lancashire, contractors, March 29 at 12, District Court of Bankruptcy, Manchester, sud. ac.—J. Johnson, Liverpool, and Seacombe, Cheshire, grocer, March 29 at 11, District Court of Bankruptcy, Liverpool, sud. ac.; April 6 at 11, div.—George Hopkinson, Liverpool, coach builder, March 26 at 11, District Court of Bankruptcy, Liverpool, sud. ac.—Robert Jackson, Nottingham, butcher, March 26 at half-past 10, District Court of Bankruptcy, Nottingham, sud. ac.—John Percival, Market Deeping, Lincolnshire, innkeeper, March 26 at half-past 10, District Court of Bankruptcy, Nottingham, sud. ac.—Thomas Milward, Uffculme, Devonshire, miller, March 31 at 11, District Court of Bankruptcy, Exeter, sud. ac.—Wm. W. Thompson, Goole, Yorkshire, butcher, March 26 at 11, District Court of Bankruptcy, Leeds, sud. ac.—Wm. Cole, Apperley-bridge, Calverley, Yorkshire, consulting engineer, March 26 at 11, District Court of Bankruptcy, Leeds, sud. ac.—Thomas Dalton and Thomas Edwards, Birmingham, ironfounders, April 8 at half-past 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

David Little, Liverpool, merchant, April 8 at 11, District Court of Bankruptcy, Liverpool.—Thomas Ramsden, Chester, timber merchant, April 8 at 11, District Court of Bankruptcy, Liverpool.—Mary Ann Keel, Liverpool, coffee-house keeper, April 6 at 11, District Court of Bankruptcy, Liverpool.—Daniel Merton, Walsall, Staffordshire, chemist, April 7 at half-past 11, District Court of Bankruptcy, Birmingham.—William Worley, Smethwick, Staffordshire, licensed victualler, April 7 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Josiah Joseph Hatch, Friday-street, London, wholesale furrier.—John Sherwin, Liverpool, baker.—George Nock and John Williams, Frith-street, Soho, Middlesex, goldsmiths.—Sydenham Vincent Burge, Taunton, Somersetshire, saddler.—Thomas Dixon, Bradford, Yorkshire, iron merchant.—John Roberts, Rhyll, Flintshire, innkeeper.—Thomas Mannerling Harris, Liverpool, shipowner.

PARTNERSHIP DISSOLVED.

John Armstrong the elder and John Armstrong the younger, Carlisle, Cumberland, attorneys and solicitors.

SCOTCH SEQUESTRATION.

Fergus Robertson, Girvan, surgeon.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Williams, Helston, Cornwall, butcher, April 12 at 10, County Court of Cornwall, at Helston.—*Henry Young*, Newport, Isle of Wight, Southampton, smith, March 31 at 10, County Court of Hampshire, at Newport.—*Robert Maffatt*, Wolverhampton, Staffordshire, carpenter, March 23 at 12, County Court of Staffordshire, at Wolverhampton.—*John De Grey*, Wolverhampton, Staffordshire, baker, March 23 at 12, County Court of Staffordshire, at Wolverhampton.—*Evan Davis*, Bradley, Bilston, Staffordshire, beerseller, March 23 at 12, County Court of Staffordshire, at Wolverhampton.—*Robert Johnson*, Runcorn, Cheshire, grocer, April 2 at 11, County Court of Cheshire, at Runcorn.—*John Smith Deane*, Altrincham, Cheshire, painter, March 30 at 11, County Court of Cheshire, at Altrincham.—*Peter Sanders*, Hitchin, Hertfordshire, cordwainer, March 22 at 10, County Court of Hertfordshire, at Hitchin.—*Wm. John Tompson* the younger, Birmingham, inland revenue officer, March 31 at 10, County Court of Yorkshire, at Leeds.—*James Hardy*, East Dereham, Norfolk, millwright, April 20 at 10, County Court of Norfolk, at East Dereham.

The following Persons, who, on their several Petitions filed in the Courts, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 31 at 11, before the CHIEF COMMISSIONER.

William Bird, Apollo-buildings, East-lane, Walworth, Surrey, clerk to railway agents.—*James Cook*, Herbert-street, Hackney-road, Middlesex, out of business.

Saturday, March 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Joseph Hindley, Strand, Middlesex, out of business, No. 28,638 T.; *John Crossley*, assignee.—*Wm. Henry Hawkins*, Oswestry, Shropshire, coal agent, No. 73,804 C.; *Christopher Bentham*, assignee.—*John A. Toms*, Tiverton, Devonshire, attorney-at-law, No. 74,083 C.; *Henry Cowland*, assignee.—*John M. Harrison*, Knaresborough, Yorkshire, tea dealer, No. 74,484 C.; *Frederick Fryer*, assignee.—*James Sheard*, Elland, near Halifax, Yorkshire, tea dealer, No. 74,685 C.; *John Dyson*, assignee.—*John Sanderson*, Blackfriars-road, Surrey, umbrella manufacturer, No. 62,713 T.; *T. Foulkes*, assignee.

Saturday, March 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Carman, Broad-st., Lambeth, Surrey, milkman: in the Gaol of Horsemerger-lane.—*William Pyett*, Bird-street, Walcot-sq., Lambeth, Surrey, grocer: in the Gaol of Horsemerger-lane.—*Frederick Debenham*, Sidney-terrace, Kilburn, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Alfred J. Weatherley*, Cumberland-row, Islington-green, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*James Price*, Upper Whitecross-street, St. Luke's, Middlesex, shopman to a cheesemonger: in the Debtors Prison for London and Middlesex.—*Henry Biggs*, Prospect Villa, Clewer-green, Windsor, Berkshire, schoolmaster: in the Debtors Prison for London and Middlesex.—*John Day*, Bridge House-place, Newington-causeway, Surrey, vestry clerk of St. George the Martyr, Southwark: in the Gaol of Horsemerger-lane.—*George Boon*, Hanway-street, Oxford-street, Middlesex, manager of the business of a milliner: in the Debtors Prison for London and Middlesex.—*Wm. Carpenter*, High-street, Shadwell, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*John Dalling*, Brewer-st., Golden-sq., Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*William Gullbanks*, Mintern-st., New North-road, Hoxton, Middlesex,

Manchester agent: in the Debtors Prison for London and Middlesex.—*J. G. Hutchinson*, Edmund-place, Aldersgate-street, London, furrier: in the Debtors Prison for London and Middlesex.—*Wm. T. Webb*, Hall-st., City-road, Middlesex, linendraper: in the Debtors Prison for London and Middlesex.—*Robert Gellard*, Adams-row, Hampstead-road, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Richard Malony*, Blackfriars-road, Surrey, licensed victualler: in the Queen's Prison.—*Thos. Rossetter*, Windmill-street, Hackney-road, Middlesex, miller: in the Debtors Prison for London and Middlesex.—*John C. Roeder*, Royley-st., Old-street-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Thomas Ward*, Little Titchfield-street, Great Portland-st., Marylebone, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Wm. H. Thompson* the younger, Albany-street, Regent's-park, Middlesex, gentleman: in the Queen's Prison.—*Wm. T. Hunt*, Brunswick-terrace, Trinity-st., Southwark, Surrey, gas engineer's clerk: in the Gaol of Horsemerger-lane.—*Samuel Andrew*, Ashton-under-Lyne, Lancashire, cotton-waste dealer: in the Gaol of Lancaster.—*J. W. Barton*, Manchester, cotton-waste dealer: in the Gaol of Lancaster.—*John Heap*, Heaton Norris, Lancashire, butcher: in the Gaol of Lancaster.—*Edward Morrison*, Manchester, common carrier: in the Gaol of Lancaster.—*Wm. T. Moule*, Oxtou, near Birkenhead, Cheshire, commission agent: in the Gaol of Lancaster.—*Thomas A. Owen*, Heaton Norris, Lancashire, shoemaker: in the Gaol of Lancaster.—*J. Precutt*, Little Bolton, Bolton-le-Moors, Lancashire, joiner: in the Gaol of Lancaster.—*Walter Scott*, Havant, Hampshire, printer: in the Gaol of Winchester.—*Richard Brown*, Birkenhead, near Liverpool, shoemaker: in the Gaol of Lancaster.—*Charles Whitworth*, Rochdale, Lancashire, carter: in the Gaol of Lancaster.—*Jas. Cooke* the elder, Longton, Stoke-upon-Trent, Staffordshire, brickmaker's overlooker: in the Gaol of Stafford.—*Geo. Robotham* the younger, Longton, Stoke-upon-Trent, Staffordshire, beer retailer: in the Gaol of Stafford.—*David Parry*, Trosmant, near Pontypool, Monmouthshire, brewer: in the Gaol of Monmouth.—*Benj. Pearce* the elder, Portland, Dorsetshire, stone merchant: in the Gaol of Dorchester.—*Edw. Pinder* the younger, Birmingham, builder: in the Gaol of Coventry.—*Benj. Ash*, Great Hucklow, Hope, Derbyshire, farmer: in the Gaol of Derby.—*Richard Christie Brown*, Birkenhead, Cheshire, attorney-at-law: in the Gaol of Chester.—*John Hollingworth Heginbotham Keeling*, Great Hucklow, Hope, Derbyshire, blacksmith: in the Gaol of Derby.—*John Stevens*, Cheltenham, Gloucestershire, coach builder: in the Gaol of Gloucester.—*Thomas Thew*, Bishopwearmouth, Durham, brazier: in the Gaol of Durham.—*James Leeds*, Milton next Gravesend, Kent, licensed victualler: in the Gaol of Maidstone.—*Wm. Lewis*, Birmingham, milkman: in the Gaol of Coventry.—*Edward Mopridge*, Edgbaston, Birmingham, leather seller: in the Gaol of Coventry.—*James Nurse*, King's Lynn, Norfolk, attorney-at-law: in the Gaol of Norwich.—*George Reid*, Grasmere, Westmoreland, gardener: in the Gaol of Appleby.—*Josiah Schorah*, Leeds, Yorkshire, hairdresser: in the Gaol of York.—*Thos. Wadsworth*, Long Millgate, Manchester, chemist: in the Gaol of Lancaster.—*John Henry Francis*, St. Helen's, Lancashire, tailor: in the Gaol of Lancaster.—*John Lewis*, Manchester, tailor: in the Gaol of Lancaster.—*James Charles Poulett*, Woodford, Essex, out of business: in the Gaol of Springfield.—*Richard Sharp*, Middlesbrough, Yorkshire, tailor: in the Gaol of York.—*James Hughes Allen*, Dover, Kent, assistant clerk in the Court for the Relief of Insolvent Debtors: in the Gaol of Dover.—*James Beckett*, Huddersfield, Yorkshire, hosier: in the Gaol of York.—*James Jones*, Gwernyfed-fach, Talgarth, Brecknockshire, farm labourer: in the Gaol of Brecon.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 30 at 11, before the CHIEF COMMISSIONER.

Edward Christian, Brook-green, Hammersmith, Middlesex, general commission agent.—*Edmund Child*, Moore-street, Chelsea, Middlesex, carpenter.—*John Richards*, Margate, Isle of Thanet, Kent, general chandler-shop keeper.—*Robert Dundas Brown*, Penton-place, Walworth, Surrey, clerk in the Admiralty-office, Somerset House.

March 31 at 10, before Mr. Commissioner Law.

Wm. Pyett, Bird-street, Walcot-square, Kennington-road, Surrey, general chandler-shop keeper.—John Thomas Gain, Winchester-place, Southwark-bridge-road, Surrey, wholesale cap manufacturer.—Wm. Coshead, London-road, Surrey, watch maker.—George King, Wells-st., Oxford-st., Middlesex, waiter.

April 1 at 11, before Mr. Commissioner PHILLIPS.

Henry Ball, Richmond New-road, Fulham, Middlesex.—Michael Turner, Great Portland-st., Middlesex, shoemaker.—Thos. Cooper, King William-st., London, portrait painter.—James Price, Upper Whitecross-st., Middlesex, shopman to a cheesemonger.—Alfred John Weatherley, Cumberland-row, Islington-green, Middlesex, cheesemonger.—Henry Albert de Pury, Frederick-place, Old Kent-road, Surrey, commission gent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Berkshire, at READING, April 1.

Charles Clift, Hurst, near Reading, farmer.

At the County Court of Cornwall, at BODMIN, April 7 at 10, James Berriman, St. Ive's, master mariner.

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The Jurist

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LONDON, MARCH 27, 1852.

THE rule of the Court of Chancery, with regard to the costs of assignees of an insolvent or bankrupt made defendants in respect of the estate of the bankrupt or insolvent, has considerably fluctuated. According to the older cases, if, in a suit by a mortgagee for foreclosure, the mortgagor, or any person claiming under him, was bankrupt or insolvent, and it became necessary to make the assignees of the bankrupt or insolvent parties to the suit, if such assignees, by their answer in the suit, disclaimed and gave up all interest in the property, the Court said they were entitled to be dismissed, and to be paid their costs incurred in the suit. But in modern cases the rule was just reversed; it was said the assignees of a bankrupt or insolvent must stand in the position of the bankrupt or insolvent himself. If a person had mortgaged his estate to another, then, if the mortgagee found it necessary to proceed against the mortgagor to recover payment of his debt, it is quite clear that the mortgagor must pay the debt and the costs. If the mortgagor became insolvent, and his assignees took upon themselves the management of his estate, they did so with the knowledge of his circumstances, and they must take his rights, such as they are, subject to his liabilities, such as they are. They cannot stand in a better position than the bankrupt or insolvent whom they represent; and if he could not ask for his costs in any suit to which he is made a party, neither can they.

This is the substance of the decision in the case of *Appleby v. Duke*, which was heard first before Sir J. Wigram, V. C., and afterwards, on appeal, before Lord Cottenham. In that case, and in the cases of a similar

character, the circumstances were, that in a suit to which the assignees of an insolvent or bankrupt were properly made defendants, such assignees, disclaiming by their answer, but not having sooner disclaimed, all interest in the property in question in the suit, were not held entitled to be dismissed, with their costs. The question was much discussed in the case of *Gabriel v. Sturgis*, (5 Hare, 96), in which the defendant, the assignee of an insolvent, stated that he had never heard of any claim until he was informed of it by the bill; and by his answer said, that, if he had been applied to, he would have been ready to disclaim all interest in the suit; but he did not say by his answer that he had offered to disclaim, either before the institution of the suit, or immediately upon being informed that it was so instituted; and the Court held that he was not entitled to be dismissed, with costs. The rule, therefore, up to that time, was this—if the assignee of a bankrupt or insolvent was *prima facie* a necessary party to a suit, it would not be sufficient for him to shew by his answer that he claimed nothing in the estate: that would entitle him, it is true, to be dismissed, but not to have his costs. What would entitle him to his costs was indicated, but not very precisely stated, in the cases of *Appleby v. Duke* and *Gabriel v. Sturgis*. In two very recent cases, however, the point has arisen and been decided. In *Lock v. Lomas*, (15 Jur., part 1, p. 162), which was a foreclosure suit, the assignees of a person interested in the mortgaged estates were made defendants; they, by their answer, stated that they had, before the institution of the suit, offered to disclaim by deed. It was objected, that though they had offered to disclaim by deed, they had not offered to pay the costs of the deed; that a mortgagor was entit-

to be paid his debt, and was not to be put to any costs whatever, and consequently the assignees had not offered all they were bound to offer; but Sir J. L. Knight Bruce, V. C., was of opinion that they were entitled to be dismissed, with their costs. The same point, with some slightly dissimilar circumstances, arose in the case of *Williams v. Lomas*, a suit concerning the same estate as in *Lock v. Lomas*, and which was heard before the Master of the Rolls on the 22nd March, 1852. In that case the bill was filed by persons claiming to be interested in the estate of John Wheelton, the testator in the cause; and the assignees of John Benton, who was tenant for life, and who had become insolvent, were made defendants to the suit: they, by their answer, stated that they knew nothing of the suit until they were informed of it by the plaintiff's solicitor: that, on being informed of it, they immediately wrote to the plaintiff's solicitor, offering to disclaim by deed all interest in the subject-matter of the suit: that the plaintiff's solicitor replied to them, that they had better appear in the suit, and answer or disclaim, as they should be advised: that they replied by again offering wholly to disclaim; and they afterwards put in their answer, in which they stated this correspondence, and in distinct terms disclaimed all interest whatever in the testator's estate, and in all subject-matter of the suit. The point was fully argued on the part of the plaintiffs, and the attention of the Court was particularly called to this point—that assignees are in the nature of trustees, and that they have no power to disclaim any estate to which they are entitled, without the authority of those whom they represent; but the Master of the Rolls said, that under the circumstances the assignees were entitled to be dismissed, with their costs. He said it was a great hardship if persons representing an insolvent estate, and having no funds wherewith to meet costs, were brought into a suit, and exposed to incur heavy costs; and although it was settled, that if they did not shew that before putting in their answer they had abandoned all claim to the estate, they could not claim their costs of appearing in a suit to which they are necessary parties, yet it would be an intolerable oppression, if, when, being informed they were made parties to a suit, they offered at once to give to the plaintiff all that he could obtain against them by a decree, the plaintiff should be entitled to keep them before the Court, and leave them to pay their own costs; and accordingly, in *Williams v. Lomas*, the Master of the Rolls dismissed the bill, as against the assignees of the insolvent, with costs. The rule may now be stated thus:—If the assignee of an insolvent or a bankrupt, interested in the estate affected by the suit, being made defendant, does nothing until he puts in his answer, and by his answer disclaims all interest, he will not be entitled to be dismissed with costs; but if he shews by his answer, or by the evidence in support of his answer, that before the suit, or immediately upon being apprised of the suit, he offered formally to disclaim and give up all his interest—that is, if he offered, either before or so soon as he was informed of the plaintiff's claim, to put him in the same position as if he had obtained a full decree against that particular defendant—then that defendant is entitled to be dismissed from the suit, and to be paid all the costs he

has incurred by being unnecessarily continued a party to it. This rule seems now to be settled by the two cases of *Lock v. Lomas* and *Williams v. Lomas*; and it seems to be in perfect accordance with common sense and common justice.

For although it may be quite right that if, by the practice of the Court, a plaintiff is bound to make all persons apparently interested in an estate parties, it would be hard upon the plaintiff, that when those persons tell him, for the first time, by their answer, that they are not or do not claim to be interested, he should have to pay them their costs; it is, on the other hand, impossible to conceive greater oppression or grosser absurdity, than when you proceed against a man, claiming against him some right, and the moment you tell him what it is you claim, he replies, "I give up to you every atom of that which you claim against me," that, notwithstanding that absolute concession, the plaintiff should be entitled to keep him before the Court at the expense of such defendant. It seems perfectly reasonable that if, after an offer of such unconditional submission, the plaintiff chooses, for his interest, or his fancy, or his folly, to put the defendant to expense, he ought to pay the expense out of his own pocket; and such is the result of the two cases cited of *Lock v. Lomas* and *Williams v. Lomas*.

UPON THE EXEMPTION FROM DISCLOSURE OF MATTERS COMMUNICATED IN PROFESSIONAL CONFIDENCE.

(Continued from p. 43).

In *Greenough v. Gaskill*, (1 My. & K. 98), (see also *Sandford v. Remington*, 2 Ves. jun. 189, and *Wright v. Meyer*, 6 Ves. 280), the bill sought from the defendant, who was the attorney of another party, a discovery of entries which he made in his books, and of letters received and written by him in his character of professional adviser, for the purpose of fixing him personally with fraud in procuring from the plaintiff a promissory note, which the bill prayed to have delivered up and cancelled; but Lord Brougham refused to compel him to disclose papers delivered or communications made to him, or letters or entries written or made by him, in that capacity. This case, perhaps, carried the doctrine of privilege, so far as it relates to the adviser, to its extreme, and the propriety of part of it has been doubted by Lord Cottenham, who has remarked that there might have been papers in that case in the defendant's possession to which the privilege would not apply, (*Duborough v. Rawlins*, 3 My. & C. 523; see *Gore v. Harris*, 16 Jur., part 1, p. 1168), namely, letters, &c. received by him from third parties, or communications from collateral quarters, in the disclosure of which there would be no breach of confidence.

The privilege of protecting from disclosure communications, in whatever form made, (*Robson v. Kemp*, 5 Esp. 54), which have passed, in professional confidence, between a solicitor and his client, is confined to communications had between them in their respective characters of solicitor and client; and where the right of privilege exists, the benefit of it can be claimed and insisted upon both by the representatives of the client after his death, and by those claiming derivatively from him. At least, this was the opinion of Sir J. Wigram, V. C. (*Chant v. Brown*, 7 Hare, 87; *Russell v. Jackson*, 15 Jur., part 1, p. 1117). But in a case (*Greenlaw v. King*, 1 Beav. 145) where an annuity was transferred to the defendant in the suit, he attempted to resist the

production of certain letters and papers which had passed in confidence between the transferee and his (the transferor's) solicitor, and which had been handed over to the defendant, upon the transfer of the annuity, either by the transferor himself, or by his solicitor with his consent; but Lord Langdale compelled the production of them.

The privilege is not extended to any but professional communications; and therefore, where the solicitor is made the tool of the client, and documents are concocted between them for fraudulent or unlawful purposes, neither of them will be allowed the benefit of the usual rule of privilege, which is only applicable to cases where the true relation of solicitor and client subsists; (*Reynell v. Sprye*, 10 Beav. 51; S. C., 11 Beav. 618); and where the transaction is one upon which it is perfectly lawful for the client to ask, and the solicitor to give, professional advice, cases of fraud, contrived by the client and solicitor in concert together, do not come within the rule itself, which does not apply to all that passes between a client and his solicitor, but only to what passes between them in professional confidence; and no Court, as Lord Cranworth, V. C., recently remarked, (*Follett v. Jefferyes*, 1 Sim., N. S., 1), can permit it to be said that the contriving of a fraud can form part of the professional occupation of an attorney or solicitor; and as little can it be said that it is part of a solicitor's duty to advise his client as to the means of evading the law. (*Russell v. Jackson*, 15 Jur., part 1, p. 1117).

Nor is the privilege extended to communications from collateral quarters, or to adverse proceedings communicated to the adviser, as solicitor in the cause, from the opposite party, (*Spenceley v. Schulenburg*, 7 East, 367; *Darborough v. Rawlins*, 3 My. & C. 515; *Gore v. Harris*, 15 Jur., part 1, p. 1168), or to any information or knowledge acquired by the adviser, otherwise than, or in consequence of, his having been consulted professionally. (*Greenough v. Gaskill*, 1 My. & K. 98; *Wheatley v. Williams*, 1 M. & W. 533; *Spenceley v. Schulenburg*, 7 East, 367; *Sawyer v. Birchmore*, 3 My. & K. 572).

Communications made to a solicitor, as a confidential friend, for advice, but not professionally as a solicitor, are not privileged from production; (*Wilson v. Rastall*, 4 T. R. 759; *Greenlaw v. King*, 1 Beav. 145); neither are communications made to a person confidentially, on the supposition of his being an attorney, when, in fact, he was not one. (*Fountain v. Young*, 6 Esp. 113). But the soundness of the latter determination may be questioned, as the client was not only deceived, but injured by the deception practised upon him, if it led to a disclosure of matters which, as far as he was concerned, were communicated in perfect good faith, and for a legal purpose—that of obtaining professional assistance.

The privilege is not extended to friends, parents, medical attendants, clergymen, stewards, or other persons, even in the most closely confidential relation, who may, therefore, be compelled to disclose communications made to them; (*Greenlaw v. King*, 1 Beav. 145; Ph. Ev. 175, 8th ed.); nor to communications made, subsequently to the institution of a suit, by a defendant to an unprofessional agent abroad, and by the latter to the defendant confidentially, and in reference to his defence to the suit. (*Kerr v. Gillespie*, 7 Beav. 572; *Goodall v. Little*, 1 Sim., N. S., 155).

"What, for the purpose of discovery," said Sir J. L. Knight Bruce, V. C., in *Pearse v. Pearse*, (1 De G. & S. 12), "is the distinction, in point of reason or principle, or justice or convenience, between such communications—that is, communications between a client and his counsel or solicitor after litigation commenced, or after the commencement of a dispute ending in litigation, at least if they relate to the dispute or matter in dispute—and those which differ from them only

in this, that they precede instead of follow the actual arising, not of a cause for dispute, but of a dispute, I have never hitherto been able to perceive. A man is in possession of an estate; he is not under any fiduciary obligation; he finds a flaw or supposed flaw in his title, which it is not, in point of law or in equity, his duty to disclose to any person; he believes that the flaw, or supposed defect, is not known to the only person who, if it is a defect, is entitled to take advantage of it, but that this person may probably or possibly soon hear of it, and then institute a suit or make a claim. Upon this apprehension he consults a solicitor, and through the solicitor lays a case before counsel on the subject, and receives his opinion. Some time afterwards the apprehended adversary becomes an actual adversary; for, coming to the knowledge of the defect or supposed flaw in the title, he makes a claim, and, after a preliminary correspondence, commences a suit to enforce it; but, between the commencement of the correspondence and the actual institution of the suit, the man in possession again consults the solicitor, and through him again lays a case before counsel. According to the respondent's argument before me upon this occasion, the defendant, in the instance I have supposed, is as clearly bound to disclose the first consultation and the first case as he is clearly exempted from discovering the second consultation and the second case. I have, I repeat, yet to learn that such a distinction has any foundation in reason or convenience." And his Honor therefore held, that as far as any discovery by the solicitor or counsel was concerned, the question of the existence or non-existence of any suit, claim, or dispute was immaterial.

And as a solicitor cannot always act in person, it is sometimes necessary to employ an agent for professional purposes, who, in performing this duty, is considered as representing the solicitor, and his communications, both to the solicitor and his client, will be privileged from production, upon the same principle on which the communications of the solicitor himself would, under similar circumstances, be privileged. (*Steele v. Stewart*, 1 Ph. 471; *Bunbury v. Bunbury*, 2 Beav. 173; *Hughes v. Biddulph*, 4 Russ. 190; *Reid v. Langlois*, 1 Man. & G. 627; *Goodall v. Little*, 1 Sim., N. S., 155; *Russell v. Jackson*, 15 Jur., part 1, p. 1117). So, an interpreter, acting as the organ of communication between an attorney and his client, is deemed to stand in precisely the same situation as the attorney himself, and is under the same conditions of secrecy. (*De Barre v. Livette*, Peake, 78). The rule of privilege has also been extended to the clerk of the counsel or solicitor consulted. (*Forster v. Haynes*, 1 Car. & P. 545; *Taylor v. Forster*, 2 Car. & P. 295).

All communications, therefore, which take place, in the ordinary course of professional business, between a solicitor and his client, are privileged; that is, are not allowed to be disclosed in a court of justice to the prejudice of the client. Sir John Leach, although he recognised the rule that the privilege extended to every communication made by the client to his solicitor for professional assistance, appears to have thought that the employment of a solicitor in the treaty for the purchase of an estate was a matter not professional, and therefore that communications from him to his client, while so employed, did not come within the rule of privilege. (*Walker v. Wildman*, 6 Mad. 47). The effect, however, of this restriction upon the general rule is obviously inconsistent with the principle upon which it is founded, and consequently it has not been recognised in a later case, (*Walsingham v. Goodricke*, 3 Hare, 122; see also *Herring v. Clobery*, 1 Ph. 91, and *Carpmael v. Pouis*, Id. 689), in which Sir J. Wigram, V. C., held, that communications which passed between a solicitor and his client in the progress of a treaty for the sale of an estate, and before any dispute had arisen,

though with reference to the very subject in respect of which a dispute subsequently arose, were privileged from production, so far as they contained legal advice or opinions, but not otherwise, in a suit for the specific performance of an agreement which resulted out of that treaty. It is difficult to understand why, in this case, the privilege was extended merely to so much of the communications between the solicitor and client as contained legal advice or opinion, and not generally to the whole of the communications, which certainly took place in the ordinary course of professional business; and although the decision in this case has recently been followed in specie, it is submitted that it is opposed in principle both to preceding and subsequent determinations on the point. (*Hawkins v. Gathercole*, 15 Jur., part 1, p. 188).

A defendant who relies upon the privilege is bound to bring himself clearly and distinctly within it; (*Deborough v. Rawlins*, 3 My. & C. 515; *Smith v. The Duke of Beaufort*, 1 Hare, 507); and therefore the answer should allege positively the facts upon which the defendant seeks to avail himself of the privilege, and that the communications, in respect of which he insists upon the rule, took place in the relation of solicitor and client, and contain confidential communications and advice; (see *Storey v. Lord John Lennox*, 1 Kee. 341; affirmed, 1 My. & C. 525); and therefore, where the defendant stated in his answer that he was advised that the letters, &c. mentioned in the schedule were privileged communications, Lord Langdale held that the answer did not bring them strictly within the rule, (*Penruddock v. Hammond*, 11 Beav. 58; *Balguy v. Broadhurst*, 1 Sim., N. S., 111), but he gave the defendant leave to supply the omission by affidavit.

Where a defendant admitted the possession of certain papers and writings, and alleged that they had been prepared and made since the dispute arose, and with a view to, and in contemplation of, the litigation of that dispute, and of the defendant's defence to the plaintiff's claim, but did not allege that they were statements or communications made and had between her and her solicitor in the relation of solicitor, it was determined that the defendant could not resist a motion for their production. (*Maden v. Vevers*, 7 Beav. 490). So, where a defendant's solicitor wrote some letters to a witness for the defendant upon the trial of an action, and the defendant, in his answer to a bill in equity relating to the same matter, alleged that those letters were written, after the institution of the original suit, for the purpose of the defendant's defence thereto, but did not allege that they were confidential communications, it was held that the plaintiff was entitled to have them produced. (*The Mayor of Dartmouth v. Holdsworth*, 10 Sim. 476). So, again, where a solicitor demurred to an interrogatory requiring the disclosure of some correspondence between him and his client, upon the ground that the letters inquired after were received by him in the character of confidential solicitor, but did not allege that they contained confidential communications, his demurrer was overruled. (*Walsh v. Trevelian*, 15 Sim. 577).

London Gazettes.

FRIDAY, MARCH 19.

BANKRUPTS.

CHRISTIAN KLUG, New Bond-st., Middlesex, Revalenta Arabica importer, Revalenta Arabica manufacturer, dealer and chapman, (trading under the name or style of Du Barry & Co.), March 30 at 1, and April 29 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sharpe & Co., Bedford-row.—Petition filed March 9.

WILLIAM GREEN, Coggeshall, Essex, builder, dealer and chapman, March 30 at 11, and April 29 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Nichols & Clarke, 9, Cook's-court, Carey-street.—Petition filed March 6.

JOHN BRANCH, High-st., Camberwell, Surrey, corn dealer and livery-stable keeper, dealer and chapman, March 27 at 11, and April 30 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Wilson, 16, Gresham-street, London.—Petition filed March 16.

ROBERT WOOD, Wardour-st., Soho, Middlesex, upholsterer and cabinet maker, March 30 and April 30 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Kinsey, 20, Bloomsbury-sq.—Petition filed March 9.

JAMES DORMOR, late of Oxford, but now of Charles-st., St. John's Wood, Portland-town, Middlesex, grocer and cheesemonger, dealer and chapman, March 22 at 11, and May 1 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cooke, 7, Lincoln's-inn-fields.—Petition filed March 16.

BENJAMIN SMITH, Droitwich, Worcestershire, salt manufacturer, March 31 and April 29 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated March 11.

GEORGE HENNEY, Elmley Lovett, Worcestershire, victualler, dealer and chapman, March 31 and April 29 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Smith, Birmingham.—Petition dated March 15.

JOHN GREENER the younger, Wigan, Lancashire, ironmonger, dealer and chapman, April 1 and 22 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Barrow, Wigan.—Petition filed March 17.

MEETINGS.

Edwin Bliss, Barbican, London, brushmaker, March 30 at half-past 11, Court of Bankruptcy, London, pr. d.—*Walter Levy*, White's-row, Spitalfields, Middlesex, macaroni manufacturer, March 31 at 1, Court of Bankruptcy, London, pr. d.—*Frederick W. Macandrew*, Mill-wall, Poplar, Middlesex, brewer, April 15 at 11, Court of Bankruptcy, London, last ex.—*John G. Marsh*, Church-st., Minorics, London, carpenter, March 30 at 12, Court of Bankruptcy, London, last ex.—*R. Dartington*, Wigan, Lancashire, money scrivener, March 31 at 12, District Court of Bankruptcy, Manchester, last ex.—*Frederick Long*, Vere-street, Oxford-street, Middlesex, importer of foreign lace, April 2 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Young*, Newport, Monmouthshire, victualler, April 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Brotherton*, Liverpool, merchant, April 1 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. Dalton* and *Thomas Edwards*, Birmingham, ironfounders, March 31 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Edwin Andrews*, Iwerne Courtney, Dorsetshire, farmer, March 31 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 20 at 11, div.—*James Dixon*, Morley, Batley, Yorkshire, dyer, April 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Shaw*, Leeds, Yorkshire, millwright, April 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*James Napier* the younger, Sheffield, Yorkshire, oil merchant, April 3 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Wm. Cole*, Apperley Bridge, Calderley, Yorkshire, consulting engineer, April 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Joseph Broadbent*, Saddleworth, Yorkshire, woollen manufacturer, April 19 at 1, District Court of Bankruptcy, Leeds, aud. ac. and fin. div.—*J. O. Culyer*, Edmonton, Middlesex, gas fitter, April 20 at 11, Court of Bankruptcy, London, div.—*Thomas Milward*, Uffculme, Devonshire, miller, April 20 at 11, District Court of Bankruptcy, Exeter, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Robert Hawkins, Farnham, Surrey, grocer, April 22 at 1, Court of Bankruptcy, London.—*Chas. Jas. Sanders*, Collingwood-street, Blackfriars-road, Surrey, provision merchant, April 15 at 1, Court of Bankruptcy, London.—*Robt. Trower*, College-street, Chelsea, Middlesex, builder, April 15 at 12, Court of Bankruptcy, London.—*John W. Dawson* and *Thos. E. Williams*, Crescent-place, New Bridge-street, Blackfriars,

London, wine merchants, April 15 at 2, Court of Bankruptcy, London.—*Frederick Winch*, Margate, Kent, tailor, April 10 at half-past 11, Court of Bankruptcy, London.—*I. Gardiner*, Bristol, saddler, April 22 at 11, District Court of Bankruptcy, Bristol.—*Edward Lowe*, Bristol, toy dealer, April 22 at 11, District Court of Bankruptcy, Bristol.—*Thomas Cottingham*, West Barkwith, Lincolnshire, wool buyer, April 14 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

William Nash, Noble-st., London, woollen warehouseman.—*David Boobyer*, Tavistock, Devonshire, ironmonger.—*Richard Talbot*, Lincoln, dealer in galvanic machines.—*John Hill*, Wolverhampton, Staffordshire, hinge manufacturer.—*Samuel Mason*, Newcastle-under-Lyne, Staffordshire, draper.

SCOTCH SEQUESTRATIONS.

James McKellar & Co., Glasgow, silk manufacturers.—*D. Hill*, Edinburgh, shoemaker.—*Peter Smyth*, Tillicoultry, Clackmannanshire, woollen manufacturer.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Woodthorpe the elder, Stickney, Lincolnshire, out of business, April 3 at 11, County Court of Lincolnshire, at Spilsby.—*J. W. Franklin*, Bristol, glass cutter, April 21 at 11, County Court of Gloucestershire, at Bristol.—*Daniel Skidmore*, Bristol, tailor, April 1 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Robert Warren*, Takely, Essex, clothes salesman, April 14 at 11, County Court of Essex, at Dunmow.—*Isaac Anderson*, Foxearth, Essex, farmer, April 12 at 12, County Court of Suffolk, at Sudbury.—*John Parker Shelton*, Peterborough, Northamptonshire, shoemaker, March 22 at 11, County Court of Northamptonshire, at Peterborough.—*Thomas Woodcock*, Backway, Hertfordshire, labourer, March 30 at 12, County Court of Hertfordshire, at Royston.—*Wm. Sample*, Bothal and Matfen, Northumberland, farmer, April 16 at 10, County Court of Northumberland, at Morpeth.—*John Giles* the elder, Lincoln, butcher, April 6 at 12, County Court of Lincolnshire, at Lincoln.—*John Knott*, Branston Booths, Branston, Lincolnshire, farmer, April 6 at 12, County Court of Lincolnshire, at Lincoln.—*Thomas Mead*, Leighton Buzzard, Bedfordshire, coach-builder, April 19 at 12, County Court of Bedfordshire, at Leighton Buzzard.

The following Persons, who, on their several Petitions fled in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 2 at 11, before the CHIEF COMMISSIONER.

Wm. John Beard, Great Suffolk-st., Southwark, Surrey, plumber.—*George Downey*, Mount-row, Westminster-road, Lambeth, Surrey, plate-glass factor.

April 2 at 10, before Mr. Commissioner LAW.

James Woolcock James, Sutton, Surrey, baker.

April 3 at 11, before Mr. Commissioner PHILLIPS.

William Russell Harrison, St. Alban's-terrace, Vauxhall-bridge-road, Westminster, Middlesex, apothecary.—*John Rees Rowland Richards*, Lewisham, Kent, schoolmaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 2 at 11, before the CHIEF COMMISSIONER.

Joseph William Last, Victoria-terrace, Stockwell, Lambeth, Surrey, out of business.—*William Carman*, Broad-street, Lambeth, Surrey, milkman.—*William Golden*, Shaftesbury-street, New North-road, Middlesex, cheese factor.—*James Beckett Hackney*, Miledale-terrace, Church-fields, Old Kent-road, Surrey, commission agent.

April 2 at 10, before Mr. Commissioner LAW.

Henry Perkins Passmore, Crown-place, near the Canal-bridge, Old Kent-road, Surrey, plumber.—*Wm. Kirpatrick Smith*, Stebbing-street, Clarendon-square, Somers-town,

Middlesex, cheesemonger.—*William Hex*, Northumberland-court, Northumberland-street, Strand, Middlesex, carpenter.—*George Northcote*, Dudley-place, Harrow-road, Paddington-green, Middlesex, dealer in butter.—*Richard Hodder*, Dean-street, Soho, Middlesex.

April 3 at 11, before Mr. Commissioner PHILLIPS.

Cornelius Alfred Jaquin, Monkwell-street, Falcon-square, London, machinist.—*Joseph Taylor Durrant*, Widford, near Chelmsford, Essex, cattle dealer.—*Christopher Holt*, Liverpool-street, King's-cross, Middlesex, out of business.—*William Gillbanks*, Mintern-street, New North-road, Hoxton, Middlesex, Manchester agent.

April 5 at 11, before the CHIEF COMMISSIONER.

Thomas Ward, Little Titchfield-street, Portland-street, Marylebone, Middlesex, commission agent.—*Henry Biggs*, Prospect-villa, Clewer-green, near Windsor, Berkshire, out of employment.

April 5 at 10, before Mr. Commissioner LAW.

Isaac Hurn, Victoria-place, Hackney-road, Middlesex, rope dealer.—*William Henry Thompson* the younger, Albany-street, Regent's-park, Middlesex, in no employment.—*Frederick Debenham*, Sidney-terrace, Kilburn, Middlesex, baker.—*John Day*, Bridge-house-place, Newington-causeway, Surrey, vestry clerk.

April 5 at 11, before Mr. Commissioner PHILLIPS.

William Haggis, Woolwich, Kent, licensed beer retailer.—*William Mills*, Lyndhurst-square, Camberwell, Surrey, commercial clerk.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, April 5 at 12.

James Leeds, Milton next Gravesend, licensed victualler.—*Richard Tunks Muckle*, Woolwich, newspaper agent.

At the County Court of Lincolnshire, at LINCOLN, April 6 at 12.

John Boor, Holbeach, plumber.

At the County Court of Monmouthshire, at MONMOUTH, April 8 at 11.

David Parry, Trosmant, near Pontypool, common brewer.—*James Walker*, Speenhamland, near Newbury, Berkshire, attorney-at-law.

At the County Court of Kent, at DOVER, April 15 at 10.

Henry Hughes Allen, Dover, a prisoner in the Castle of Dover.

TUESDAY, MARCH 23.

BANKRUPTS.

WILLIAM STEVENS, High Holborn, Middlesex, upholsterer, April 2 and May 7 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Taylor, 15, South-street, Finsbury-sq.—Petition filed March 12.

JOHN WOOD, Putney, Surrey, brewer, dealer and chapman, March 31 at half-past 12, and May 4 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lawrance & Co., 14, Old Jewry-chambers.—Petition filed March 17.

CHARLES HENRY WHITE, Southampton, dealer in china, glass, and earthenware, March 29 and May 8 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Braikenridge, 16, Bartlett's-buildings.—Petition dated March 20.

RICHARD CHAMBERLAIN, Uttoxeter, Staffordshire, draper, dealer and chapman, April 3 and May 3 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Motteram & Co., Birmingham; Cox, 14, Sine-lane, London.—Petition dated March 4.

JAMES LUXFORD, Market Rasen, Lincolnshire, draper, April 14 and May 5 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Tweed, Lincoln.—Petition dated March 6.

GEORGE FOSTER, Chorlton-upon-Medlock, Lancashire, joiner and builder, April 5 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Messrs. Whitworth, Manchester.—Petition filed March 19.

JOHN CADMAN, Derby, grocer, dealer and chapman, April 2 at half-past 10, and April 30 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Vallick, Derby; Motteram & Co., Birmingham.—Petition dated March 11.

ROBERT TOMLINSON CARLISLE, Sheffield, Yorkshire, and Beighton, Derbyshire, builder, brickmaker, and railway contractor, April 3 and May 15 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Broomhead, jun., and Fernell, Sheffield.—Petition dated and filed March 18.

WILLIAM TODD and **JAMES TODD**, Liverpool, provision merchants, dealers and chapmen, (trading under the firm of William Todd & Co.), April 5 at 12, and April 26 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Holden, Liverpool.—Petition dated March 20.

ANSON HARDY, Liverpool, general and commission merchant, and passenger broker, dealer and chapman, (trading under the firm of Anson Hardy & Co.), April 2 and May 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Holden, Liverpool.—Petition filed March 20.

MEETINGS.

Wm. Bruskill, Paternoster-row, London, and York-place, Battersea, Surrey, silk manufacturer, April 3 at 12, Court of Bankruptcy, London, pr. d.—*Richard H. Bell* and *Errington Bell*, South Shields, Durham, paper manufacturers, April 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Taylor* and *James Wylde*, Wood-st., London, and Lock's-fields, Walworth, Surrey, flock manufacturers, April 2 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Francis Rufford Hemelett*, Leyton, Essex, cowkeeper, April 2 at 11, Court of Bankruptcy, London, aud. ac.—*Joseph Harrop*, Grasscroft, Saddleworth, Yorkshire, clothier, April 2 at 11, Court of Bankruptcy, London, aud. ac.; April 16 at 11, div.—*Joseph Hall*, Brighton, Sussex, hotel keeper, April 3 at 11, Court of Bankruptcy, London, aud. ac.—*William Robinson*, Orvington-square, Brompton, Middlesex, corn factor, April 3 at 11, Court of Bankruptcy, London, aud. ac.—*William Thompson*, Newcastle-upon-Tyne, grocer, April 21 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James Duggan*, Maryport, Cumberland, draper, April 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; at half-past 12, div.—*Geo. Steele*, Durham, grocer, April 21 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Joseph Storey*, Hartlepool, Durham, draper, April 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 19 at 12, div.—*George Pim* and *Sylvanus Pim*, Birkenhead, Cheshire, merchants, April 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Robinson*, Honley, Almondsbury, Yorkshire, dyer, May 3 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 4 at 11, fin. div.—*Henry James Ellis*, Rotherhithe-wall, Rotherhithe, Surrey, ironmonger, April 16 at 1, Court of Bankruptcy, London, div.—*Henry Robert Sabine*, Poppin's-court, Fleet-street, London, cardmaker, April 16 at 12, Court of Bankruptcy, London, div.—*John Murray*, Gracechurch-street, London, Manchester warehouseman, April 16 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Clapham, Strand, Middlesex, licensed victualler, April 15 at half-past 11, Court of Bankruptcy, London.—*James Duggan*, Maryport, Cumberland, draper, April 21 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*William Belshaw*, Ancotts, Manchester, joiner, April 20 at 12, District Court of Bankruptcy, Manchester.—*Henry Gladwin*, Nottingham, draper, April 23 at half-past 10, District Court of Bankruptcy, Nottingham.—*John Furniss*, Diglee-bridge, Austonley, Almondsbury, Yorkshire, woollen cloth manufacturer, May 3 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Samuel Turner Jay, Badley, Suffolk, miller.

PETITION ANNULLED.

Lorens Theodor Wang, Sunderland, Durham, merchant.

SCOTCH SEQUESTRATION.

Thomas Julian Adams, Glasgow, professor of music.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Miller, Liverpool, bricklayer, March 27 at 10, County Court of Lancashire, at Liverpool.—*John Packell*, Liverpool, grocer, March 27 at 10, County Court of Lancashire, at Liverpool.—*Joseph Perks*, Bootle, near Liverpool, assistant to an ironmonger, March 27 at 10, County Court of Lancashire, at Liverpool.—*George Dawson*, Hulme, Manchester, butcher, April 2 at 12, County Court of Lancashire, at Manchester.—*Thomas Warr*, Manchester, coach driver, April 2 at 12, County Court of Lancashire, at Manchester.—*Samuel Burman*, Hulme, Manchester, plumber, April 2 at 12, County Court of Lancashire, at Manchester.—*John Bratley*, Wragby, Lincolnshire, farrier, April 17 at 11, County Court of Lincolnshire, at Market Rasen.—*Joseph Dent*, Leicester, law stationer, April 14 at 10, County Court of Leicestershire, at Leicester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 6 at 11, before the CHIEF COMMISSIONER.

Charles Walsh the elder, Victoria-road, Deptford, Kent, out of employment.

April 6 at 11, before Mr. Commissioner PHILLIPS.

John Hutchins Partridge, Sidney-place, King's-road, Chelsea, Middlesex, grocer.

Saturday, March 20.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Brown Tribe, Walworth-road, Surrey, out of employ, No. 62,627 T.; *Wm. Watkinson*, assignee.—*James Poole*, Chetrescombe Barton, Tiverton, Devonshire, farmer, No. 73,998 C.; *William Partridge*, assignee.—*Moses Edwards*, Ystrad, Carmarthenshire, farmer, No. 74,388 C.; *Thomas Williams*, assignee.—*Joseph Josiah Keyte*, Birmingham, builder, No. 74,639 C.; *Samuel Bartholomew*, assignee.—*J. Thompson*, Birthwaite, Windermere, Westmoreland, coal agent, No. 74,648 C.; *Richard Wilson*, assignee.—*Francis Marsden Nettleton*, Horbury, Wakefield, Yorkshire, cabinet maker, No. 74,670 C.; *Joseph Stringer*, assignee.—*Thomas Edwards*, Hastings, Sussex, boot maker, No. 74,679 C.; *W. Noakes*, assignee.—*James Beart*, Upwell, Norfolk, farmer, No. 73,525 C.; *Thomas Hitchin Palmer*, assignee.—*William Willis* the elder, Coventry, Warwickshire, butcher, No. 74,582 C.; *Wm. Boodle*, assignee.—*Thos. Crowther*, Coventry, Warwickshire, coal agent, No. 74,720 C.; *David William Davies*, assignee.—*George Cobb*, Harescomb, Gloucestershire, innkeeper, No. 74,721 C.; *Charles Smallbridge*, assignee.—*David Williams*, Great Winchester-street, London, fruiterer, No. 62,812 T.; *Samuel Solomon*, assignee.

Saturday, March 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Banks, Castle-st., Holborn, London, stereotyper: in the Debtors Prison for London and Middlesex.—*Edward Lawrence Levy*, Doughty-st., Mecklenburgh-square, Gray's-inn-road, Middlesex, attorney-at-law: in the Queen's Prison.—*Wm. Patterson*, Grundy-st., Poplar New-town, Middlesex, potato dealer: in the Debtors Prison for London and Middlesex.—*Wm. Aldred*, Harper-st., New Kent-road, Surrey, coal dealer: in the Gaol of Horsemonger-lane.—*Thos. Barnett Loader*, Princes-st., Stamford-st., Blackfriars-road, Surrey, map publisher: in the Gaol of Horsemonger-lane.—*John Ainslie*, Earl-st., Blackfriars, London, draining engineer: in the Debtors Prison for London and Middlesex.—*Geo. Jas. Brown*, Victoria-grove, Kensington, Middlesex, estate agent: in the Queen's Prison.—*Isaiah Smart*, Somerset-place, Rotherhithe, Surrey, dining-room keeper: in the Debtors Prison for London and Middlesex.—*Wm. Killick*,

Gower-st. North, New-road, St. Pancras, Middlesex, share broker: in the Queen's Prison.—*German Wheatcroft*, Southampton-street, Bloomsbury, Middlesex, lieutenant in her Majesty's 6th regiment of Enniskillen Dragoons: in the Queen's Prison.—*John Fuller*, Uxbridge-moor, Hillingdon, Middlesex, beer retailer: in the Debtors Prison for London and Middlesex.

(On Creditors' Petitions).

Charles Robert Storey, Francis-terrace, Hampstead-road, Middlesex, captain in her Majesty's army: in the Queen's Prison.—*Wm. Haggis*, Mary-street, Woolwich, Kent, beer-seller: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

John Fleming, Shotley Bridge, Durham, grocer: in the Gaol of Durham.—*Jos. Smith*, Newbottle, Durham, innkeeper: in the Gaol of Durham.—*John Southall*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Jos. Craven*, Leeds, Yorkshire, corn dealer: in the Gaol of York.—*Archibald Fish*, Heaton Norris, Lancashire, tailor: in the Gaol of Lancaster.—*Thos. Chorlton Goodall*, Salford, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Jas. Tattersall*, Burnley, Lancashire, grocer: in the Gaol of Lancaster.—*Henry Bentley*, Salford, Lancashire, spindle maker: in the Gaol of Lancaster.—*John Caldecott*, Heaton Norris, Lancashire, licensed victualler: in the Gaol of Lancaster.—*J. Swindles Dick*, North Shields, Northumberland, master mariner: in the Gaol of Morpeth.—*Wm. Dick*, North Shields, Northumberland, shoemaker: in the Gaol of Morpeth.—*J. Leadbeater*, Heywood, near Manchester, bookkeeper: in the Gaol of Lancaster.—*Henry Riley*, Deansgate, Bolton-le-Moors, Lancashire, overlooker in a cotton factory: in the Gaol of Lancaster.—*Jas. Shaw*, Huddersfield, Yorkshire, plasterer: in the Gaol of York.—*T. Thompson*, North Shields, Northumberland, master mariner: in the Gaol of Morpeth.—*Paul Walsley* the younger, Ashton in Mackerfield, near Wigan, Lancashire, shoemaker: in the Gaol of Lancaster.—*John Forman*, Heckington Fen, Lincolnshire, assistant to a farmer: in the Gaol of Lincoln.—*David Howell*, Swansea, Glamorganshire, publican: in the Gaol of Cardiff.—*Edmund Lee*, Manchester, brick maker: in the Gaol of Lancaster.—*Wm. W. Mimes*, Lockwood, near Huddersfield, Yorkshire, assistant grocer: in the Gaol of York.—*Thomas Lett*, Stoke Prior, near Bromsgrove, Worcestershire, victualler: in the Gaol of Worcester.—*Edw. Boyer* the younger, Brooklands, near Ormskirk, Lancashire, in no trade: in the Gaol of Lancaster.—*Daniel Boyle*, Manchester, cotton wadding manufacturer: in the Gaol of Lancaster.—*John Connolly*, Liverpool, cattle dealer: in the Gaol of Lancaster.—*John Giffroy*, Greenacres Moor, Oldham, Lancashire, tailor: in the Gaol of Lancaster.—*William Parry*, Llandaff, near Cardiff, Glamorganshire, builder: in the Gaol of Cardiff.—*Peter Rawlinson*, Liverpool, out of business: in the Gaol of Lancaster.—*James W. Turner*, York, butcher: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 6 at 11, before the CHIEF COMMISSIONER.

Edwin Goodwin, John-street, Bedford-row, Middlesex, surveyor.—*H. E. Buckmaster Coe*, John-street, Bedford-row, Middlesex, clerk to an architect.—*Richard Malony*, Blackfriars-road, Surrey, out of business.—*Wm. Carpenter*, High-street, Shadwell, Middlesex, grocer.—*German Wheatcroft*, Southampton-street, Bloomsbury, Middlesex, lieutenant in her Majesty's 6th Enniskillen Dragoons.

April 6 at 10, before Mr. Commissioner LAW.

John Dalling, Brewer-street, Golden-square, Middlesex, hairdresser.—*Wm. Peppier*, Circus-street, New-road, Middlesex, bricklayer.

April 6 at 11, before Mr. Commissioner PHILLIPS.

Frederick Ward, Friar-st., Blackfriars-road, Surrey, commission agent.—*John C. Roeder*, Royley-street, Old-street-road, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Leicestershire, at LEICESTER, April 14.

Thomas Hiff Cook, Leicester, glover.—*William Hunt*, Leicester, out of business.

At the County Court of Kent, at DOVER, April 15 at 10.
George Laver, Lyminge, near Elham, solicitor.

INSOLVENT DEBTORS' DIVIDENDS.

James Poynton the elder, Clare-hall-cottages; Rotherhithe, Surrey, carpenter: 7*d.* in the pound.—*Thos. Cotton*, Lewes, Sussex, draper: 9*d.* in the pound.—*William Lowcay*, Melcombe Regis, Dorsetshire, retired commander in the Royal Navy: 2*s.* 10*d.* in the pound.—*Patrick Jos. Murphy*, Canterbury-row, Kennington, Surrey, doctor of medicine: 5*d.* in the pound.—*George Herbert Wearing*, Turnpin-lane, Greenwich, Kent, china dealer: 8*s.* 6*d.* in the pound.—*Alexander Smith*, High-street, Shadwell, Middlesex, butcher: 5*s.* 3*d.* in the pound.—*Jesse Cook*, North-street, Edgeware-road, Middlesex, nurseymen: 4*s.* in the pound.—*Henry Alden*, Charlotte-row, Walworth-road, Surrey, tailor: 1*s.* 4*d.* in the pound.—*H. Davies*, widow, Borough-road, Surrey: 1*s.* 8*d.* in the pound.—*David Nutt*, Stratford-green, Stratford, Essex, clerk in an Emigration-office: 9*d.* in the pound.—*William Cookson*, Tonbridge, Kent, railway clerk: 3*s.* 3*d.* in the pound.—*James Harris*, Allsoop-place, Regent's-park, Middlesex, dairyman: 1*s.* 4*d.* in the pound.—*James R. Anderson*, High-street, Camden-town, Middlesex, comedian: 4*d.* in the pound.—*James Nesbitt*, Winsley-street, Oxford-street, Middlesex, linendrapers' assistant: 2*s.* 2*d.* in the pound.

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APRIL 3, 1852.

PRICE 1s.

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LONDON, APRIL 3, 1852.

ONE of the propositions of the Chancery Commissioners is to abolish the common injunction; another, to abolish the rule by which affidavits cannot, in certain cases, be read against an answer. These propositions, if carried into effect, will sweep away, at one blow, much intricate practice, out of which, whatever may have been its former necessity and utility, not much good has been derived in more modern times. The Commissioners do not, as we understand, and we think rightly do not, intend to take away from the Court of Chancery power to restrain proceedings at law by special injunction; for, so long as there are two distinct jurisdictions, one equitable and one at common law, there may be cases in which, notwithstanding all the contemplated improvements of the procedure of courts of law, it may be still found, that though primarily cognisable at law, they can only be completely dealt with in equity; and in such cases it will be useful that the Court of Chancery should have power to grant an injunction on the merits, stopping the parties from proceeding at law.

By the effect of the common injunction, and of the rule of equity practice under which it was to be sustained or dissolved, no doubt much justice has been done; but it was a roundabout way of getting at justice, and under cover of the intricate rules that governed the proceeding, much injustice might also be done by either party. The common injunction is, as our equity readers know, granted entirely without reference to the merits of the case; it is an order granted simply on the default of the defendant in equity to appear, or, more frequently, to put in his answer to the bill filed against him in due time. It is a stoppage of the pro-

ceedings at law, obtained before the Court of Chancery has obtained any information whatever beyond the allegations of the bill, which may be all false, upon the assumption, that until the defendant has put in his answer, he has no right to proceed as plaintiff at law. This probably, in the earlier epochs of the history of the jurisdiction to stay proceedings at law, might be not only just in principle, but beneficial in practice. But in modern times it is very difficult to put in an answer in time to stop the issuing of the common injunction; and the injunction having once issued, what with motions to extend it to stay trial, and exceptions to the answer for insufficiency, it may and is frequently held by a plaintiff in equity, who ultimately turns out never to have been entitled to it at all, for a length of time very prejudicial to the rights at law of his opponent. On the other hand, the effect of the rule, that, in order to sustain a common injunction, no affidavits can be read by the plaintiff against the answer of the defendant, is, that in the very case in which the plaintiff is most entitled to the benefit of an injunction—that is, in the case where there is fraud on the part of the defendant—it is in the power of the defendant always, by denying the material facts alleged by the bill, to dissolve the injunction, and go on with an action, which he, perhaps, never would have been suffered to proceed with if the plaintiff in equity had been at liberty to shew by evidence the existence of his equity.

Thus, by the abuse of the procedure of the Court, it is in the power of a defendant to an action, with no right to stop it, to delay it for a considerable time; and, on the other hand, of a plaintiff, in an unjust action, to force it on in spite of the equitable rights of his opponent. These evils will be remembered by the proposed abolition. What the precise mode of proceed-



ing in this respect, under the new practice, will be, remains, of course, to be fixed by the Chancery Reform Act, and the Orders which will be framed in accordance with it; but, in all probability, it will be simply, that on an action at law being brought, the defendant will be at liberty to file his bill, and move at once upon affidavits, to be met by affidavits, for an injunction, which will be at once granted or withheld upon the merits, according to the practice now existing with regard to special injunctions.

References.

1. *A Treatise on the substantive Law relating to Letters-Patent for Inventions.* By HENRY LUND, Esq., of Trinity College, Cambridge, M. A., and of Lincoln's-inn, Barrister at Law. 12mo., pp. 284. [Sweet.]
2. *The Law and Practice of the Copyright, Registration, and Provisional Registration of Design; and the Copyright and Registration of Sculpture; with Practical Directions; the Remedies, Pleadings, and Evidence in Cases of Piracy.* With an Appendix of Tables of Fees, Statutes, and the Rules of the Board of Trade. By JOHN PAXTON NORMAN, M. A., of the Inner Temple, Special Pleader. 12mo., pp. 197. [Sweet.]

It has been seriously contended by some few gentlemen of great experience in the constructive arts, that our patent law is wholly based on an unsound foundation; in short, that the granting of any monopoly or exclusive privilege to an invention is unjust, or, at least, impolitic. We cannot help thinking that this opinion has been advanced rather from a love of singularity than from any strong conviction; at least, it is supported by arguments which would scarcely deserve attention if they had proceeded from less eminent men. Among the small minority of witnesses before the Committee on the Patent Law Amendment Bills of 1851 who disapproved of every kind of patent law, the principal names are those of Sir W. Cubitt, Mr. I. K. Brunel, and Mr. J. H. Lloyd. The only way of dealing effectually with Sir W. Cubitt's evidence would be to transcribe the whole of it, for the purpose of shewing, not the unsoundness of the reasoning contained in it, but the almost entire absence of any reasoning whatever. Sir W. Cubitt says, "The objections to the present system are, the very advanced state of scientific and practical knowledge, which renders it difficult to secure anything. The principles of mechanism being very well known and very well understood, inventions involving exactly the same principle, and to effect the same object, may be practically and apparently so different, that patents may be taken out for what is only a difference in form, intended to produce the same effect, without there being any difference in principle." This observation might be made the text of a very useful homily on the necessity of superseding the existing race of patent agents by a class of men very much better educated in abstract science as well as in the technicalities of the profession, but it does not bear on the policy of a patent law. A patentable invention is well conceived, and the title and specification of the patent are well drawn, exactly in proportion as they completely embody and express some distinct and definable principle. A patent for a variation of form, not involving a new principle of however low a degree of generality, is an absurdity. But a patent for a new principle applied to practice, if properly expressed, is in no danger from a mere variation of form, involving no departure from the principle, though, like every other invention and

every other enterprise, it is liable to be superseded by something different and preferable. And when an inventor co-operates with competent professional advisers in framing the title and specification of a patent, the necessity they lie under of expressing and claiming the principle of the invention, in all its generality, very frequently leads to the development and improvement of the inventor's originally imperfect idea, far beyond the limits to which the inventor alone, merely applying it to practice, would have carried it. Every intelligent patent agent of any experience must recollect instances of this kind. And the same process not unfrequently serves to detect, even to the conviction of the inventor himself, if he is teachable, some element of unsoundness or impracticability in a scheme, which, if not thus early disposed of, might have been prosecuted to the ultimate ruin of the projector. In answer to the question whether it might not be desirable to encourage persons to expend money in making machines perfect, Sir W. Cubitt said, "It is difficult to say when a machine is perfect; the more simple it is, the more perfect it is, generally speaking. I will take the case of steam-engines, which, in a great degree, have really improved backwards, to use a misnomer. . . . The steam-engine is very much the same now as it was when Watt himself left it with his first improvements. It is just the same thing." The witness's reasoning and assertions in this passage are, to our apprehension, about equally correct. If it be true that the first form of an invention is the best, why not revert to the steam-engine of Savery or of Newcomen, discarding the meretricious additions of the innovator Watt? Sir W. Cubitt must be somewhat singular in his practice, if he uses the steam-engine just as Watt left it, with his first improvements. Does he think nothing of Woolf's improvements, or of the present Cornish engines? Does he disapprove of working steam expansively? Does he use Watt's valves? But Sir William cannot see anything in anything. "There is less room for invention than persons imagine. There is little chance of a workman inventing things which will be very useful, which are not known at present, because they do not know what has been done!" Where then are we to go to ascertain the present and most improved state of a given manufacture? Not to the workshop where it is carried on, for the workmen, it seems, know nothing of what has been done.

Mr. I. K. Brunel believes patents to be "productive of almost unmixed evil, with respect to every party connected with them." His principal argument we may safely leave to be discussed between himself and Sir W. Cubitt; for it assumes that the most important inventions are made by workmen, whose masters are prevented, by the operation of the patent laws, from obtaining the benefit of them so cheaply as they otherwise might do. "I think that the greater number of inventions have really originated with practical operatives." (P. 248).

Mr. Lloyd's objections are better put, and deserving of more attention. They are—first, that the law is an ignis fatuus, which leads oftener to destruction than to success. "You stimulate and incite a class of men who hardly need it—who are themselves naturally of a sanguine turn. You incite them in pursuit of a shadow, which is continually apparently within their grasp, but continually eludes it. I find, in fact, that for one inventor, or supposed inventor, who succeeds, there are fifty, or perhaps one hundred, who fail; and although the history of invention may be a record of progress and of triumph, I suspect the biography of inventors would be a very tragic story indeed." (P. 361). This estimate, confessedly loose, is, we suspect, very much exaggerated, even as regards the working of the present abominable system. That there are multitudes of would-be inventors, who spend their time and money

to no purpose, is too true, just as there are multitudes of adventurers, speculators, traders whose proceedings end in bankruptcy; but the one affords no better argument against a patent law than the other does against a code of commercial law and the system of credit. Failure is much more frequently due to the unnecessary expense and uncertainty of our present system, than to anything essentially inherent in the principle itself. Mr. Lloyd adds, that one effect of the system is to prevent an inventor's mind from following its natural bent. The patent "stops him suddenly, stereotypes him in one idea." This is contrary to the general notion, and to what Mr. Lloyd himself had previously stated—that the offer of a privilege operates as a stimulus.

We have not space to enter into the other objections, which rather apply to the existing system than to the principle. There is no doubt considerable difficulty, arising from the nature of the subject, in ascertaining the novelty of an invention; and the strict rule upon which our Courts act might be advantageously relaxed. Much might be done to assist inventors, by well-arranged registers and catalogues of inventions, and museums and collections formed expressly for their use. Another difficulty suggested by Mr. Lloyd we take to be purely imaginary. He seems to think that there may be useful inventions which cannot be patented, because they involve no novelty of principle or of detail. But that this is not so, we see at once, if we endeavour to give an account of any new invention, and to distinguish it from others, whether it be a new loom or a mere button. We cannot make out the identity and novelty of the thing without defining the principle of it—that is to say, without describing a new principle of manufacture applied to practice, and therefore patentable. We have not space to illustrate this, as we could do, by reference to the very instance selected by Mr. Lloyd—the centrifugal pump of Mr. Appold—not a very useful invention, but one which, if original, might well have been patented, as no one would see more clearly than Mr. Lloyd, if he were to undertake the specification.

Even if these gentlemen are right in condemning the policy of the exception in the Statute of Monopolies, there can be no doubt that their opinions are much in advance of the age. The protection of inventors and the progress of invention will long be associated in the public mind; and so long as our law continues to provide in any shape for the protection of inventors, the substantive law of patents, to adopt Mr. Lund's expression, will probably continue to be what it now is, developed, indeed, in detail by successive decisions, but unaltered by legislative enactment. The mode of obtaining patents, the terms for which they shall be granted or renewed, the forms of procedure to establish or set them aside, and the remedies for infringements, require, and will probably soon receive, amendment in various particulars; but the substantive law of patents, which is almost entirely a judicial gloss on the exception in the Statute of Monopolies, and the condition in the grant requiring a specification of the invention, is a matter, not of arbitrary enactment, but of pure legal science.

Mr. Lund has judiciously confined himself, in the present publication, to the permanent branch of the subject. "This work," he says, "at present deals with the first division alone of the law relating to patents, and professes to answer the following questions:—
 'What inventions can be patented? What are the nature and details of the contract which the inventor is said to make with the Crown? What are the essentials of a specification of an invention—in other words, what is the nature of the documentary evidence required to define and circumscribe the exclusive right to any patented invention? What considerations should be kept in view in the sale of or other dealings

'with letters-patent? And, lastly, what amounts to an infringement of a patented invention?'

"The formalities preceding the grant of letters-patent will no doubt be shortly changed for some simple procedure, and the practice in actions for infringements and in proceedings by *scire facias*, which belong to the general practice of the law, is also under revision. These alterations, as soon as perfected, will be added to this work in the form of an appendix."

The substantive law of patents is capable of being exhausted in a very moderate compass. The cases are numerous, but are to so great an extent repetitions of each other, that it is scarcely an exaggeration to say, that by a selection of about thirty cases, the whole of the law might be established and illustrated. Mr. Lund has taken a somewhat wider range, but he has succeeded in producing a very complete treatise in a very small bulk. The different requisites to a patentable invention are very well discriminated and illustrated, but the principal part of the book is judiciously devoted to the subject of the specification, which is treated with great care and ability. We could have wished that in treating of the connexion between the specification and the title of the patent, the learned writer had appended some expression of dissent to his notice of the case of *Croll v. Edge*, (14 Jur., part 1, p. 553), which professed to proceed, it is true, upon a rule of patent law neither novel nor unsound, but applied it to a case to which, as we think, it was manifestly inapplicable. The patent was granted for "certain improvements in the manufacture of gas for the purposes of illumination, and in the apparatus used when transmitting and measuring gas." The specification misrecited the patent, as being for "improvements in the manufacture of gas for the purposes of illumination, and in the apparatus used therein, and when transmitting and measuring gas;" and it described and claimed, among other things, improvements in the retorts used in the manufacture of gas. The Court held that the specification avoided the patent. "The insertion is very slight in regard to the number of words, but it wholly alters the meaning; that is to say, it most materially adds to the meaning of the words between which it is interpolated, and extends substantially the grant of the Crown. . . . Any person on reading this specification, either by looking at the title, or by looking through the body to ascertain more clearly what was intended to be claimed, and what was the patent which the patentee professed to inrol, would see, without the least doubt, that the main object of the claim, and of the patent the patentee professed to be inrolling, was an improvement in the apparatus for manufacturing gas. Now no patent at all had been granted to him for that." Now the rule that the specification must not describe and claim anything that is not included in the title of the patent is unquestionable; but the rule of construction involved in the above decision, if it involve any rule at all, is rather startling. It amounts to this—that improvements in the apparatus used in a manufacture are not improvements in the manufacture, and would not be covered by a patent for improvements in the manufacture. Gas is manufactured more economically in clay retorts than in iron ones. Croll's specification described a method of making clay retorts for gas-works of better quality than those which had previously been used, by the use of which improved retorts in the manufacture of gas further economy was attained. If they were not within the title of the patent, very many patents are invalid, for nothing is more common than to describe improvements in the machinery used in a manufacture as being improvements in the manufacture itself.

We have only left ourselves space to say of Mr. Norman's work, that it is a very complete and practical

guide to a somewhat subordinate but very important branch of the law of copyright. The cases which Mr. Norman has collected and stated are more numerous than we could have imagined.

London Gazettes.

FRIDAY, MARCH 26.

BANKRUPTS.

JOHN HALL, Croydon, Surrey, confectioner, April 2 at 11, and May 7 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Healey, 66, Basinghall-st.—Petition filed March 22.

FREDERICK KING, Brighton, Sussex, perfumer and hair dresser, dealer and chapman, April 5 at 1, and May 6 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Chalk, Brighton; Freeman & Bothamley, Coleman-street, London.—Petition dated March 13.

EDWARD MORGAN, Portman-market, Edgeware-road, Middlesex, licensed victualler, dealer and chapman, April 8 and May 6 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Pollock, 19, Essex-street, Strand.—Petition filed March 19.

CHARLES GREEN, Spalding, Lincolnshire, scrivener, April 16 and 30 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Jebb, Boston, Lincolnshire; Jabet, Birmingham.—Petition dated March 8.

DAVID HENRY THOMAS, Tyntwr, Carnarvonshire, draper, dealer and chapman, April 6 and May 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Banting, Manchester.—Petition filed March 18.

PHILIP HITCHMOUGH, Liverpool, corn dealer, April 14 and May 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Mallaby & Townshend, Liverpool.—Petition filed March 23.

MEETINGS.

Frederick Winch, Margate, Isle of Thanet, Kent, tailor, April 10 at half-past 11, Court of Bankruptcy, London, aud. ac.—*G. Smith*, Warler's-buildings, Old Kent-road, Surrey, corn merchant, April 10 at 11, Court of Bankruptcy, London, aud. ac.; April 16 at 11, div.—*Ralph Titcomb*, Highgate, Middlesex, butcher, April 20 at 11, Court of Bankruptcy, London, aud. ac.—*John Plumley*, Mitcham, Surrey, clothier, April 8 at 12, Court of Bankruptcy, London, aud. ac.—*Daniel Pugsley*, Bread-st., Cheapside, London, warehouseman, April 8 at 11, Court of Bankruptcy, London, aud. ac.; April 22 at half-past 11, div.—*William Rock*, Surrey-place, Surrey, printer, April 8 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel Hall*, Tipton, Staffordshire, miller, April 15 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*William Malliband*, Great Claybrook, Leicestershire, fellmonger, April 7 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Daniel Morton*, Walsall, Staffordshire, chemist and druggist, April 15 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; April 21 at half-past 11, div.—*John Varley*, Manchester, chemist, April 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Elliott*, Chichester, Sussex, builder, April 17 at 11, Court of Bankruptcy, London, div.—*Athaliah Eber Player*, Braintree, Essex, grocer, April 17 at 12, Court of Bankruptcy, London, div.—*John King* and *Joseph Francis King*, Wells-row, St. Mary, Islington, Middlesex, builders, April 16 at half-past 11, Court of Bankruptcy, London, div.—*Edward Thomas Andrews*, Southampton, ironmonger, April 16 at 11, Court of Bankruptcy, London, fin. div.—*William Moss* the younger, Stock, Essex, miller, April 22 at half-past 12, Court of Bankruptcy, London, div.—*George Pim* and *Sylvanus Pim*, Birkenhead, Cheshire, merchants, April 16 at 11, District Court of Bankruptcy, Liverpool, div.—*John Redson Clarke*, *Charles Buckles*, and *Hodgson Inchbold*, Manchester and Swinton, contractors, April 20 at 12, District Court of Bankruptcy, Manchester, div. joint est. of *John Redson Clarke* and *Charles Buckles*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Robinson, West Lynn, Norfolk, grocer, April 20

at 11, Court of Bankruptcy, London.—*William Houston*, St. James's-terrace, Harrow-road, Paddington, Middlesex, builder, April 17 at 12, Court of Bankruptcy, London.—*Samuel Mayor*, Liverpool, ship chandler, April 16 at 11, District Court of Bankruptcy, Liverpool.—*John Stewart Ritson*, Liverpool, printer, April 19 at 11, District Court of Bankruptcy, Liverpool.—*William Haywood*, Birmingham, grocer, April 19 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Edward Wickins, Faversham, Kent, linendraper.—*William Moss* the younger, Stock, Essex, miller.—*John Clarke Sanford*, Paternoster-row, London, stationer.—*Sarah Clabbon*, Stapleford, Cambridgeshire, newspaper proprietor.—*William Woods*, Gresham-rooms, Basinghall-street, London, warehouseman.—*Charles Henry Gausden*, Hove, Sussex, licensed victualler.—*James Nicholson*, Woolwich, Kent, grocer.—*George Trotter*, Gloucester, coachmaker.—*John Varley*, Manchester, chemist.—*Thomas Uryuhart Anderson*, Wellington, Shropshire, mercer.—*James Potter*, Birmingham, mill manufacturer.

PETITION SUPERSEDED.

Thomas Nutley, Reading, Berkshire.

SCOTCH SEQUESTRATION.

William Halliday, Glasgow, wine merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Wardell, North Shields, Northumberland, tipe preparer, April 23 at half-past 10, County Court of Northumberland, at North Shields.—*Henry Jackson*, North Shields, Northumberland, outfitter, April 23 at half-past 10, County Court of Northumberland, at North Shields.—*Wm. German*, Liverpool, hairdresser, March 27 at 10, County Court of Lancashire, at Liverpool.—*Abraham Downs*, Cheddington, Buckinghamshire, farmer, March 31 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*James William Lane*, St. Alban's, Hertfordshire, grocer, March 31 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Thomas Thompson*, Glamford Briggs, Lincolnshire, tailor, April 16 at 11, County Court of Lincolnshire, at Brigg.—*Wm. Knott*, Brigg and Yawthorpe, Corringham, Lincolnshire, vessel owner, April 16 at 11, County Court of Lincolnshire, at Brigg.—*Geo. Crabtree*, Burleywood-head, near Otley, Yorkshire, woollen top manufacturer, April 19 at 10, County Court of Yorkshire, at Otley.—*Jos. Duffield*, Littlehampton, Sussex, tailor, April 17 at 10, County Court of Sussex, at Arundel.—*John Page*, Daglingworth and Dunsborne, Gloucestershire, farmer, April 26 at 11, County Court of Gloucestershire, at Dursley.—*John Bishop*, Brighton, Sussex, jeweller, April 10 at 12, County Court of Sussex, at Brighton.—*Thos. Drew*, Worcester, tailor, April 14 at 10, County Court of Worcestershire, at Worcester.—*Johnson Darley*, Keelby, Lincolnshire, innkeeper, April 13 at 11, County Court of Lincolnshire, at Caistor.—*Wm. Rees*, Cardiff, Glamorganshire, retailer of beer, April 10 at 10, County Court of Glamorganshire, at Cardiff.—*Cornelius Millward*, Wellington, Shropshire, painter, April 16 at 10, County Court of Shropshire, at Wellington.—*Robert Green Bales*, Great Yarmouth, Norfolk, baker, April 12 at 10, County Court of Norfolk, at Great Yarmouth.—*Henry Williamson*, Frindsbury, Kent, ropemaker, April 2 at 10, County Court of Kent, at Rochester.—*Joseph Bell*, North Shields, Northumberland, master mariner, April 23 at half-past 10, County Court of Northumberland, at North Shields.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, April 8.

Joseph Smith, Newbottle, innkeeper.—*John Fleming*, Berry Edge, near Shotley Bridge, grocer.—*Thomas Thew*, Bishopwearmouth, tinner.—*John Murray*, Sunderland near the Sea, assistant to a shipchandler.

At the County Court of Huntingdonshire, at HUNTINGDON.
April 8 at 12.

John Daniel Ranson, St. Ive's, out of business.

At the County Court of Lancashire, at LANCASTER,
April 10 at 11.

George Norris, Rochdale, shopman.—L. Fish, Blackburn, out of business.—Thomas Wadsworth, Manchester, out of business.—Robert Johnson, Salford, out of business.—John Lewis, Hulme, Manchester, tailor.—Edw. Boyer the younger, Brooklands, near Ormskirk, in no profession.—P. Walsley the younger, Ashton in Mackerfield, near Wigan, shoemaker.—John Leadbeater, Heywood, near Manchester, bookkeeper.—John Southall, Liverpool, general merchant.—J. Connolly, Liverpool, farmer.—Henry Riley, Bolton-le-Moors, overlooker in a cotton factory.—Alfred Smith, Wigan, out of business.—John Giffoy, Oldham, tailor.—Charles Whitworth, Rochdale, carter.—John Caldecutt, Heaton Norris, out of business.—D. Boyle, Manchester, sheet wadding manufacturer.—James Wilkie the younger, Blackpool, stonemason.—Wm. Lymer, Liverpool, shoemaker.—James Tattersall, Burnley, out of business.—John W. Barton, Manchester, cotton waste dealer.—Peter Roulinson, Liverpool, farmer.—Saml. Coop, Manchester, joiner.—John Travers, Hulme, Manchester, joiner.—Peter Hadfield, Hulme, Manchester, out of business.—William Barker, Staleybridge, tailor.—Edward Morrison, Manchester, common carrier.—William Norcross, Clitheroe, grocer.—John Aitkin, Salford, joiner.—John Shaw, Heaton Norris, out of business.—S. Martin, Whalley, near Blackburn, shoemaker.—John Carroll, Salford, twine manufacturer.—Edw. Loovering, Staleybridge, provision dealer.—Andrew Melvin, Liverpool, out of business.—John Wood, Manchester, out of business.—John Reid, Hulme, Manchester, joiner.—Wm. Millington, Manchester, out of business.—A. Lodwick, Bootle, near Liverpool, shopman to a grocer.—Thos. Bushell, Salford, out of business.—Edmund Lee, Manchester, brick maker.—Matthew Walker, Liverpool, out of business.

At the County Court of Norfolk, at the Guildhall, NORWICH,
April 16 at 10.

Robert G. Claburn, Norwich, out of business.

At the County Court of Northamptonshire, at NORTHAMP-
TON, April 21.

Wm. Cooke, Northampton, corn dealer.

At the County Court of Dorsetshire, at DORCHESTER,
April 13 at 11.

Benjamin Pearce the elder, Portland, stone agent.

TUESDAY, MARCH 30.

BANKRUPTS.

JOHN FRASER, Great Suffolk-street, Southwark, Surrey, draper and haberdasher, dealer and chapman, April 15 at 12, and May 6 at half-past 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Sawbridge, 126, Wood-street, Cheapside.—Petition filed March 27.

CHARLES HUDSON SIMSON, Bishopsgate-st., London, provision dealer, April 8 at half-past 1, and May 6 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Keighley, Basinghall-st., London.—Petition filed March 25.

THOMAS HEARD, Woodbridge, Suffolk, brewer and maltster, dealer and chapman, April 20 at half-past 11, and May 18 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Pownall, Ipswich; Sole & Co., 68, Aldermanbury, London.—Petition filed March 27.

SAMUEL LOVICK COLEMAN, Norwich, draper, dealer and chapman, April 8 at 2, and May 6 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Sole & Co., 68, Aldermanbury.—Petition filed March 19.

THOMAS YOUNGMAN, Old-street-road, Middlesex, draper, April 10 at 1, and May 8 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Jay, 14, Bucklersbury, London.—Petition dated March 20.

FREDERICK GEORGE JOHNS, Great Queen-street, Lincoln's-inn-fields, Middlesex, fixture dealer, dealer and chapman, April 3 at 12, and May 14 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Story, 36, Great James-st., Bedford-row, Middlesex.—Petition filed March 27.

MATTHEW SLADE HOOPER Billiter-st., London, tea dealer, (carrying on business under the style of Matthew Hooper & Co.), April 14 at half-past 1, and May 14 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. C. & H. Freshfield, 5, New Bank-buildings.—Petition filed March 16.

ANN PUCKETT, Melton-street, Euston-square, Middlesex, lodging-house keeper, dealer and chapwoman, April 8 and May 6 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Moxon, 27, Southampton-buildings, Chancery-lane.—Petition filed March 26.

RICHARD CHAMBERLAIN, Uttoxeter, Staffordshire, draper, dealer and chapman, April 3 and May 3 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Motteram & Co., Birmingham; Jones, Sise-lane, London.—Petition dated March 4.

JOSEPH CRAVEN BEEVES, Rownham Mills, Long Ashton, Somersetshire, paint manufacturer, dealer and chapman, April 14 and May 12 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Tyrer, Liverpool.—Petition filed March 29.

HENRY HAYMAN, Ottery St. Mary, Devonshire, apothecary, April 6 and May 11 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Gidley, Exeter.—Petition filed March 23.

HENRY BATES, Warley, Halifax, Yorkshire, common brewer, dealer and chapman, April 20 and May 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Wavell & Co., Halifax; Courtenay & Compton, Leeds.—Petition dated March 25.

JOHN BARNES, Liverpool, commission agent, dealer and chapman, April 14 and May 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Bagshaw & Sons, Manchester.—Petition filed March 25.

HENRY MARTIN, Liverpool, and Birkenhead, Cheshire, currier, leather dealer, dealer and chapman, April 14 and May 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Tyrer, Liverpool.—Petition filed March 26.

JAMES LUND COPELAND, Liverpool, merchant, April 16 and May 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Lowndes & Co., Liverpool.—Petition filed March 27.

ROBERT JOHNSTON, Macclesfield, Cheshire, silk manufacturer, April 14 and May 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser.—Petition filed March 16.

MEETINGS.

John Cogle, Limington, Somersetshire, miller, April 27 at 11, District Court of Bankruptcy, Exeter, aud. ac.; at half-past 11, div.—*John Fegan*, Lincoln, draper, May 5 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and fin. div.—*Chas. Lamin*, Newbury, Berkshire, upholsterer, April 20 at 12, Court of Bankruptcy, London, div.—*Wm. Woodbridge*, Mincing-lane, London, colonial broker, April 20 at 12, Court of Bankruptcy, London, div.—*Henry Shuttleworth*, Saffron Walden, Essex, ironmonger, April 26 at 12, Court of Bankruptcy, London, div.—*Hen. Thompson*, Belper, Derbyshire, draper, April 16 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.; April 23 at half-past 10, div.—*Henry Gladwin*, Nottingham, draper, April 16 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.; April 23 at half-past 10, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Robert Debenham, Edwards-st., Portman-square, Middlesex, draper, April 23 at 11, Court of Bankruptcy, London.—*Wm. Gosling*, Woolwich, Kent, ironmonger, April 21 at 1, Court of Bankruptcy, London.—*Henry Woolf* and *Isaac Lyons*, Cripplegate-buildings, London, umbrella manufacturers, April 21 at 1, Court of Bankruptcy, London.—*John Rutly*, Gerrard-st., Soho, Middlesex, draper, April 21 at 12, Court of Bankruptcy, London.—*John Amery*, Chelmsford, Essex, hotel keeper, April 26 at 11, Court of Bankruptcy, London.—*John Fegan*, Lincoln, draper, May 5 at 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Wm. Whitehouse*, April 22 at 11, District Court of Bankruptcy, Liverpool.—*Henry Pousad*, Plymouth, Devonshire, builder, April 22 at 11, District Court of Bankruptcy, Plymouth.—*Samuel*

Bickerton, Liverpool, butcher, April 20 at 11, District Court of Bankruptcy, Liverpool.—*Joseph Hall*, Hoped, Cradley, Herefordshire, farmer, April 26 at half-past 10, District Court of Bankruptcy, Birmingham.—*Thos. Myring*, Walsall, Staffordshire, bridle cutter, April 26 at half-past 10, District Court of Bankruptcy, Birmingham.—*Robert Squires James*, Leeds, Yorkshire, wholesale ironmonger, April 22 at 11, District Court of Bankruptcy, Leeds.—*Henry Shaw*, Houses-hill, near Huddersfield, Yorkshire, and *Henry Garthwaite*, Mold Green, near Huddersfield, Yorkshire, fancy manufacturers, April 22 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John Fairbrother, Brighton, Sussex, cowkeeper.—*Alfred Markwick*, Martin's-lane, Cannon-st., London, manufacturer.—*Jules Samuel Rochat*, St. Martin's-lane, Middlesex, watch-maker.—*Geo. Garrard*, Saxmundham, Suffolk, ironmonger.—*F. F. Woods*, Little Portland-st., Oxford-st., and Pelham-terrace, Brompton, Middlesex, builder.—*John Jas. Rayner*, Fleetwood, Lancashire, tailor.—*Robert Welsh*, Huddersfield, Yorkshire, woollen cloth merchant.—*Joseph Longbottom* and *Thos. Fawcett*, Leeds, Yorkshire, cloth merchants.—*Robert Barr*, Glasgow, Scotland, and *John Sykes*, Huddersfield, Yorkshire, spinners.

PETITION ANNULLED.

Robert M'Donnell, Worthing, Sussex, draper.

SCOTCH SEQUESTRATIONS.

James Robertson Nicoll, Dundee, iron merchant.—*John Gibb*, Greenock, merchant.—*P. M. Thomson & Co.*, Aberdeen, general ironmongers.—*Alexander Cameron*, Croftintygan, Lochtayside, Perthshire, farmer.—*Wm. Jamieson*, Torran, Argyllshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Hockey, Calmstock, Devonshire, yeoman, April 22 at 12, County Court of Somersetshire, at Wellington.—*John Weeks*, Weston-super-Mare, Somersetshire, out of business, April 23 at 11, County Court of Somersetshire, at Weston-super-Mare.—*W. Kennedy*, Chesterfield, Derbyshire, brazier, April 21 at 10, County Court of Derbyshire, at Chester.—*James Barrow*, Huddersfield, Yorkshire, commercial traveller, April 15 at 10, County Court of Yorkshire, at Huddersfield.—*Ann Waller*, Hillhouse, Yorkshire, cordwainer, April 15 at 10, County Court of Yorkshire, at Huddersfield.—*James Johnson*, Dunnuck, Bingley, Yorkshire, delver, April 21 at 11, County Court of Yorkshire, at Keighley.—*Jas. Teecs*, Dawley, Shropshire, tailor, April 17 at 10, County Court of Shropshire, at Madeley.—*Thos. Wadling*, Devonport, Devonshire, rigger in her Majesty's Dockyard, at Devonport, May 13 at 11, County Court of Devonshire, at East Stonehouse.—*Robert Pearman*, Cheltenham, butcher, April 20 at 10, County Court of Gloucestershire, at Cheltenham.—*John Wollacott*, Uffculme, Devonshire, labourer, April 15 at 10, County Court of Devonshire, at Tiverton.

Saturday, March 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Richard Scott, Oxford-st., Stepney, Middlesex, carpenter, No. 62,721 T.; *Charles F. Foster*, assignee.—*John Potter*, Guildford-place, Lambeth, Surrey, clerk to an attorney, No. 62,799 T.; *John Wood*, assignee.—*Thomas Green*, Hatton-garden, Holborn, Middlesex, auctioneer, No. 62,833 T.; *Isaac Carr*, assignee.—*John Baker*, Mayfield, Sussex, bailiff, No. 74,761 C.; *William Gilbert*, William Tooth, and *John Hillman*, assignees.—*John Hayward*, Dartford, Kent, attorney at law, No. 74,763 C.; *William Cracroft Fooks* and *Edward Deere*, assignees.—*Thomas Smith*, Lofthouse, near Leeds, Yorkshire, rope spinner, No. 74,372 C.; *Joseph Rowley* and *Edwin Rowley*, assignees.—*Samuel Wood*, High-street, Old Brompton, Middlesex, hair dresser, No. 50,631 T.; *Thomas Nathall*, new assignee, in the room of *John Marriner*, deceased.

Saturday, March 27.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James King, Hanway-street, Oxford-street, hair cutter: in

the Debtors Prison for London and Middlesex.—*Jas. Forpe*, Montpelier-row, Brompton, Middlesex, jobbing upholsterer: in the Debtors Prison for London and Middlesex.—*John Wat-son*, Grove-cottage, Grove-lane, Camberwell, Surrey, coach proprietor: in the Queen's Prison.—*J. W. Procter*, Plumstead, Kent, farmer: in the Gaol of Horse-monger-lane.—*Jos. Rutter*, Union-street, Deptford, Kent, omnibus proprietor: in the Debtors Prison for London and Middlesex.—*Thomas Leach*, Lisson-grove North, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*B. E. Brooshoff*, Regent-street, Kennington, Surrey, extra clerk in the Duchy of Cornwall-office, Somerset House: in the Debtors Prison for London and Middlesex.—*Thomas Ross Comyn*, Horseay, Middlesex, carpet agent: in the Queen's Prison.—*J. Glover*, Crawford-street, Cold Harbour-lane, Camberwell, Surrey, accountant: in the Queen's Prison.—*William Taylor*, Upper Whitecross-st., St. Luke's, Middlesex, shopman to a cheesemonger: in the Debtors Prison for London and Middlesex.—*Thomas Ganner*, Russell-street, St. John's, Southwark, Surrey, wheelwright: in the Debtors Prison for London and Middlesex.—*The Rev. T. B. L. Hall*, Cobourg-place, Kennington-lane, Surrey, clerk: in the Queen's Prison.—*G. Smith*, Church-st., Deptford, Kent, potatoe salesman: in the Queen's Prison.—*John William Oddy*, Roupell-street, Cornwall-road, Lambeth, Surrey, out of business: in the Gaol of Horse-monger-lane.—*Andrew Beardley*, Blackfriars-road, Surrey, licensed victualler: in the Gaol of Horse-monger-lane.—*Geo. Shatwell*, Fish-street-hill, London, clerk: in the Debtors Prison for London and Middlesex.—*John Burridge*, Rupert-street, Haymarket, Middlesex, hatter: in the Debtors Prison for London and Middlesex.—*J. Aitken*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*John Bramwell*, Little Hucklow, Derbyshire, farmer: in the Gaol of Derby.—*Thos. Bushell*, Salford, Lancashire, porter merchant: in the Gaol of Lancaster.—*Samuel Coop*, Manchester, joiner: in the Gaol of Lancaster.—*John Carroll*, Salford, Lancashire, twine manufacturer: in the Gaol of Lancaster.—*Robert Howe*, Great Hucklow, Derbyshire, miner: in the Gaol of Derby.—*Edwin Lovering*, Staleybridge, Cheshire, grocer: in the Gaol of Lancaster.—*Wm. Millington*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Samuel Martin*, Whalley, near Blackburn, Lancashire, shoemaker: in the Gaol of Lancaster.—*W. Norcross*, Clitheroe, Lancashire, plasterer: in the Gaol of Lancaster.—*John Reid*, Hulme, Manchester, joiner: in the Gaol of Lancaster.—*John Shaw*, Heaton Norris, Lancashire, provision dealer: in the Gaol of Lancaster.—*John Traverser*, Hulme, Manchester, joiner: in the Gaol of Lancaster.—*Wm. Wild*, Heaton Norris, Lancashire, out of business: in the Gaol of Lancaster.—*James Wilkie* the younger, Blackpool, Lancashire, stonemason: in the Gaol of Lancaster.—*John Wood*, Manchester, joiner: in the Gaol of Lancaster.—*M. Walker*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*W. Barker*, Staleybridge, Lancashire, tailor: in the Gaol of Lancaster.—*Eliza Bennett*, Milford Haven, Pembrokehire, dress-maker: in the Gaol of Haverfordwest.—*George Fox*, Mearbrough, Yorkshire, farmer: in the Gaol of York.—*Joseph Genetone*, Cardiff, Glamorganshire, ironmonger: in the Gaol of Cardiff.—*D. R. Morgan*, Merthyr Tydvil, Glamorganshire, chemist: in the Gaol of Cardiff.—*E. Beanland*, Tong, near Bradford, Yorkshire, engine tender: in the Gaol of York.—*M. Booth*, Dewsbury, Yorkshire, innkeeper: in the Gaol of York.—*Thos. Bedford*, Middle Shillington, near Dewsbury, Yorkshire, miller: in the Gaol of York.—*William Bradley*, Rock, Worcester-shire, wheelwright: in the Gaol of Worcester.—*George Brown*, Southampton, carpenter: in the Gaol of Southampton.—*Benjamin Garton*, Scredington, near Folkingham, Lincolnshire, farmer: in the Gaol of Lincoln.—*Thomas Tunstall*, Shelton, Stoke-upon-Trent, Staffordshire, grocer: in the Gaol of Chester.—*William Crossdale*, Preston, Lancashire, out of business: in the Gaol of Lancaster.—*Frederick Ede*, Worthing, Sussex, cabinet maker: in the Gaol of Lewis.—*Roger Gill*, Leeds, Yorkshire, linendraper: in the Gaol of York.—*James Ponty*, Leeds, Yorkshire, clasp manufacturer: in the Gaol of York.—*Robert Jackson*, Claypath, Durham, woollendraper: in the Gaol of Durham.—*Benjamin Jackson*, Claypath, Durham, woollendraper: in the Gaol of Durham.—*Robert Watson*, Chester-le-Street, Durham, grocer: in the Gaol of Durham.—*James Bateman*, Dover, Kent, attorney-at-law: in the Gaol of Dover.—*John Skipsey Bell*, Kingston-upon-Hull, out of business: in the Gaol of Kingston-upon-Hull.—*George Corbitt*, Sheffield, Yorkshire, builder: in the

Gaol of York.—*William Robinson*, Burnley, Lancashire, whitesmith: in the Gaol of Lancaster.—*William Flowerday Silcock*, Great Yarmouth, Norfolk, out of business: in the Gaol of Norwich.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, April 12.

Joseph Genetone, Cardiff, out of business.—*David Howells*, Swansea, publican.

At the County Court of Hampshire, at SOUTHAMPTON, April 13 at 10.

George Brown, Southampton, carpenter.

At the County Court of Worcestershire, at WORCESTER, April 14 at 10.

Thomas Lett, Stoke Prior, near Bromsgrove, victualler.

At the County Court of Staffordshire, at STAFFORD, April 14 at 10.

Charles George Teather, Bloxwich, Walsall, grocer.

At the County Court of Kent, at DOVER, April 15 at 10.

James Bateman, Dover, out of business.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, April 16 at 10.

James Nurse, King's Lynn, attorney-at-law.—*William Flowerday Silcock*, Great Yarmouth, out of business.

At the County Court of Northumberland, at MORPETH, April 16 at 10.

Wm. Dick, North Shields, shoemaker.—*Thomas Thompson*, North Shields, master mariner.—*John Swindles Dick*, North Shields, master mariner.

At the County Court of Denbighshire, at RUTHIN, April 16 at 10.

John Wright, Ruabon, publican.—*William Hole*, Aberdare, Glamorganshire, publican.

At the County Court of Merionethshire, at DOLGELLY, April 17 at 11.

William Howell, Caerhys, Trawsfynydd, labourer.

INSOLVENT DEBTORS' DIVIDENDS.

Edward Cherry Piggott, New Bridge-street, Blackfriars, London, clerk to a lace manufacturer: 1s. 9½d. in the pound.

—*John Hopkins*, High-street, Portland-town, Middlesex, chequer-master: 11d. in the pound.—*William Richard Cason*, High-street, Deptford, Kent, cowkeeper: 3s. 6d. in the pound.

—*Ellis Moses*, St. John-street, Clerkenwell, butcher: 2s. 4d. in the pound.—*John Cass*, Virginia-row, Bethnal-green, Middlesex, baker: 5s. 4½d. in the pound.—*John George Fordham Blow*, Long-lane, Bermondsey, Middlesex, carrier: 1s. 8d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

George Nott, Cornwall-road, Lambeth, Surrey, carpenter, April 17 at 12, Insolvent Debtors Court, Portugal-street, Lincoln's-inn-fields, sp. aff.

The Queen has been pleased to confer the honour of knighthood upon *John Dorney Harding, Esq., D. C. L.*, her Majesty's Advocate-General.

The Lord Chancellor has made the following appointments of Gentlemen at the Bar:—To the office of—

Principal Secretary, Mr. John Stuart, jun.

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- G. Carew, Esq., Solicitor, Lincoln's-inn-fields.
- F. W. Remnant, Esq., Solicitor, Lincoln's-inn-fields.
- E. Ray, Esq., Surgeon, Dulwich.

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The Jurist

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APRIL 10, 1852.

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LONDON, APRIL 10, 1852.

In the present article we propose to consider some recent decisions relating to costs under the County Court Extension Act*. It may now be regarded as settled in the Courts of Common Pleas and Queen's Bench, that where the superior courts have a concurrent jurisdiction with the county courts, under sect. 128 of stat. 9 & 10 Vict. c. 95, or where no plaint could have been entered in any county court, or where the cause has been removed from a county court by certiorari, the superior court, or a judge thereof, is bound, by stat. 13 & 14 Vict. c. 61, s. 13, on being satisfied of one of the above facts, to make an order that the plaintiff shall have his costs; (*Macdougall v. Paterson*, 15 Jur., part 1, p. 1108; 2 Lownd. M. & P. 681; S. C., *Crake v. Powell*, 16 Jur., part 1, p. 124, note); and such it appears will be the decision in the Exchequer whenever the case shall come again before the full Court; for in *Asplin v. Blackman*, (21 L. J., Ex. 78), heard in the judges' room at Westminster in February last, before Parke and Alderson, BB., those learned judges decided in conformity with the above cases, and therefore in direct opposition to *Jones v. Harrison*, (6 Exch. 328; 15 Jur., part 1, p. 337).

Although the refusal of costs, where a party is entitled to them, is a ground for bringing a writ of error, yet the Court of Common Pleas has decided that applications for costs, under the County Court Extension Act, must be made promptly, or they will not be entertained. (*Orchard v. Mossy*, 16 Jur., part 1, p. 124). In that case it appeared that a verdict had been found for the plaintiff in May, 1851, and on the 26th of that month he

applied to Pattenon, J., at chambers, for his costs, but the summons was dismissed, on the authority of *Jones v. Harrison*. The defendant then paid the amount of damages, without prejudice to the plaintiff's right to apply to the Court for his costs; and upon the Court of Common Pleas deciding *Macdougall v. Paterson*, the plaintiff obtained a rule nisi on the 13th January for the taxation of his costs. The Court said, that as the plaintiff had not applied within a reasonable time, but had lain by from May to December, (a period of seven months), when the decision of the Court of Common Pleas was pronounced, the rule must be discharged*. In *Asplin v. Blackman* (supra) this objection was also raised to the application of the plaintiff, upon the following state of facts:—The cause was tried on the 15th November, and resulted in a verdict for the plaintiff, who, however, was directed by the judge to be holden to bail to answer a charge of perjury, for which offence he was subsequently tried and acquitted. His attorney was afterwards charged, and the summons for costs was taken out on the 7th February. It was now insisted that there had been an unnecessary delay upon his part, as he might have come to the Court in the preceding Michaelmas or Hilary Terms. Alderson, B., however, said, "The decision of the Queen's Bench in *Crake v. Powell* was not given until after Hilary Term, and the plaintiff could hardly be expected to come to the Court of Exchequer, and ask them to reverse the decision of *Jones v. Harrison*. I think, under all the circumstances, the plaintiff has made his application within a reasonable time."

With reference to the exceptional cases in which a

* The Court of Exchequer discharged a rule for costs under the act, upon a similar ground, in *Bearcroft v. George*, in Easter Term, 1851, MS.

* The latest reviews of this class of cases will be found in 15 Jur., part 2, pp. 242, 454.



plaintiff suing in a superior court is entitled to his costs, a question has been raised, but not decided, whether, if a plaintiff has two dwelling-places, one of them less and the other more than twenty miles from the defendant, the superior Courts have concurrent jurisdiction. (*Macdougall v. Paterson*, supra). He certainly could state in his affidavit, with truth, that he dwelt more than twenty miles from the dwelling of the defendant at the time of commencing the action.

Where the plaintiff dwelt at Inverness, more than twenty miles from the defendant, but had been in the habit for some years of coming to London, and residing for some months in Golden-square, for the purposes of his business, less than twenty miles from the defendant, and was so residing there at the commencement of the action, it was held that he did not "dwell" in Golden-square, within the meaning of the 128th section of the 9 & 10 Vict. c. 95, but at Inverness. (*Macdougall v. Paterson*, supra).

As to the "cause of action arising wholly or in some material point within the jurisdiction of the court within which the defendant dwells or carries on his business at the time of the action brought," (sect. 128 of stat. 9 & 10 Vict. c. 95), it has been decided, in an action at the suit of an indorsee of a bill of exchange which had been delivered to him in Middlesex, that the cause of action arose wholly in that county, and not in London, where the bill was drawn, accepted, and written across by the indorser. (*Buckley v. Ham*, 5 Exch. 43).

If the application be upon the ground that title came in question, the onus is thrown upon the plaintiff of shewing that it did really bonâ fide come in issue, and not merely that the defendant so pleaded that it might possibly have come in issue. (*Latham v. Spedding*, 15 Jur., part 1, p. 576).

Although the sum "recovered" may fall below the sum which entitles a plaintiff to costs, yet he is not deprived of them if it has been reduced by a set-off, (*Woodhams v. Newman*, 7 C. B. 654; *Berwick v. Coppar*, Id. 669), or by a tender, (*Cross v. Seaman*, 15 Jur., part 1, p. 512; 2 Prac. Rep. 273), or, as it seems, by payment into court, (*Power v. Jones*, 15 Jur., part 1, p. 242; *Brooks v. Rigby*, 2 Ad. & El. 21; Reg. Gen., T. T., 1 Vict.); although it is of course otherwise if the reduction has been caused by payments. (*Turner v. Berry*, 20 L. J., Ex., 89).

The County Court Acts apply to demurrers, so as to deprive a plaintiff of costs, where the jury assess his damages thereon, in an action of contract, at less than 20*l.* (*Pross v. Squire*, 20 L. J., C. P., 175). In the last-cited case, Jervis, C. J., appeared to be of opinion that the word "verdict," in sect. 12 of the 13 & 14 Vict. c. 61, included a verdict upon a writ of inquiry, except on a judgment by default, which is expressly excluded from the act. (See *Reed v. Shrubsole*, 13 Jur., part 1, p. 497). It has been held, that under the 9 & 10 Vict. c. 95, s. 129, a judge of a superior court may certify for costs at any time before the costs are taxed. (*Sharratt v. Trevor*, 20 L. J., Ex., 189). In that case the certificate was given fourteen days after the trial, and the decision proceeded upon the ground that the statute did not limit the period for giving the certificate; and the same construction would be given, upon the same ground, to sect. 12 of the Extension Act; and

where an order of reference gave to an arbitrator the same power of certifying as a judge at Nisi Prius, but he did not exercise it, it was held that a court or a judge had still the power of certifying under sect. 13 of the Extension Act, the certificate under that section being one which a court or judge has power to give, and being different from that which a judge at Nisi Prius is empowered to give under the 12th section. (*Sharp v. Eoleigh*, 20 L. J., Ex., 282). This difference will be manifest upon comparing the two sections. It will be important henceforth to insert in every submission to arbitration, as in the above case, a power for the arbitrator to certify in the same manner as a judge at Nisi Prius.

Court Papers.

EQUITY SITTINGS, EASTER TERM, 1852.

Rolls Court.

Before the Right Hon. the MASTER of the ROLLS, at the Rolls.

Thursday .. April 15	Motions.
Friday	Petitions in the General Paper.
Saturday	17
Monday	19
Tuesday	20
Wednesday	21
Thursday	22
Friday	23
Saturday	24
Monday	26
Tuesday	27
Wednesday	28
Thursday	29
Friday	30
Saturday	May 1
Monday	3
Tuesday	4
Wednesday	5
Thursday	6
Friday	7
Saturday	8

Pleas, Demurrers, Causes, Further Directions, and Exceptions.

Motions.

Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.

Motions.

Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.

Petitions in the General Paper.

Motions.

Short Causes, Short Claims, Consent Causes, Unopposed Petitions, and Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

COMMON-LAW SITTINGS, IN AND AFTER EASTER TERM, 1852.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting, (at 10 o'clock),	} Any common jury cause may be taken at these sittings.
Friday	
2nd sitting, (at 10 o'clock),	} For undefended causes only.
Friday	
3rd sitting, (at 10 o'clock),	
Thursday	May 6

After Term.—Monday, May 10.

LONDON.—*In Term.*

1st sitting (at 10 o'clock) ..	Thursday	April 22
2nd sitting (at 10 o'clock) ..	Thursday	29

[Any common jury cause may be taken in term.]

After Term.—Tuesday, May 11, to adjourn only.

The Court will sit at half-past nine o'clock on every day after term.

The causes in the list for each of the above sitting days in

term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

N. B.—The Office of the Marshal and Associate is in Rolls-gardens, Chancery-lane. Hours of attendance, 11 to 5 during term and sittings after term; 11 to 2 during the rest of the year.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Tuesday April 20	Thursday April 22
Tuesday 27	Thursday 29

After Term.

Monday May 10	Tuesday May 11
---------------------	----------------------

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Tuesday, the 11th May, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-gardens, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Friday .. April 16	1st sitting, Thurs., April 22
2nd sitting, Friday 23	2nd sitting, Thursday 29
3rd sitting, Friday 30	

After Term.

Monday May 10	Tuesday May 11
	(To adjourn only).

The Court will sit, during and after term, at ten o'clock.

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

COMMON-LAW CAUSE LISTS, EASTER TERM, 1852.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER HILARY TERM, 1852.

FOR JUDGMENT.	Midd.—Harrison v. Dunn
York—Marten v. Boyes & ors.	HILARY TERM, 1852.
FOR ARGUMENT.	Midd.—Harris v. Noyes
MICH. TERM, 1851.	" Keane v. Stewart
Liv'pool—Hayes v. Williams	" Lane v. Hill
" Rochdale Canal Co.	Lond.—Avery v. Adams & an.
v. Radcliffe	" Rayne v. Allhusen
Carmarthen—Doc d. Thomas	" Rogers v. Harris
v. Thomas	" Beale v. Nye
<i>Tried during Mich. Term,</i>	<i>Tried during Hilary Term,</i>
1851.	1852.
Midd.—Neve & an. v. Hol-	Midd.—Stapleton v. Croft
lands and Wife	

COUNTY COURT APPEAL.

Pontefract—Morville v. Great Northern Railway Co.

SPECIAL CASES AND DEMURRERS

FOR EASTER TERM, 1852.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR ARGUMENT.	*Wilson v. Eden
Company of Proprietors of the Kennet and Avon Canal	Broughton v. Jackson
Navigation v. Witherington	Hargreaves v. Lancashire and Yorkshire Railway Co.

Browne & ors. v. Von Uster
Bond v. Eastern Union Railway Co.

*Cross Keys Bridge Co. v. Commissioners of Mens Outfall

Smith v. James
Sir T. R. Gage, Bart., v. Newmarket Railway Co.

Fardon & an. v. Hornsby

Drane v. Matthews

Quarterman v. Guardians, &c. of Oxford

Bouverie & an. v. Perceval
Starkey v. Marriott

*The Guardians of Chelmsford Union v. The Chelmsford Local Board of Health

*Farrow & an. v. Mayes
Morewood v. Eastern Union Railway Co.

Heseltine v. Siely

Ford & an. v. Heale

Boalock v. Sidebottom

Lowndes v. Earl of Stamford and Warrington

ENLARGED RULES

FOR EASTER TERM, 1852.

First Day.

Richards v. Cameron's Coalbrook Steam-coal & Swansea and Loughor Railway Co.

Meredith v. Gittens

Whitmore & an. v. Crabb

Sigrist v. Drummond

In re London & North-western Railway Co. and the Vestrymen of the Poor of the Parish of St. Pancras

Montgomery & an. v. Ross

Lloyd and Wife v. France

In re Wilde and Sheridan

Reg. v. Evan Griffin
Same v. Druncliffe
Same v. Clerk of the County Court of Surrey

Same v. York, Newcastle, and Berwick Railway Co.

Second Day.

Reg. v. Robinson

Same v. Carr

Same v. Official Referees under Metropolitan Building Act

Same v. Inhabitants of Turweston.

London Gazettes.

FRIDAY, APRIL 2.

BANKRUPTS.

HENRY STIMSON, late of Old Kent-road, Surrey, but now of High-st., St. Neot's, Huntingdonshire, boot and shoe maker, dealer and chapman, April 16 at half-past 12, and May 14 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Atkinson, Swan-chambers, Gresham-st., London.—Petition filed March 30.

WILLIAM HEWITT, Great Driffield, Yorkshire, brewer, dealer and chapman, April 21 and May 26 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Jarratt, Great Driffield.—Petition dated March 15.

WILLIAM HIGGINBOTHAM, Macclesfield, Cheshire, silk manufacturer, April 22 and May 7 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Higginbotham, Macclesfield; Hitchcock & Co., Manchester; Johnson & Co., Temple, London.—Petition filed March 29.

JOHN SCOTT M'CUULLOCH, Liverpool, draper and hosier, dealer and chapman, (trading under the style or firm of M'Cuulloch & Co.), April 16 and May 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Dodge, Liverpool; Sole & Co., 68, Aldermanbury, London.—Petition filed March 23.

JAMES HALL, Denton, near Ashton-under-Lyne, Lancashire, hat manufacturer, April 20 and May 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Royle, Manchester.—Petition filed March 27.

MEETINGS.

John Caille, Whitehaven, Cumberland, grocer, April 22 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—Wm. Roberts, Warren-st., Camden-town, Middlesex, builder, April 27 at 11, Court of Bankruptcy, London, aud. ac.—Ambrose Croshaw, Park-road, Holloway, Middlesex, brickmaker, April 22 at 2, Court of Bankruptcy, London, aud. ac.—Joshua Chas. Foster, Club-row, Church-st., Shore-ditch, and New Gloucester-pl., Hoxton, Middlesex, timbermerchant, April 15 at 11, Court of Bankruptcy, London, aud. ac.—Henry Robert Sabine, Poppin's-court, Fleet-st., London, card maker, April 14 at 1, Court of Bankruptcy, London, aud. ac.—Wm. Dalton, Charlotte-st., Fimlico, Middlesex, grocer, April 14 at 1, Court of Bankruptcy, London, aud. ac.

—*Samuel Watkins Saunders*, Castle-st., Southwark, Surrey, engineer, April 14 at half-past 1, Court of Bankruptcy, London, aud. ac.—*John Howard*, Macclesfield, Cheshire, silk manufacturer, April 22 at 12, District Court of Bankruptcy, Manchester, aud. ac.; April 23 at 12, div.—*Robert Sutcliffe*, Warrington, Lancashire, cotton manufacturer, April 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; April 27 at 12, div.—*John Barker*, Newcastle-upon-Tyne and North Shields, Northumberland, merchant, April 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Robert Thorman*, Newcastle-upon-Tyne, engine builder, May 6 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 7 at 11, div.—*John Watson* and *Robert Young Watson*, Sunderland, Durham, shipbuilders, April 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thos. Urquhart Anderson*, Wellington, Shropshire, mercer, April 14 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Milnes*, Falsgrave and Scarborough, Yorkshire, cloth merchant, May 3 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Henry Hamer*, Blackfriars-road, Surrey, linendraper, April 23 at 11, Court of Bankruptcy, London, div.—*Benjamin Bilings*, Harlow, Essex, victualler, April 27 at half-past 11, Court of Bankruptcy, London, div.—*John Slater Marshall*, Goswell-road, Clerkenwell, Middlesex, boot and shoe dealer, April 23 at half-past 11, Court of Bankruptcy, London, div.—*R. N. Reeve*, Newgate-street, London, woollendraper, April 23 at 11, Court of Bankruptcy, London, div.—*James F. Sibby*, Poole, timber merchant, April 23 at 11, Court of Bankruptcy, London, div.—*Henry Charles Verbeke*, Adam's-court, Old Broad-street, London, merchant, April 23 at 1, Court of Bankruptcy, London, fin. div.—*Sir Fras. Chas. Knowles*, Queen-street, May-fair, Middlesex, banker, April 23 at half-past 12, Court of Bankruptcy, London, fin. div.—*John S. Plaxman*, Ludgate-street, London, out of business, April 23 at 1, Court of Bankruptcy, London, div.—*Benj. Tipper*, Maiden-lane, Queen-st., Cheapside, London, wholesale stationer, April 24 at 11, Court of Bankruptcy, London, div.—*John Barlow*, Wharf-road, City-road, Middlesex, engineer, April 24 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Pope*, Kidbrooke, near Blackheath, Kent, cowkeeper, April 23 at 1, Court of Bankruptcy, London, div.—*John Hunsf*, Edgeware-road, Middlesex, draper, April 24 at half-past 11, Court of Bankruptcy, London, div.—*J. Cook*, Assembly-row, Mile-end-road, Middlesex, builder, April 23 at half-past 1, Court of Bankruptcy, London, div.—*C. Bunyard*, Mark-lane, London, seedsman, April 24 at 11, Court of Bankruptcy, London, div.—*Geo. F. Gardener*, Rayleigh, Essex, grocer, April 23 at 11, Court of Bankruptcy, London, div.—*John Marshall*, Southampton, coal merchant, April 24 at 11, Court of Bankruptcy, London, div.—*James Bate*, New Windsor, Berkshire, builder, April 23 at 1, Court of Bankruptcy, London, div.—*Charles Burgin*, Sheffield, Yorkshire, steel manufacturer, April 24 at 11, District Court of Bankruptcy, Sheffield, div.—*John Gray* and *Robert Williams*, Chester, engineers, April 27 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Law, Harrow-road, Middlesex, hatter, April 23 at 2, Court of Bankruptcy, London.—*John Henry Stulpner*, Mark-lane, London, general merchant, April 24 at 12, Court of Bankruptcy, London.—*George Cheetham* and *George W. Gill*, Stroud and Frinsbury, Kent, shipwrights, April 27 at 11, Court of Bankruptcy, London.—*Thomas James Lough* and *Chas. Wm. Lewis*, Great St. Helen's, Bishopsgate-street Within, London, drysalter, April 23 at 12, Court of Bankruptcy, London.—*Charles James Powell*, Kingston, Surrey, draper, April 26 at 1, Court of Bankruptcy, London.—*Robt. Thorman*, Newcastle-upon-Tyne, engine builder, May 7 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John B. Taylor*, Liverpool, commission agent, April 23 at 11, District Court of Bankruptcy, Liverpool.—*Matthew Mumford*, Dittisham, Devonshire, miller, April 28 at 11, District Court of Bankruptcy, Exeter.—*Charles Lucas*, *Richard Wilkinson*, and *Edward Bond*, Manchester, and Hayfield, Derbyshire, calico printers, April 23 at 12, District Court of Bankruptcy, Manchester.—*William Kirkham*, Manchester, paperhanger, April 23 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Sarah Isherwood, Ludgate-hill, London, house decorator.—*Henry Brooker*, High-st., Peckham, Surrey, grocer.—*Wm. J. Foulkes*, Birkenhead, Cheshire, druggist.—*Thomas Lett*, Aspley Guise, Bedfordshire, builder.—*Frederick E. Preedy*, Sherborne, Dorsetshire, wine merchant.—*Robert P. Weston*, Wellington, Shropshire, surgeon.

PARTNERSHIP DISSOLVED.

Wm. M. Fladgate, *Thomas G. Fynmore*, and *Robert G. Clarke*, Craven-st., Strand, Middlesex, attorneys and solicitors, (under the firm of Fladgate, Fynmore, & Clarke, so far as regards *Thomas G. Fynmore*).

SCOTCH SEQUESTRATIONS.

George McLennan & Son, Lochgilphead and Glasgow, distillers.—*Dean Stewart*, Glasgow, baker.—*Wm. Bell*, Longforgan, Perthshire, farmer.—*James Buchanan & Son*, Glasgow, builders.—*Wm. Hamilton*, Cambuslang, Lanarkshire, toll-keeper.—*Hugh Hamilton*, Airdrie, brewer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Leyster, Tardebigg, Worcestershire, baker, April 17 at 9, County Court of Worcestershire, at Redditch.—*Martin Farr*, Bredon, Ipsley, Warwickshire, needle manufacturer, April 17 at 9, County Court of Worcestershire, at Redditch.—*Joseph Maunder*, Tavistock, Devonshire, butcher, April 17 at 10, County Court of Devonshire, at Tavistock.—*Frederick Gulliford*, Curry Mallet, Somersetshire, out of business, April 26 at half-past 1, County Court of Somersetshire, at Langport.—*Robert Buncombe*, Curry Mallet, Somersetshire, farmer, April 26 at 1, County Court of Somersetshire, at Langport.—*Daniel Ward*, Bruton, Somersetshire, assistant to a milk throwster, April 30 at 12, County Court of Somersetshire, at Wincanton.—*I. Whitehouse*, Moulham, Chelmsford, Essex, ironfounder, April 24 at 12, County Court of Essex, at Chelmsford.—*George Marshall*, Colchester, Essex, dealer in tea, April 19 at 12, County Court of Essex, at Colchester.—*Samuel Jones*, Groffield, Abergavenny, Monmouthshire, carpenter, April 19 at 10, County Court of Monmouthshire, at Abergavenny.—*Robert Cobbing Bell*, Ipswich, Suffolk, tailor, April 15 at half-past 1, County Court of Suffolk, at Ipswich.—*Wm. N. Seagrave*, Ipswich, Suffolk, corn chandler, April 15 at half-past 1, County Court of Suffolk, at Ipswich.—*J. Saunders*, Ipswich, Suffolk, grocer, April 15 at half-past 1, County Court of Suffolk, at Ipswich.—*John Brook*, Hartshead, Dewsbury, Yorkshire, shoemaker, April 16 at 10, County Court of Yorkshire, at Halifax.—*Isaac Banford*, Oldbury, Worcestershire, baker, April 17 at 2, County Court of Staffordshire, at Oldbury.—*Wm. Fowler*, Harborne, Staffordshire, attorney, April 17 at 2, County Court of Staffordshire, at Oldbury.—*John Havard*, Pendre, Cardigan, Cardiganshire, cabinet maker, April 21 at 10, County Court of Cardiganshire, at Cardigan.—*Benjamin Dew*, Painswick, Gloucestershire, fishmonger, April 28 at half-past 10, County Court of Gloucestershire, at Stroud.—*Samuel Vickers* the elder, Mansfield, Nottinghamshire, whitesmith, April 7 at 10, County Court of Nottinghamshire, at Mansfield.—*Edmund John Lloyd*, Little Britain, London, clerk, April 22 at 10, County Court of Montgomeryshire, at Welshpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 16 at 11, before the CHIEF COMMISSIONER.

W. Smith, Cottenham-road, Grove-road, Upper Holloway, Middlesex, out of business.—*Stephen Blackley*, New Charlton, Kent, painter.—*John Henderson*, Windsor-terrace, Vauxhall-road, Middlesex, upholsterer.—*John Rogers*, Titchfield-st., Oxford-street, Middlesex, coach sawyer.—*Wm. A. Chambers*, Church-st., Deptford, Kent.

April 17 at 11, before the CHIEF COMMISSIONER.

John Forster the younger, Hatton-wall, Hatton-garden, Middlesex, butcher.

April 19 at 10, before Mr. Commissioner LAW.

Abel Evans, Balham-place, Balham-hill, Streatham, Surrey, corn chandler.—*John Pearse Fossey*, Lower Symons-street, Chelsea, Middlesex, chandler-shop keeper.—*Thomas Blake*, Queen's-road, New-cross, Surrey, grocer.—*Frederick Thorey Howe*, Marlborough-street, East Greenwich, Kent, baker.—*Henry William Tuon*, Suffolk-place, Commercial-road East, Middlesex, printer.—*John Grimes*, New-road, Whitechapel-road, Middlesex, wheelwright.—*John Henry Rushbrook*, Fellows-street, North Haggerstone, Middlesex, commercial traveller.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 16 at 11, before the CHIEF COMMISSIONER.

Joseph John Wild, Pump-row, Old-street-road, Middlesex, cabriolet proprietor.—*James Banks*, Castle-street, Holborn, London, stereotyper.—*Philip Davies*, Tooley-street, Southwark, Surrey, commission agent.—*Henry Francis Wollaston*, Union-grove, Wandsworth-road, Surrey, secretary to the Hall of Commerce, Threadneedle-street, London.

April 16 at 10, before Mr. Commissioner LAW.

Edward Lawrence Levy, Doughty-street, Mecklenburgh-square, Gray's-inn-road, Middlesex, attorney-at-law.—*Robert Nicholson Coding*, Edgecombe-terrace, Bancroft-place, Mile-end-road, Middlesex, shipowner.—*Thomas Rossetter*, Windmill-street, Hackney-road, Middlesex, corn dealer.—*John Ainslie*, Earl-street, Blackfriars, London, draining engineer.

April 16 at 11, before Mr. Commissioner PHILLIPS.

William Thompson Hunt, Brunswick-terrace, Trinity-street, Southwark, Surrey, gas engineer's clerk.—*James King*, Hanway-street, Oxford-street, Middlesex, hair cutter.

April 17 at 11, before the CHIEF COMMISSIONER.

George James Brown, Victoria-grove, Kennington, Middlesex, out of business.—*Henry Goring*, Hayes, Uxbridge-road, Middlesex, out of business.

April 17 at 10, before Mr. Commissioner LAW.

Adjourned Case.

Wm. Lambert Taylor, Peacock-terrace, Walworth, Surrey, out of business.

April 19 at 11, before Mr. Commissioner PHILLIPS.

John Wellard Procter, Plumstead, Kent, farmer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD,
April 14 at 10.

James Kimberley, Walsall Wood, labourer.

At the County Court of Yorkshire, at SHEFFIELD,
April 15 at 12.

William Deakin, Sheffield, grocer.

At the County Court of Sussex, at LEWES, April 20.

Samuel Phillips, Brighton, paper hanger.—*Frederick Ede*, Worthing, cabinet maker.—*Henry Stening*, Brighton, butcher.

At the County Court of Gloucestershire, at BRISTOL,
April 21 at 11.

Adjourned Case.

George Bailey, Westbury-upon-Trym, mason.

At the County Court of Gloucestershire, at GLOUCESTER,
April 29 at 10.

John Stevens, Cheltenham, coach builder.

INSOLVENT DEBTOR'S DIVIDEND.

Robert Read the younger, Newport, Isle of Wight, tailor, Turner's, 56, St. Martin's-lane, London: 4s. 3d. in the pound.

MEETING.

Thomas Lane Robert Peirce, Aldersgate-street, London, out of business, April 21 at 12, Prall's, Chatham, Kent, sp. aff.

TUESDAY, APRIL 6.

BANKRUPTS.

HENRY WORMS, Blackfriars-road, Surrey, boot maker, dealer and chapman, April 16 and May 14 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Co., 14, Old Jewry-chambers, Old Jewry, London.—Petition filed April 2.

THOMAS BULL, Greenwich, Kent, innkeeper, licensed victualler, dealer and chapman, April 16 at 1, and May 22 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Cook, Greenwich and Furnival's-inn; M'Leod & Cann, 3, Paper-buildings, Temple.—Petition dated March 20.

SAMUEL HAYNES, London-st., Paddington, Middlesex, wheelwright, dealer and chapman, April 14 at 2, and May 14 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Co., 14, Old Jewry-chambers.—Petition filed April 5.

HENRY NORMAN BARNES, Margaretting, Essex, milkman, dealer and chapman, April 17 at half-past 1, and May 21 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Duffield, Chelmsford, Essex, and 14, Devonshire-street, Bishopsgate, London.—Petition filed April 1.

ISAAC TIMMINS, Dudley, Worcestershire, chartermaster, innkeeper, dealer and chapman, April 17 and May 8 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Boddington, Dudley.—Petition dated April 2.

WILLIAM WILLIAMS, Pentwyn Golynos and Pontnewynydd, Monmouthshire, iron manufacturer, dealer and chapman, (trading under the firm of William Williams & Co.), April 20 and May 18 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed April 3.

JOHN MITCHELL and **EDWARD CLARKSON**, Horton, Bradford, Yorkshire, worsted spinners, April 22 and May 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Northwood, Bradford; Courtenay & Compton, Leeds.—Petition dated and filed March 27.

GEORGE CHADWICK, Leeds, Yorkshire, grocer, dealer and chapman, April 20 at 12, and May 10 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Upton, Leeds.—Petition dated April 1.

THOMAS WOOD, Northwich, Cheshire, grocer and flour dealer, dealer and chapman, April 16 and May 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Holt & Rowe, Liverpool.—Petition filed March 29.

MEETINGS.

Edward T. Leeming, Manchester, hosier, April 19 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Simon A. Kisch*, Bedford-st., Covent-garden, Middlesex, tailor, April 16 at 11, Court of Bankruptcy, London, last ex.—*Richard Billing* the elder and *Richard Billing* the younger, Reading, Berkshire, brickmakers, April 16 at 11, Court of Bankruptcy, London, last ex.—*W. Houston*, St. James's-terrace, Harrow-road, Paddington, Middlesex, builder, April 17 at 12, Court of Bankruptcy, London, aud. sc.—*James Ferry Silby*, Poole, timber merchant, April 17 at 11, Court of Bankruptcy, London, aud. ac.—*Richard N. Reeve*, Newgate-street, London, woollendrapery, April 17 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Pope*, Kidbrooke, near Blackheath, Kent, cowkeeper, April 17 at 11, Court of Bankruptcy, London, aud. ac.—*Charles Busyard*, Mark-lane, London, seedsman, April 17 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Cook*, Assembly-row, Mile-end-road, Middlesex, builder, April 16 at 2, Court of Bankruptcy, London, aud. ac.—*John Barlow*, Wenlock Iron Wharf, Wharf-road, City-road, Middlesex, engineer, April 17 at 1, Court of Bankruptcy, London, aud. ac.—*George Frederick Gardener*, Rayleigh, Essex, grocer, April 17 at 1, Court of Bankruptcy, London, aud. ac.—*John Marshall*, Southampton, coal merchant, April 17 at 12, Court of Bankruptcy, London, aud. ac.—*James Bate*, New Windsor, Berkshire, builder, April 17 at 11, Court of Bankruptcy, London, aud. ac.—*John Elliott*, Chichester, Sussex, builder, April 16 at 2, Court of Bankruptcy, London, aud. ac.—*Joseph Hall*, Hopend, Cradley, Herefordshire, farmer, April 17 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Edw. Ashton*, Kingston-upon-Hull, woollendrapery, April 21 at 12, District Court

of Bankruptcy, Kingston-upon-Hull, and. ac.; May 5 at 12, div.—*John Forman* and *Robert Frow*, Kingston-upon-Hull, joiners, April 21 at 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.; May 26 at 12, first and fin. div.—*John Lane*, High-st., Marylebone, Middlesex, tailor, April 24 at 2, Court of Bankruptcy, London, div.—*Henry Richard Holloway*, Ryde, Isle of Wight, Southampton, bookseller, April 24 at half-past 1, Court of Bankruptcy, London, div.—*Joseph Trait*, Berners-st., Oxford-st., Middlesex, plumber, April 29 at 11, Court of Bankruptcy, London, div.—*Michael Common*, North Shields, Northumberland, draper, April 29 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*W. Kendall* and *J. Standish*, Leeds, Yorkshire, grocers, April 29 at 11, District Court of Bankruptcy, Leeds, div. sep. est. of *J. Standish*.—*W. Cole*, Birkenhead, Cheshire, estate agent, April 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Edw. Wilkinson* and *Thos. Bentley*, Liverpool, tailors, April 27 at 11, District Court of Bankruptcy, Liverpool, div.—*George Pryde*, *David Jones*, and *John Gibb*, Liverpool, sail makers, April 28 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *G. Pryde*.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Charles John (and not *James*, as before advertised) *Powell*, Kingston, Surrey, draper, April 26 at 1, Court of Bankruptcy, London.—*Henry Broome*, Haymarket, Middlesex, victualler, April 27 at 1, Court of Bankruptcy, London.—*Wm. Walker* and *Stephen Webb*, Oxford-street, St. Marylebone, Middlesex, India rubber warehousemen, April 30 at half-past 11, Court of Bankruptcy, London.—*Josiah Brockwell*, Old Broad-street, London, merchant, April 30 at half-past 12, Court of Bankruptcy, London.—*Wm. Laslett*, Houson, Ash-next-Sandwich, Kent, dealer in hay, April 30 at half-past 11, Court of Bankruptcy, London.—*George Harrison*, Frith-st., Soho-square, Middlesex, ironmonger, April 28 at 12, Court of Bankruptcy, London.—*William Harbridge*, Milton-next-Sittingbourne, Kent, draper, April 29 at 1, Court of Bankruptcy, London.—*John Barlett*, Upper Thames-street, London, wine merchant, April 29 at 2, Court of Bankruptcy, London.—*Thos. Arnold*, Elmors, Gloucestershire, timber dealer, May 5 at 11, District Court of Bankruptcy, Bristol.—*John S. Ward*, Bruton, Somersetshire, silk throwster, April 28 at 12, District Court of Bankruptcy, Bristol.—*S. Wilson*, Nottingham, hotel keeper, April 30 at half-past 10, District Court of Bankruptcy, Nottingham.—*William Hawkins*, Heage, Derbyshire, seedsman, April 30 at half-past 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

James Bosall, Brighton, Sussex, coachmaker.—*Francis R. Hewlett*, Leyton, Essex, cowkeeper.—*Philip Phillips*, Crowland, Holland, Lincolnshire, common brewer.—*Wm. Edward Johnson*, New-wharf, Little Abingdon-street, Westminster, Middlesex, coal merchant.—*Randol Acres* the younger, Packridge, Broughing, Hertfordshire, innkeeper.—*G. Chadfield*, Manchester, plasterer.—*Edward Tinsley*, Cradley Heath, Rowley Regis, Staffordshire, cooper.—*Francis Tandy*, Stourbridge, Worcestershire, and Brierley-hill, Staffordshire, ironmonger.

PARTNERSHIP DISSOLVED.

J. B. C. Huskam and *Robert B. Jackson*, Lincoln's-inn-fields, Middlesex, solicitors.

SCOTCH SEQUESTRATIONS.

Charles Williamson, Leith, spirit dealer.—*J. W. Campbell*, Edinburgh, jeweller.—*Hugh L. Wilson*, Glasgow, merchant.—*Charles M' Ewan*, Glasgow, muslin manufacturer.—*James M'Intyre*, Perth, painter.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Josiah Riddington, Coventry, Warwickshire, writing clerk, April 22 at 12, County Court of Warwickshire, at Coventry.—*James Thorpe*, Peaseholme, Yorkshire, combmaker, April 26 at 10, County Court of Yorkshire, at York Castle.—*Richard Elgie*, Selby, Yorkshire, shoemaker, April 15 at 10, County Court of Yorkshire, at Selby.—*David Jones*, Pfanllwyd, Llanelgvelach, Glamorganshire, out of business, April 14 at 10,

County Court of Glamorganshire, at Neath.—*H. Chellicombe* the younger, Swansea, Glamorganshire, sailmaker, April 15 at 10, County Court of Glamorganshire, at Swansea.—*Peter S. Wilkinson*, Selby, Yorkshire, farrier, April 15 at 10, County Court of Yorkshire, at Selby.—*Jane Burgess*, widow, Thirk, Yorkshire, grocer, April 20 at half-past 10, County Court of Yorkshire, at Thirk.—*Robert Taverner*, Exeter, baker, April 10 at 10, County Court of Devonshire, at Exeter.—*M. Hooper*, South Womford, Heavitree, Devonshire, out of business, April 10 at 10, County Court of Devonshire, at Exeter.—*W. Smith*, Exeter, fly proprietor, April 10 at 10, County Court of Devonshire, at Exeter.—*Thomas Tyler*, St. Thomas the Apostle, Devonshire, out of business, April 10 at 10, County Court of Devonshire, at Exeter.—*John Williams*, Bontnewydd, Llan-bellig, Carnarvonshire, farmer, April 26 at 10, County Court of Carnarvonshire, at Carnarvon.—*James Fletcher*, Wibsey Bank Foot, near Bradford, Yorkshire, innkeeper, April 20 at 11, County Court of Yorkshire, at Bradford.—*John Marshall*, Little Horton, Bradford, Yorkshire, cabinet maker, April 20 at 11, County Court of Yorkshire, at Bradford.—*Edward Nightingale*, Horsley-heath, Tipton, Staffordshire, butcher, April 16 at 12, County Court of Worcestershire, at Dudley.—*Samuel Allen*, Elmbridge, Worcestershire, bailiff, April 27 at 10, County Court of Worcestershire, at Droitwich.—*Thomas Smith*, Haverfordwest, waiter, April 23 at 10, County Court of Pembrokehire, at Haverfordwest.—*Thomas Duns Palmer*, Gallsiwick, Hubberstone, Pembrokehire, gentleman, April 23 at 10, County Court of Pembrokehire, at Haverfordwest.—*Richard Burkinshaw*, Sheffield, Yorkshire, commercial accountant, April 15 at 12, County Court of Yorkshire, at Sheffield.—*William Holmes* the younger, Sheffield, Yorkshire, saddler, April 15 at 12, County Court of Yorkshire, at Sheffield.—*Benjamin Burd*, Wem, Shropshire, veterinary surgeon, April 19 at 12, County Court of Shropshire, at Wem.—*James Meikle*, Manchester, joiner, April 16 at 2, County Court of Lancashire, at Manchester.—*George Sturt* the younger, Farnborough, Hampshire, wheelwright, April 21 at 11, County Court of Surrey, at Farnham.—*Samuel Fordham*, Litchington, Cambridgeshire, corn factor, April 19 at 2, County Court of Hertfordshire, at Royston.—*Samuel Carter*, Earith, Huntingdonshire, corn and coal merchant, April 22 at 10, County Court of Huntingdonshire, at Huntingdon.—*John Tinsley*, Wolverhampton, Staffordshire, bricklayer, April 20 at 12, County Court of Staffordshire, at Wolverhampton.—*John Edwards*, Bilston, Wolverhampton, Staffordshire, carpenter, April 20 at 12, County Court of Staffordshire, at Wolverhampton.—*William Underwood*, Kinfare, Staffordshire, blacksmith, April 20 at 12, County Court of Staffordshire, at Wolverhampton.—*Joseph Greaves*, Bilston, Staffordshire, plumber, April 20 at 12, County Court of Staffordshire, at Wolverhampton.—*Joseph Hands*, Longford, near Coventry, Warwickshire, ribbon manufacturer, April 22 at 12, County Court of Warwickshire, at Coventry.—*William Thomson*, Bristol, out of business, April 14 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 21 at 11, before the CHIEF COMMISSIONER.

James Collier Millett, Cross-keys-square, St. Martin's-le-Grand, London, out of business.

April 21 at 10, before Mr. Commissioner LAW.

John Fulker, Croydon, Surrey, grocer.

April 21 at 11, before Mr. Commissioner PHILLIPS.

George William Sedgwick, Henry-street, Crywell-road, Brixton, Surrey, clerk in the Inland-office of the General Post-office, St. Martin's-le-Grand, London.—*George Banastre Pis*, Bouverie-street, Fleet-street, London, clerk in a general merchant's office.—*Maria Macdonald*, widow, Burton-street, Eaton-square, Middlesex, of no trade.

Saturday, April 3.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Walter Whitehead, Chatham, Kent, saddler, No. 62,574 T;

Thomas Archer, assignee.—*Bartrup Crump*, Dover, Kent, coach proprietor, No. 74,532 C.; Richard Forwood, assignee.—*Richard Henry Hardisty*, Leeds, Yorkshire, fruiterer, No. 74,742 C.; Benjamin Wrigglesworth and Robert Smithson, assignees.

Saturday, April 3.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

William Thos. Wise, Pensonby-place, Pimlico, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Patrick Biordan*, Cross-street, Hatton-garden, Middlesex, importer and purifier of bed feathers: in the Debtors Prison for London and Middlesex.—*Joseph Dobbs Wildsmith*, Great College-street, Camden-town, Middlesex, train-bearer to Lord Justice Knight Bruce: in the Debtors Prison for London and Middlesex.—*John Macartney Nolan*, St. Alban's-terrace, Kennington-road, Lambeth, Surrey, surgeon: in the Queen's Prison.—*John Godfrey*, Upper Islington-terrace, Barnsbury, Middlesex, cattle salesman: in the Debtors Prison for London and Middlesex.—*James Hartley*, Earl-street, Blackfriars, London, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Richard Vickers Phillipot*, Great Bell-alley, Moorgate-street, London, serjeant-at-mace to the Sheriffs of London: in the Debtors Prison for London and Middlesex.—*Frances Georgiana Barrow*, widow, Queen's-square, Westminster, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Edward Francis Wood*, Wright's-buildings, Spa-road, Bermondsey, Surrey, foreman to a dist contractor: in the Queen's Prison.—*Saxe Bannister*, Townshend-road, St. John's-wood, Middlesex, barrister-at-law: in the Debtors Prison for London and Middlesex.—*Richard Thomas Peters*, Foster-street, Sen-street, Bishopsgate, London, wine merchant: in the Debtors Prison for London and Middlesex.—*Robert Curtis*, Luard-street, Caledonia-road, Islington, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*James Edmonds*, Brewer-street, Somers-town, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Robert William Olijett*, Deptford-green, Deptford, Kent, carpenter: in the Debtors Prison for London and Middlesex.—*John Nelson White*, Queen-square, Bloomsbury, Middlesex, builder: in the Queen's Prison.—*James Paris*, Stanhope-street, Hampstead-road, Middlesex, harp decorator: in the Debtors Prison for London and Middlesex.—*Isaac Gabriel Costa*, Plummer's-row, Whitechapel-road, Middlesex, provision dealer: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

William Clarke, Nine-elms, Vauxhall, Surrey, proprietor of the Nine-elms Sawmills: in the Gaol of Horsemonger-lane.

(On their own Petitions).

Ainsley Dobson, Morley, near Leeds, Yorkshire, grocer: in the Gaol of York.—*Thomas Fearnsley*, Leeds, Yorkshire, licensed victualler: in the Gaol of York.—*George Garbutt*, Stockton-on-Tees, Durham, brewer: in the Gaol of Durham.—*James Robins*, South Petherton, Somersetshire, baker: in the Gaol of Wilton.—*Robert Raine*, Red Hall Farm, near Ferry-hill, Durham, farm bailiff: in the Gaol of Durham.—*Richard Dransfeld*, Huddersfield, Yorkshire, woolstapler: in the Gaol of York.—*Chas. Jarvis* the elder, Birmingham, out of business: in the Gaol of Coventry.—*Jabez Woodhill*, Birmingham, butcher: in the Gaol of Coventry.—*Edward Williams*, Liverpool, commission coal dealer: in the Gaol of Lancaster.—*Richard Verbury*, Burford, Oxfordshire, chemist: in the Gaol of Oxford.—*John Messer Adams*, Fenny Stratford, Buckinghamshire, farmer: in the Gaol of Aylesbury.—*John Samuel Hawthorne*, Leeds, Yorkshire, joiner: in the Gaol of York.—*Wm. Raynes*, Huddersfield, Yorkshire, boot maker: in the Gaol of York.—*Alfred Tyler*, Nottingham, watchmaker: in the Gaol of Nottingham.—*Samuel Warren Hewell*, Oxford, tailor's foreman: in the Gaol of Oxford.—*Chas. Hen. Braithwaite*, Leeds, Yorkshire, butcher: in the Gaol of York.—*Benj. Wilson*, Leeds, Yorkshire, dealer in hay: in the Gaol of York.—*Henry Stening*, Brighton, Sussex, butcher: in the Gaol of Lewes.—*John Gough*, Combe Down, near Bath, Somersetshire, glazier: in the Gaol of Wilton.—*Theo. Swan Armstrong*, Seaham Harbour, Durham, joiner: in the Gaol of Durham.—*Hen. Ballinger*, War-

wick, licensed victualler: in the Gaol of Warwick.—*Samuel Bleworth*, Little Horton, near Bradford, Yorkshire, provision dealer: in the Gaol of York.—*Thomas Cowgill*, Bradford, Yorkshire, grocer: in the Gaol of York.—*Richard Poo*, Derby, corn dealer: in the Gaol of Derby.—*Henry Jones*, Townton, Somersetshire, pensioner: in the Gaol of Wilton.—*John Johnson*, Ashton-under-Lyne, Lancashire, factory operative: in the Gaol of Lancaster.—*Miles Green*, Wellington, Shropshire, tailor: in the Gaol of Shrewsbury.—*Daniel Brearley*, Bradford, Yorkshire, worsted manufacturer: in the Gaol of York.—*R. Wilson*, Wakefield, Yorkshire, butcher: in the Gaol of York.—*Robert Heath*, Leeds, Yorkshire, muffin maker: in the Gaol of York.—*Simon Wolff*, Liverpool, surgeon: in the Gaol of Lancaster.—*Wm. Hodgson*, Lancaster, butcher: in the Gaol of Lancaster.—*Frederick Haywood*, Newcastle-upon-Tyne, auctioneer: in the Gaol of Newcastle-upon-Tyne.—*Jas. Jolliffe*, Bowchurch, near Ventnor, Isle of Wight, Southampton, painter: in the Gaol of Winchester.—*David Coe*, Ipswich, Suffolk, haberdasher: in the Gaol of Suffolk.—*W. Dale*, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—*Peter Jones*, Manchester, brush maker: in the Gaol of Lancaster.—*Thurston Simpson*, Blackpool, Lancashire, grocer: in the Gaol of Lancaster.

(On Creditor's Petition).

John Craft, Clifton, Bristol, gentleman: in the Gaol of Fisherton, Wilt.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 21 at 11, before the CHIEF COMMISSIONER.

James Forge, Montpelier-row, Brompton, Middlesex, jobbing upholsterer.—*John George Hutchinson*, Edmund's-place, Aldersgate-st., London, cloak maker.

April 21 at 10, before Mr. Commissioner LAW.

Wm. Treadwin Webb, Hall-st., City-road, Middlesex, out of business.—*John Watton*, Grove Cottage, Grove-lane, Camberwell, Surrey, out of business.—*Wm. Taylor*, Upper Whitecross-st., St. Luke's, Middlesex, shopman to a cheesemonger.

April 22 at 11, before Mr. Commissioner PHILLIPS.

George Bann, Tottenham-court-road, Middlesex, out of business.—*Joseph Dobbs Wildsmith*, Great College-street, Camden-town, Middlesex, train-bearer and usher of the Court to Lord Justice Knight Bruce.—*John Wm. Oddy*, Roupell-st., Cornwall-road, Lambeth, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at WARWICK, April 20 at 10.

Henry Ballinger, Warwick, licensed victualler.

At the County Court of Somersetshire, at TAUNTON, April 21.

James Robins, South Petherton, baker.—*Henry Jones*, Taunton, out of business.—*John Gough*, Combe Down, Monkton Combe, near Bath, painter.

At the County Court of Warwickshire, at COVENTRY, April 22 at 12.

Edward Mogridge, Birmingham, leather seller.—*William Lewis*, Birmingham, milkman.—*Jabez Woodhill*, Birmingham, butcher.—*Edw. Pinder* the younger, Birmingham, builder.—*Richard Chinn* the younger, Knowle, out of business.

At the County Court of Brecknockshire, at BRECKNOCK May 3.

James Jones, Gwernyd Fach, Talgarth, farm labourer.

MASTER IN CHANCERY.—The Lord Chancellor has appointed William Henry Emmet, of Leeds, Gent., to be a Master Extraordinary in the High Court of Chancery.

LAW.—WANTED, by a Gentleman of considerable experience, an ENGAGEMENT as MANAGING CONVEYANCING CLERK, in town or country, either with or without the superintendence of the principal. Apply, by letter, to G. W., care of Mr. Blankens, Law Bookseller, 29, Bell-yard, Lincoln's-inn.

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LONDON, APRIL 17, 1852.

LORD BROUGHAM'S County Courts Further Extension Bill, as brought down from the House of Lords to the Commons, contains a clause of great importance as to costs in the county courts, viz. by the 9th clause it is proposed to enact, that "it shall be lawful for the Lord Chancellor to appoint five of the judges of the courts holden under the said act of the tenth year of her Majesty to frame a scale of costs and charges to be paid to attornies in the county courts, to be allowed as between attorney and client and as between party and party; and such scale of costs and charges as shall be certified to the Lord Chancellor under the hands of the judges so appointed or authorised, or any three of them, shall be submitted by the Lord Chancellor to three or more of the judges of the superior courts of common law at Westminster, of whom the Chief Justice of the Court of Queen's Bench or Common Pleas, or the Chief Baron of the Court of Exchequer, shall be one, and such judges of the superior courts may approve or disallow, or alter or amend, such scale of costs and charges, and the same shall forthwith, after the approval thereof, be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, within four days next after the next meeting thereof; and such scale of costs and charges shall have no effect until six weeks next after the same shall have been so laid before both Houses of Parliament; and such scale of costs and charges, so approved, shall, from and after the expiration of such time as last aforesaid, be of the same force and effect as if the same had been enacted by authority of Parliament: provided always, that the costs so to be allowed shall be subject to be taxed by the clerk of the court; and in case,

upon such taxation, it shall be alleged by the attorney whose costs are under taxation that his client has agreed to allow any costs other than those which would be allowed upon such taxation, any such costs shall not be allowed unless such agreement be in writing, and signed by the parties sought to be charged therewith; but the judge of such court shall have power to review such taxation, and direct that a greater or a smaller sum shall be allowed, in the particular circumstances of the case, than is allowed by such clerk: provided also, that no attorney employed by the plaintiff or defendant shall have any right to recover at law from the party by whom he is so employed any costs or charges beyond the costs and charges so allowed."

This clause seems to meet the justice of the case as regards both attornies practising in the county courts and their clients. It may be presumed that, under this, the judges will frame a scale of fees which will afford a fair and reasonable remuneration to attornies practising in the county courts, which the old scale certainly did not, unless they practised, not only exclusively, but very extensively in those courts; and, on the other hand, the county court suitor will be expressly protected against any charges or costs other than those which will be allowed by the scale, unless he, by express written agreement under his hand, has made himself liable to any other: so that both parties will know what they are about. The suitor, on the one hand, will not be deluded with the idea that he can have no more than 10s. or 15s., or the somewhat larger sum allowed where the debt is above 20l. To pay for costs, while, in fact, he may be lawfully liable to pay a large bill of costs for business connected with, but preliminary to, the actual proceedings in the county court; and the attorney will not, on the other hand, be liable

if he undertakes a county court case, to be drawn into an amount of business for the handsome fee of 15s., or a little more, as the case may be, for which no professionally educated man would be adequately remunerated by three or four times the amount.

The bill contains some other important propositions connected with the anticipated changes in the Court of Chancery. The Lord Chancellor is to be empowered to make general orders, for enabling the Court of Chancery to send inquiries to the Judges of the County Courts, and the Commissioners in Bankruptcy, or Masters Extraordinary; and for enabling such Judges, and Commissioners, and Masters to examine witnesses in matters depending in the Court of Chancery, and for compelling witnesses in such matters to be examined *vivâ voce* by the Judges of the County Courts, Commissioners in Bankruptcy, or Masters, as the case may be, by the parties, their counsel, solicitors, and agents, in the same manner as at *Nisi Prius*, or in such other manner as the orders may provide. This is, of course, no new idea, the subject and the plan having been familiar, as a matter of suggestion and discussion, to most lawyers for now some considerable time; but this bill is the first attempt practically to carry it into effect. Neither, although the plan is new as applied to the conduct of a regular old-fashioned equity cause, can it be said to be altogether a novelty in modern Chancery business. We have something very like it in the conduct of winding-up cases, as the evidence is almost always taken *vivâ voce* in the Master's office, and in the same manner as at *Nisi Prius*; and if there is an appeal, as there generally is, on any new and difficult legal question, the evidence so taken forms part of the record on which the Court of appeal adjudicates. This will be precisely the mode of working Lord Brougham's bill, and there is no reason to apprehend that it will not work at least as well as the plan pursued under the winding-up acts. It is evident that this or some other equivalent plan must be pursued for equity causes, where the witnesses are in the country at any great distance from London, if the benefit of oral examination is to be obtained; and no doubt the convenience to suitors will be considerable. The effect, however, on the Profession in London may also be very considerable; but whether convenient or not is another question. The equity Bar will not, we apprehend, be much affected by it, because the business which will be removed from London will be inquiries in the Master's office, and the examination of country witnesses. In the first kind of business the Bar has never been much engaged; in the second, all that they have to do with it, is the preparation of the interrogatories—a kind of business not large in amount, and very disagreeable in execution. But the conduct of inquiries in the Masters' offices has always formed a very considerable portion of the business of the London solicitors, the whole of it, whether arising out of town or country causes, being in their hands. If this bill passes into law, most probably, we might indeed say certainly, the whole of the Master's office business of Chancery suits, of the class commonly understood by the term country causes, will pass out of the hands of the London solicitors into those of the local solicitors; so, probably, will the whole of the business of preparing for the examination

of witnesses, and examining them. In fact, if the evidence is to be taken in the country, and the necessary inquiries are to be taken there also, there will remain for the London solicitor little but the original launching of the case and the conduct of the hearing. What changes in the position of the Profession all this may work is more than we are prophets enough to foretell; but it looks very much like "le commencement de la fin."

THE case of the Rev. Mr. Whiston against the Dean and Chapter of Rochester, although, for the purpose of the question to be immediately decided, involving a very small point, and one which will probably have to be decided on merely technical grounds, lays the foundation for a legal question of very great importance, and fraught with the most serious consequences to capitular bodies.

The sole question between Mr. Whiston and the Dean and Chapter is, had or have they authority to dismiss him from his office of master because he has written a given book? Not, was it, or is it, harsh, or unchristian, or morally wrong for them to do so; but simply, have they, in determining on his dismissal, so exceeded their authority that the visitor can reverse their decision? In effect, the question is, whether the Dean and Chapter have authority to remove their schoolmaster, and for what conduct; and whether the publication of such a book as the "Cathedral Trusts" is conduct for which they may remove him. That question, it is obvious, may, and probably will, be determined with the least possible reference to the merits of Mr. Whiston's book.

But when it shall have been decided either that Mr. Whiston may be, or may not be, removed, the lengthened discussion of the grave questions which the Dean and Chapter have allowed to be brought, first before the comparatively secluded Court of a Vice-Chancellor, next before a Court of law, and lastly before the visitor, will have raised in the public an interest in these questions, which, already manifested by the notice of the daily press, may grow in earnestness till nothing short of a judicial inquiry into the construction and application of cathedral trusts may, perhaps, satisfy the public mind. The important general question thus indirectly raised by Mr. Whiston is, whether, upon the true construction of the statutes of Rochester Cathedral, and of many other cathedrals, the increase of revenue, arising out of the increase in the value of the lands with which these cathedral churches were originally endowed, is to be applied principally for the benefit of the Dean and Chapter, or whether it is to be applied on any and what larger scheme of distribution, between all or some others of the recipients of income designated in the scheme of the original founder.

We will for the present confine our attention to the case of Rochester Cathedral, taking our facts partly from Mr. Whiston's "Cathedral Trusts," and partly from the report of the case of *Whiston v. The Dean and Chapter of Rochester*, (7 Hare, 532). It appears that the Cathedral Church of Rochester was founded and endowed by Henry VIII with certain estates, "to hold such lands and hereditaments to the Dean and Chapter

and their successors, from the King and his successors, in puram et perpetuam eleemosynam."

Stopping here for a moment, no lawyer will doubt that by this language some charitable trusts are intended. The King then goes on, by the statute, to create the trusts. First, he directs that there shall be for ever, in the said church, one dean, six canons, &c., duo informatores puerorum in grammaticâ quorum unus sit præceptor alter subpræceptor, viginti pueri in grammaticâ erudiendi &c. So that one of the trusts is, that there shall be for ever two masters for the grammar boys, and twenty boys to be instructed in grammar. Other objects are pointed out in the statutes, but, for the purpose of the present discussion, these are sufficient.

Now, from the figures stated by Mr. Whiston in his pamphlet, (which we will assume to be correct), it appears that the clear annual value of the endowment of Rochester Cathedral was, in 1542, shortly after its foundation, 691*l.* 2*s.* 9*d.*; the gross revenue was 821*l.* 10*s.* 5*d.*, from which were to be deducted two payments of 15*l.* 7*s.* 8*d.* and 115*l.*; and the distribution of the clear funds directed by the statutes just absorbed them, less 14*s.* 10*d.* a year. The distributive shares, so far as regarded the objects which we have above particularly selected, were—for the dean, 100*l.*; for the six canons, 20*l.* each; for the head master, 12*l.* 6*s.* 8*d.*; for the under master, 6*l.* 11*s.* 1*d.*; for the twenty boys, each 2*l.* 13*s.* 4*d.*; the particular portion of the income allotted to each other object of the charity, being as specifically stated. It is plain, therefore, that at that day, if the founder thought 100*l.* an adequate sustentation for a dean, he thought the fifth part of it not too much for a canon; that not less than between one-seventh and one-eighth of a dean's sustentation was required for a head master; and that a grammar boy wanted for his maintenance about a fifth as much as the head master.

These were his views, not, we imagine, irrational ones; but, rational or not, they were his views: these were the proportionate amounts of expenditure which the founder judged adequate for the maintenance of persons of these differing ranks in the cathedral establishment.

Now, the gross revenue, which was, in 1542, 821*l.* 10*s.* 5*d.*, had become, according to Mr. Whiston, (whose facts, as we have said, we assume to be, substantially at least, true), in the seven years preceding 1834, of an average value of 7044*l.*; that is, 8.5 as large as in 1542. It appears also by Mr. Whiston's statements, that the proportions of the income allotted in 1840 were—to the dean, 1426*l.*; to each canon, 690*l.* 19*s.*; to the head master, 150*l.*; to the sub-master, 100*l.*; to each grammar boy, 2*l.* 13*s.* 4*d.*, which, it will be recollected, was the original dotation of the grammar boys—an allotment which assumes that if the donor could have revisited the earth in 1840, with a knowledge of the prices of all things at that date, and had revised his statutes, he would have considered that the relative value and wants, both physical and intellectual, of "one learned in Latin and Greek, of good fame and pious life, imbued with the faculty of teaching," (for so the founder describes his intended head master), had diminished, as compared with that of a

dean, since 1542, in the ratio of about eleven and a half to seven and a half—that is, that whereas in 1542 he thought a head master required for his position at least one-seventh of the income of a dean, in 1842 he would have considered one-eleventh quite sufficient. For this there may be, by possibility, argument. It may be said that the founder did not intend to establish an everlasting proportion between the dotation of the head of the cathedral and the head master. But if we apply the same sort of reasoning to the proportion between the sustentation of a dean and that of a grammar boy, and assume that the donor meant the income of the grammar boy to be a constant quantity, though the value of money and of the property might change, the reductio ad absurdum seems to us inevitable. It is quite clear that the grammar boys were intended to be fed as well as taught, because the statutes in that matter expressly use the words "*viginti pueri pauperes et amicorum ope destituti de bonis ecclesiæ nostræ alendi;*" and further, "*Nos pueros volumus impen-sis ecclesiæ nostræ ali*"—language putting beyond all doubt that the grammar boys were to be at the very least fed, taking the narrowest meaning of the word "ali," at the expense of the church. But it is plain, in fact, that the donor meant more; he meant them to be *maintained*, in the widest sense of the word "alendi," seeing that he makes it a condition of their admission that they are to be poor, and destitute of resources from friends—a condition which would be absurd if the intention were not, that in the cathedral they should be wholly taken care of.

Now, if that was the intention as regards the grammar boys—an intention to be carried into effect *perpetuo*—it would really be ridiculous to contend, that while the income of the charity has increased, so that a larger dotation for the grammar boys can be yielded, and while at the same time the value of money had decreased, the donor intended that no portion of the increase should go to render possible that which he has expressly directed shall be effected, viz. the maintenance, or at the least the alimentation, of the twenty grammar boys. Of course, to talk of any person intending that a grammar boy or any boy should be fed in these days upon 2*l.* 13*s.* 4*d.* a year, or less than twopence per day, is sheer nonsense; but it would not be nonsense to talk of a founder of a charity intending that such a boy should be fed upon about one-fortieth of 1426*l.* In fact, looking at the class of persons designated in 1542 as that out of which the grammar boys were to be selected; looking at the objects for which they were to be educated, and the style of education directed; and looking at that species of extrinsic evidence which may be admitted in construing a written instrument, viz. the circumstances that surrounded the grantor; looking, therefore, at the well known fact, that a principal object of the charitable endowments of the period when these endowments took place was the training up of a class of young men to supply the universities and the church, it may fairly be inferred that the intention of the founder of Rochester Cathedral was to maintain the grammar boys in a way which, then represented in money value by 2*l.* 13*s.* 4*d.*, would not be at this day incorrectly represented by about 35*l.* a year; while, with regard to other parts of the proportionate dotation, a King, who, in those palmy days of the church, when a dean in effect replaced an abbot, considered that, for the dean of a cathedral, an income seven times as large as that of the head master, was sufficient for the due maintenance of his dignity and position, could hardly have intended, when he directed each of them

to have those relative incomes for ever, that in after time, by reason of the mere change in the value of the property, the dignity of the dean should be maintained at the cost of eleven times that of the head master. We do not mean to contend, that it is at all clearly to be collected from the statutes of Rochester Cathedral, (selecting that merely as an example), taken in connexion with the statutory apportionment of the income, that the founder intended, that whatever might be the variation of the value of the property, the income was to be divided strictly in the proportions apparent on the scale laid down by him; that, for instance, he intended that if the income had increased so that the dean would have 3000*l.* instead of 100*l.*, therefore the organist should have 300*l.* instead of 10*l.*, or that the cook, who had 6*l.* in 1542, should have above 180*l.*, being the corresponding proportion of 3000*l.* That mode of construing the statutes seems to us by no means free from great objection. But this is clear, that the founder intended to create an efficient cathedral establishment; that he intended to maintain and educate in the classics a certain number of poor boys; that he intended to maintain at Oxford and Cambridge four poor scholars out of the goods of the cathedral, two in Oxford and two in Cambridge, there to apply themselves to the study of the liberal arts and of theology; (see the statute, 7 Hare, 538); and because he has appropriated for such four students 6*l.* each, and for the grammar boys 2*l.* 13*s.* 4*d.* each, his statutes are not to be read as if he had said the grammar boys are to be maintained for ever at 2*l.* 13*s.* 4*d.* each, and the students at 6*l.* each, whether those sums would in after time maintain them or not; but they are, we conceive, to be read as if he had said, "Twenty grammar boys are to be maintained and taught in the cathedral, and four students are to be maintained at the universities; and 2*l.* 13*s.* 4*d.* being now enough for each grammar boy, and 6*l.* enough for each student, I direct those sums out of the income now to be so applied." The founder's intention appears, in fact, to have been, as we have already observed, to maintain a sufficient cathedral establishment for the purposes of religion and education, and to forward the particular purpose of education in the manner pointed out; and he has accordingly directed, out of the income, sufficient funds to be applied for effectuating each part of the general purpose. We conceive, therefore, that if the true construction of the statutes of Rochester Cathedral were made the subject of judicial inquiry and administration, the donor's intention would be held to require, in order to carry it into effect, not a strict arithmetical division of the increased income, according to the proportions of the scale laid down in 1542, but an application of a sufficient portion of the income for each of the purposes; a sufficient sum for the education of the twenty boys and the four students, having regard to the value of money and the position to be maintained by the recipients at this day; and a reasonable provision for all the other members designated as necessary to the cathedral establishment, or such of them as remain actually necessary parts of such an establishment. Whether the surplus, if there were any, would be held simply divisible between the Dean and Chapter, so as to increase their dotations in a larger proportion than that of other members of the cathedral establishment, or whether such a case would be considered one for the application of the *cy-près* doctrine, might be a question not without difficulty.

GRAY'S-INN.—A new course of Lectures (probably the last which Mr. W. D. Lewis will deliver) will be commenced in the Hall of this Society on the first day of the ensuing Easter Term, on the leading decisions of Lord Chancellor Eldon, to be continued on every Monday and Thursday at half-past seven.

Court Papers.

EQUITY SITTINGS, EASTER TERM, 1852.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

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Saturday		24
Wednesday	} Appeals.	28
Saturday ... May 1		5
Wednesday	} Appeal Motions.	5
Saturday		8

Before the LORDS JUSTICES, at Westminster.

Thursday .. April 15	} Appeal Motions and Appeals.	
Friday		16
Saturday	} Lunatic and Bankrupt Petitions (unopposed first), Appeal Petitions, and Appeals.	17
Monday		19
Tuesday	} Appeals.	20
Wednesday		21
Thursday	} Appeal Motions, Lunatic and Bankrupt Petitions, (unopposed first), Appeal Petitions, and Appeals.	22
Friday		23
Saturday	} Appeals.	24
Monday		26
Tuesday	} Appeals.	27
Wednesday		28
Thursday	} Appeal Motions and Appeals.	29
Friday		30
Saturday ... May 1	} Lunatic and Bankrupt Petitions, (unopposed first), Appeal Petitions, and Appeals.	1
Monday		3
Tuesday	} Appeals.	4
Wednesday		5
Thursday	} Appeals.	6
Friday		7
Saturday	} Lunatic and Bankrupt Petitions, (unopposed first), Appeal Petitions, and Appeals.	7
Saturday		8

Before Vice-Chancellor Sir G. J. TURNER, at Westminster.

Thursday .. April 15	} Motions and Claims.	
Friday		16
Saturday	} Unopposed Petitions, Short Causes, Short Claims, and Claims.	17
Monday		19
Tuesday	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.	20
Wednesday		21
Thursday	} Motions and Claims.	22
Friday		23
Saturday	} Unopposed Petitions, Short Causes, Short Claims, and Claims.	24
Monday		26
Tuesday	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.	27
Wednesday		28
Thursday	} Motions and Claims.	29
Friday		30
Saturday ... May 1	} Unopposed Petitions, Short Causes, Short Claims, and Claims.	1
Monday		3
Tuesday	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.	4
Wednesday		5
Thursday	} General Petitions.	6
Friday		7
Saturday	} Motions, Short Causes, Short Claims, and Claims.	8

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Westminster.

Thursday .. April 15	} Motions.	
Friday		16
Saturday	} (Petition-day).—Cause Petitions (unopposed first).	17
Saturday		17

Short Causes, Short Claims, & Claims.

Monday.....	19	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	20	
Wednesday.....	21	
Thursday.....	22	Motions.
Friday.....	23	{ (Petition-day).—Cause Petitions (unopposed first).
Saturday.....	24	Short Causes, Short Claims, & Claims.
Monday.....	26	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	27	
Wednesday.....	28	
Thursday.....	29	Motions.
Friday.....	30	{ (Petition-day).—Cause Petitions (unopposed first).
Saturday.....	May 1	Short Causes, Short Claims, & Claims.
Monday.....	3	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	4	
Wednesday.....	5	
Thursday.....	6	Short Causes, Short Claims, & Claims.
Friday.....	7	{ (Petition-day).—Cause Petitions (unopposed first).
Saturday.....	8	Motions.

Notice.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

Before Vice-Chancellor Sir JAMES PARKER, at Westminster.

Thursday..	April 15	Motions.
Friday.....	16	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday.....	17	Cause Petitions (unopposed first).
Monday.....	19	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	20	
Wednesday.....	21	{ Short Causes, Short Claims, Claims, and Causes.
Thursday.....	22	Motions.
Friday.....	23	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday.....	24	Cause Petitions (unopposed first).
Monday.....	26	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	27	
Wednesday.....	28	{ Short Causes, Short Claims, Claims, and Causes.
Thursday.....	29	Motions.
Friday.....	30	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday.....	May 1	Cause Petitions (unopposed first).
Monday.....	3	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	4	
Wednesday.....	5	{ Short Causes, Short Claims, Claims, and Causes.
Thursday.....	6	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday.....	7	Cause Petitions (unopposed first).
Saturday.....	8	Motions.

EQUITY CAUSE LISTS, EASTER TERM, 1852.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

APPEALS.		} (3 Aps)
Saunders v. Hamilton (Ap)	M'Calmont v. Rankin	
M'Intosh v. Great Western Railway Co. (Ap)	Same v. Turner	} (Ap)
Jones v. Price	Same v. Bird	
Price v. Maclean	Pollard v. Doyle	} (Ap)
Brown v. Cross (Ap)	Hearn v. Same	
Same v. Same (Cause by or.)	Mayor of Rochester v. Lee	} (Ap)
Scrivenor v. Smith (Ap)	Navalshaw v. Brownrigg (Ap)	
Monypenny v. Dering	Adey v. Arnold (Ap)	} (Ap)
Same v. Monypenny	Abbott v. Sworder (Ap)	
Same v. Same (Ap)	Dyke v. Rendall (Ap)	} (Ap and Cause).
Strong v. Strong (Ap)	Powell v. Dodson	
	Dodson v. Powell	

Before the LORDS JUSTICES, at Westminster.

Ballinger v. Hawes } (Ap, pt. heard)	} Money v. Jorden (Ap)	
		Mayor, &c. of Berwick v. Murray April 20 } (Ap)
Kynaston v. Lancashire and Yorkshire Railway Co. (2 Aps) <i>Trin. Term</i>	} Same v. Same	
Dean and Chapter of Ely v. Bliss (Equity reserved) <i>S O</i>		Att.-Gen. v. Harrow School (Ap)
Norris v. Wright } (Ap)	} Hart v. Talk	
Same v. Norris		Same v. Gordon
Harrison v. Randall (Ap)		Talk v. Hart
Sims v. Helling (Ap. on claim)	} Hart v. Cottrell	
Lord James Stuart v. London and North-western Railway Co. (Ap on claim)		Zulueta v. Tyrie (Ap)
		Foley v. Smith (Ap)
		Price v. Macaulay (Ap on 2 claims).

Before Vice-Chancellor Sir G. J. TURNER, at Westminster.

Atchison v. Le Mann (D, pt. heard)	} (D)	Stubbs v. Oldham
Macbride v. Lindsay		Broughton v. Ryland
Same v. Same	} (E)	Williamson v. Jefferys (4 cau.)
Tallis v. Tallis		Harvey v. Brooke
Luntley v. Hoby	} (Cl)	Marshall v. Hutchinson
Fordham v. Wallis (2 causes) <i>Mich. Term</i>		Worth v. Mackenzie
Williams v. Roper (Cl)	} (Cl)	Webb v. Ledicott (F D, Ptn)
Blaxland v. Blaxland		Gregory v. Smith (F D, C)
Same v. Same	} (F D, C)	Scawin v. Burton (F D, C)
Hazeldine v. Cragg		Smith v. Smith (F D, C)
Davies v. Holmes <i>Mich. Term</i>	} (F D, C)	Jones v. Jones (F D, C)
Reeves v. Trenchard (Cl)		Neave v. Campbell (F D, C)
Bradwell v. Bolton (Cl)	} (F D, C)	Hay v. Willoughby (F D, C)
Thomas v. Thomas (Cl)		Ashley v. Alden (F D, C)
Grice v. Shaw (Cl)	} (F D, C)	Bath v. Hippealey (F D, C)
Crosse v. Logan (Cl)		Goode v. Eutler (F D, C)
Greenway v. Bromfield (F D) <i>Mich. Term</i>	} (F D, C)	Ker v. Ruxton (F D, C)
Wright v. Woodhead (Special case)		Lachlan v. Reynolds (F D, C)
Walker v. Bentley (F D, C)	} (F D, C)	Kenyon v. Buckley (F D, C)
Cruttwell v. Lewin (Cl)		Lewis v. Marsh (F D, C)
Thornbery v. Great Northern Railway Co. (Cl)	} (F D, C)	Cross v. Sprigg (F D, C)
Murray v. Jones (Cl)		Ward v. Swift (F D, C)
Watson v. Watson (Cl) <i>M. T.</i>	} (F D, C)	Hunt v. Roberts (F D, C)
Nicholas v. Williams (Cl)		Bagshaw v. Macniel (F D, C)
Wing v. Diggle (Cl)	} (F D, C)	Parnell v. Porter (F D, C)
Girdlestone v. Lavender (Cl)		Wilks v. Slaney (E, F D, C)
Busher v. Needell (Cl)	} (F D, C)	Brown v. Heavens (F D, C)
Reeve v. Hodson		Huddlestone v. Whelpdale (F D, C)
Searle v. Quinlan <i>May 8</i>	} (F D, C)	Elverstone v. Hale (F D, C)
Barnes v. Wood		Arundel v. Arundel (F D, C)
Gilbert v. Bosworth (Cl)	} (F D, C)	Crosse v. Webb (F D, C)
Greatham v. Peel		Williamson v. Plumer (F D, C)
Heap v. Tonge (F D, C)	} (F D, C)	Harborne v. Nasborne (F D, C)
Flint v. Woodin (Cl)		Senior v. Dickenson (F D, C)
Raven v. Raven	} (F D, C)	Penny v. Riky (F D, C)
Swann v. Wortley		Johnstone v. Shaw (F D, C)
Bullin v. Griffin (Cl)	} (F D, C)	Cambay v. Draper (F D, C)
Gilbard v. Gill (Cl)		Glover v. East (F D, C)
Holloway v. Poole } (2 Cls)	} (F D, C)	Middleton v. Yondon (F D, C)
Driver v. Gardiner		Bracey v. Earl of Scarborough (F D, C)
M'Donnell v. Pope (2 causes)	} (F D, C)	Aaron v. Aaron (F D, C)
Eddlestone v. Collins		Emery v. Phillips (F D, C)
Hucknase v. Acton	} (F D, C)	Hinton v. Johnson (F D, C)
Godden v. Hunt (Cl)		Trumper v. Lockett (F D, C)
Hepburn v. Palmer	} (F D, C)	Rollins v. Groom (F D, C)
Moorley v. Wakeman		Rutley v. Gill (F D, C)
Brown v. Farnworth	} (F D, C)	Allen v. Thames Haven Co. (F D, C)
Stapleton v. Cartwright (Cl)		Day v. Wilkinson (Cl)
Smithers v. Sim	} (F D, C)	Collett v. Morrison (F D, C)
Bealey v. Perratt		Whymper v. Curtis (Equity reserved) <i>Sh.</i>

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Westminster.

Jones v. Morrall (F D, part heard)	} (F D, Ptn)	Rackstraw v. Meacher (F D, Ptn)
Gray v. Gray (Part heard)		Thorold v. Bailey (Cause, Ptn)
Eales v. Pitt		Pierce v. Griffiths (F D)

- Atkinson v. Gylby (E, F D)
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Parkyn v. Wightwick
 Collett v. Newham
 Owen v. Derbyshire (Cl) }
 Wright v. Vernon (D)
 Green v. Green (E to answer)
 Campbell v. Hewlett (E)
 Colvin v. Lord (E)
 Winthrop v. Elderton (E)
 Bartley v. Bartley (E)
 Falk v. Gordon (E)
 Same v. Same (Newman's E)
 Howard v. Griffiths (Old E)
 Clifton v. Rickards (E)
 Stansfield v. May (D)
 Hardingham v. Thomas (Old E)
 Penney v. Goode (E)
 Brown v. Paul
 Fletcher v. Ramsden }
 Same v. Gerrard } (3 cau.)
 Same v. Same }
 Waldron v. Sloper (Cl)
 Goodale v. Goodale
 Emans v. Greenhill
 Stephens v. Same }
 Wood v. Dench
 Morrison v. Richardson
 Swainson v. Muncaster (F D, C)
 Fotheringham v. Smale (F D, C)
 Parsons v. Benn (F D, C)
 Gauntlett v. Gauntlett (F D, C)
 Taylor v. Same (2 causes) }
 Brown v. Heath (Cl)
 Harvey v. Stracey (F D, C)
 Turner v. Lang (F D, C)
 Bell v. Bell (F D, C, Ptn)
 Ord v. Schneider
 Bodenham v. Hoskins (2 cau.)
 Coleman v. Howard
 Vanzeller v. Parrott
 Blake v. Phibbs (F D, C)
 Robson v. Lord Brougham and Vaux
 Geib v. Dibley (R)
 Petre v. Petre
 Att.-Gen. v. Cother
 Burbage v. Wicks (F D, C)
 Jones v. Walker (F D, C)
 Clowes v. Waters (E)
 Smith v. Smith (F D, C)
 Mayor, &c. of Berwick-upon-Tweed v. Murray
 Pinkerton v. Andrew }
 Same v. Ensor }
 Ashton v. Jones (F D, C)
 Barnard v. Roberts (F D, C)
 Callum v. Upton (F D, C)
 Fruster v. Bull (Cl)
 Freeman v. Freeman (Cl)
 Harroway v. Wright (Cl)
 Jackson v. Swinburn (Cl)
 Thomas v. Knight (Cl)
 Colyer v. Colyer (Cl)
 Gelson v. Gelson (F D, C)
 Groves v. Lane (Cl)
 Frusher v. Frusher (Cl)
 Bennett v. Cooke (Cl)
 Smith v. Compton (Cl)
 Lake v. O'Hara (F D, C)
 Hanson v. Hartley (Cl)
- Taylor v. Nixon (Cl)
 Elkington v. Aplin (F D, C)
 Major v. Major } (E, F D)
 Same v. Same }
 Wood v. Smith } (F D, C)
 Caton v. Caton }
 Attorney-Gen. v. Twelve Governors of Crediton (F D, C)
 Pinkerton v. Ensor
 Ellis Fletcher v. Windsor
 Turner v. Nicholls (F D, C)
 Turner v. Nicholls (2 causes)
 Horner v. Billam (F D, C)
 Bower v. Johnston (F D, C)
 Graves v. Graves (Cl)
 Brunwin v. Guy (F D, C)
 Smith v. Guy (F D, C)
 Bunny v. Beckett (F D, C)
 Att.-Gen. v. Bodman (F D, C)
 Darnley v. Senior (F D, C)
 Barton v. Barton
 Stiles v. Guy (E) }
 Same v. Same (E) }
 Same v. Same (F D) }
 Inglis v. Campbell
 Evans v. Sanders (Sp. case)
 Lively v. Batley (F D, C)
 Fletcher v. Fletcher (F D, C)
 Perkins v. Ede (E)
 Sutton v. Whittingstall
 Duncan v. Ross } (E, 2 sets)
 Same v. Burnside }
 Marshall v. Scott (F D, C)
 Moorley v. Jenkins
 Gaubert v. Watson
 Meux v. Jarvis (Cl)
 Batty v. Jones (Cl)
 Lewellen v. Pace (3 causes)
 Clark v. May
 Barratt v. M'Dermott
 Hioncs v. Houlton
 Beale v. Symonds (E)
 Knight v. Grantham (Cl)
 Langton v. Wood (Cl)
 Bunting v. Ellis (F D, C)
 Pegg v. Wisden
 Becke v. Wilmot (Cl)
 Yeats v. Yeats (E)
 Same v. Morgan (F D, C, Ptn)
 Sellick v. Badman
 Hanlip v. Cross (Cl)
 Brougham v. Leman
 Gill v. Bone (2 Cls)
 Fortnam v. Holtom
 Yeats v. Yeats (E)
 Frankford v. Ward (Cl)
 Puzey v. Pinnell (F D, C)
 Pinnell v. Pinnell (F D, C)
 Oxenham v. Ellis
 Brown v. Robertson (F D, C)
 Pinckney v. Cusack
 Willis v. Black
 Formyb v. Black (5 causes, F D, C)
 M'Kean v. Ockleston (F D, C)
 Welsh v. Rigg (Cl)
 Bell v. Carter (3 causes)
 Amphlett v. Painter
 Walter v. Mower (2 causes)
 Hays v. Harrison (F D, C)
 Yescombe v. Baldwin (2 cau.)
 Jones v. Beach (Cl)
 Morgan v. Bosville (F D, C)
 Langdon v. Woods (F D, C)
 Francis v. Broughton (Cl)
- Faterson v. Galvanised Iron Co. (D)
 Smith v. Ricardo
 Hyett v. Poocock (Pt. hd.) S O
 Potts v. Thames Haven Dock and Railway Co. (Cl) T. T.
 Ward v. Leigh }
 Leigh v. Ward }
 Hume v. Bentley (E, F D)
 Vincent, Bart., v. } (Part Hunter } heard)
 Hunter v. Nockolds }
 Ridley v. Ridley
 Ware v. Polhill
 Constable v. Bull (F D, C)
 Heyne v. Tyler (E)
 Blair v. Ormond (F D, C)
 April 19
 Pratt v. Nixon
 Wood v. Ridgway (2 causes)
 Wilson v. Bennett (Sp. case)
 Moss v. Moss
 Ridgway v. Wood
 Wood v. Talley
 Bridger v. Bridger
 Att.-Gen. v. Barker (F D, C)
 Carr v. Smallpiece (E)
 Stone v. Tompson (F D, C)
 Winnall v. Dart
 Higgin v. Lane }
 Same v. Higgin }
 Whitgrave v. Sturgis
 Hunter v. Marton
 Davey v. Miller (F D, C)
 Thorp v. Harvey (F D, C)
 Davies v. Goode
 Gabb v. Comely
 Coomer v. Bromley
 Swainson v. Manchester (F D, C)
 Jones v. Lloyd (E)
 Thistlethwayte v. Gar- } (Sp. mier } case)
 Ellis v. Guillon
 Coleridge v. Colleton (F D, C)
 Horn v. Coleman }
 Same v. Campbell }
 Law v. Horsfall
 Daniel v. Davies
 Torriano v. Wilkinson (Cl)
 Pierce v. Dawson (Cl)
 Bovington v. Adams (Cl)
 Ward v. Swift (3 causes)
 Trail v. Bull (E, 2 sets)
 Davey v. Bailey }
 Same v. Acraman }
 Hales v. Plowden
 Paine v. Larchin (Cl)
 Clay v. Rafford (R)
 Bagshaw v. Winter (Cl)
 Shorrocks v. Shorrocks (Cl)
 Gee v. Mayor, &c. of Manchester (F D, Eq. reserved)
 Att.-Gen. v. Asker Tris. T.
 Gore v. Rowed }
 Same v. Harris }
 Elsworth v. Allan
 Gee v. Jones
 Mackenzie v. Hope
 Dinn v. Grant (Cl)
 Haig v. Gray
 Cattell v. Emery (Cl)
 Chapman v. Great Northern Railway Co. (Cl)
 Price v. Lawson
 Warwick v. Hawkins (Cl)
 Hobson v. Peet (Cl)
 Edwards v. Bush
 Haverfield v. Coward (Cl)
 Milsom v. Harvey (Cl)
 Roper v. Taylor (E, F D)
- Shaw v. Dyson (F D, C)
 Vincent v. Fane SA
 Smith v. Edwards
 Alcock v. Alcock
 Colombine v. Penhall (2 caus.)
 Reece v. Taylor (Cl)
 Hancock v. Beavan (F D)
 Bird v. Breese (Cl)
 Cooper v. Jones (Cl)
 Stocks v. Dobson
 Quarterman v. Cuff (Sp. case)
 Woodhead v. Hickling (F D, C)
 Stead v. Banks (Cl)
 Middleton v. Middleton (F D, C)
 Barber v. Hickey (F D, C)
 Bauley v. Eastern Union Railway Co. (Cl)
 Welsby v. Ashcroft (Cl)
 Goodman v. Drury (Sp. case)
 Hancock v. Spittle (F D, C)
 Stronge v. Hawkes (E, F D)
 Stronge v. Hawkes (E, 3 sets)
 Rogers v. Jones (Cl)
 Evans v. Andrews (Cl)
 Martin v. Pycroft (Cl)
 Hanalip v. Cross (Cl)
 Thomas v. Dunning (Cl)
 Turner v. Turner (Cl)
 Pedder v. Burton (Cl)
 Edwards v. Grove } (R)
 Same v. Bush }
 Same v. Same (Suppl.) }
 Jaoucs v. Berriman (Cl)
 Martin v. Reed (Cl)
 Henning v. Mayo (F D, C)
 Loader v. Loader
 Everall v. Browns (F D, C) S
 Thompson v. Morris (Cl)
 Harrison v. Bulmer (Cl)
 Playford v. Playford
 Hill v. Edmonds (Cl)
 Prentis v. Fley (Cl)
 Trail v. Ellis
 Thomasson v. Bury (Cl)
 Moate v. Moate (Cl)
 Atkinson v. Parker } (F D, Brennan v. Brennan } Ptn)
 Threlfall v. Winstanley (Cl)
 Tipples v. Coates (F D, C)
 Compton v. Bevan (Cl)
 Jodrell v. Beckwith
 Lyde v. Lipscombe (F D, C)
 Grainge v. Warner (Cl)
 Armstrong v. Armstrong (F D, C)
 Lake v. Brutton
 Sparkman v. Holbrook (4 ca.)
 Chapman v. Cannon (F D, C)
 M'Dermott v. Nowlan (F D, C)
 Soaries v. Rodman (Cl)
 Ly. Sparrow v. Hilton (E)
 Tempett v. Wickens (E, F D)
 Same v. Same (E) }
 Evans v. Mann (F D, C)
 Morris v. Morris
 Sutcliffe v. Banks (F D, C) S
 Adams v. White (3 sup. caus.)
 Murray v. Parker (F D, C)
 Biggs v. Gibbs (Cl)
 King v. Squire (F D, C) S
 James v. Lord Wynford (F D, C)
 Watson v. Browne (Cl)
 White v. Bird
 Penhall v. Miller
 Dashwood v. Lowder
 Eaton v. Hazel.

Before Vice-Chancellor Sir JAMES PARKER, at Westminster.

Frith v. Frith (E, part heard) | M'Intosh v. Great Western
 Davis v. Smith (D) | Railway Co. (E)

Rolls Court.

JUDGMENTS RESERVED.

Montagu v. Montagu } (Ca.)
 Montagu v. England }
 Middleton v. Middleton (F D,
 C)
 Butterfield v. Heath (E)
 Lake v. Carrie (E)
 Ford v. Stuart (4 tits., cause)
 Hoghton v. Hoghton } (Ca.)
 Hoghton v. Hoghton }
 Bell v. London and North-
 western Railway Co. (Cau.)

PLEAS AND DEMURRERS.

Hatton v. Fairweather (E to answer)

CAUSES.

Baker v. Morgan (Cl)
 Ball v. Brook (Cause)
 Barlow v. Worthington (Cl)
 Bryan v. Collins (Cause)
 Burges v. Sturgis (Cl)
 Horlock v. Wilson } (Cause)
 Horlock v. Sawyer }
 Horlock v. Horlock } (Cause)
 Horlock v. Sawyer }
 Stanfield v. Hobson (Cl)
 Heath v. Clunes (Cl)

Cases transferred from the Book of Causes of the Vice-Chancellors Sir Richard T. Kindersley and Sir J. Parker, to the Book of Causes of the Right Hon. the Master of the Rolls, by order, dated the 10th March, 1852.

Goody v. Colchester & Stour Valley Railway Co. (Cause)
 Wild v. Gladstone (Cause)
 Hagley v. Gummer (Cause)
 Shortridge v. Bösanquet (Ca., part heard)
 St. John v. Phelps (Cause)
 Edwards v. Gilling (Cause)
 Lloyd v. Peers (Cause)
 Ashwin v. Ashwin (Sp. case)
 Gibbins v. Taylor } (Cause)
 Gibbins v. Salter }
 Smith v. Parkes (Cause)
 Skipworth v. Skipworth (Ca.)
 Parkin v. Thorold (Cause)
 Close v. Gordon (Cause)
 Donold v. Bather (Cause)
 Ayles v. Cox (E)
 Lowe v. White (Cause)
 Warde v. Warde (Cause)
 Langley v. Hall (Cause)
 Morgan v. Sayce (Cause)
 Whitehead v. Thompson (Ca.)
 Walker v. Jones (Cause)
 Pyke v. Franklin (Cause)
 Newland v. Newland } (Ca.)
 Lees v. Newland }
 Cormack v. Capons (3 tits., ca.)
 Tuck v. Child (Cause)
 Rowley v. Whyte (Sp. case)
 Maxwell v. Maxwell (Cause)
 Spear v. Spear (Cause)
 Bridge v. Bridge (Cause)
 Clegg v. Fishwick } (Cause)
 Clegg v. Massey }
 Stephenson v. Jones (Cause)
 Blacklock v. Harland (Cause)

Davis v. Gray } (E)
 Gray v. Davis }
 Shrewsbury and Birmingham Railway Co. v. London and North-western Railway Co. (Cause)
 Hitchcock v. Beauclerk (Cl)
 Stonor v. Stonor } (Cause)
 Stonor v. Stonor }
 Stonor v. Camoys } (Cause)
 Stonor v. Camoys }
 Ward v. Homfray (F D, C)
 Jones v. Cadbury (Cause)
 Rhodes v. Smith (Cl)
 Hudson v. Tarlington (Cl)
 Hares v. Stringer (Cl)
 Davis v. Gray } (E, F D, C)
 Gray v. Davis }
 Hounsfield v. Hounsfield (Cl)
 Blakeney v. Dufaur (Cause)
 Brocklehurst v. Flint (Cl)
 Liddiard v. Liddiard } (Ca.)
 Liddiard v. Ormond }
 Mounsey v. Barnes (Cl)
 Attorney-Gen. v. Domington Hospital (Cause)
 Chealyn v. Price (4 titles, F D, C, part heard)
 Lodge v. Pritchard (Cl)

Kennington v. Houghton (E)
 Lake v. Eastern Counties Railway Co. (Cause)
 Gray v. Haig (Cause)
 Morton v. Verity (Cause)
 Brown v. Gordon (Cause)
 Heaton v. Dearden (4 tits., ca.)
 Gladding v. Nevill (Cause)
 Mitchell v. Beaumont (Cause)
 Abrey v. Newman (Cause)
 Cocking v. Kennerly (Cause)
 Cocking v. Hitchin (Cause)
 Pritchard v. Smith (3 tits., ca.)
 Szlumper v. Lynn (3 causes)
 Worthington v. Wiginton (Ca.)
 Pickthall v. Braithwaite (Ca.)
 Ford v. White } (Cause)
 Ford v. White }
 Berryman v. Lamb (Cause)
 Thornton v. Court (Cause)
 Crouch v. Hooper (E)
 Nicholls v. Birdseye (Cause)
 Pariente v. Lubbock (Cause)
 Jodrell v. Turner (Cause)
 Raven v. Caming } (Cause)
 Same v. Same }
 Whitmore v. Smith (Cause)
 Anderson v. Kemshead (Cau.)
 Ellis v. Clough (Cause)
 Bridger v. Bridger (Cause)
 Hilton v. Blake (Special case)
 Bates v. Hillcoat (Cause)
 Ward v. Ward (Special case)
 Fielding v. Nutting (Cause)
 Baker v. Baker } (Cause)
 Baker v. Groom }
 Seymour v. Elwin (Cause)

End of Transfer.

Macnamara v. Dawe (Cause)
 Plenty v. West (4 tits., F D, C)
 Williams v. Jones (Cl)
 Troutbeck v. Foster (Cl)
 Littlewood v. Butterill (Cl)
 Reynolds v. Martin (Cl)

Matthews v. Bagshaw } (F D,
 Matthews v. Leyburn } C)
 Toplis v. Harrell (Cause)
 Blake v. Grand Surrey Canal Co. (E)
 Att.-Gen. v. Pugh (F D, C)

Jewson v. Hart (F D, C)
 Curnick v. Adamson (Cl)
 Browne v. Crosse (Cause)
 Kelk v. Archer (Cl)
 Heaton v. Selby (Cl)
 Attorney-Gen. v. Lord Bagot (Cause)

Attorney-Gen. v. Long (3 titles, F D, C)
 Archer v. Kelk (Cl)
 Fletcher v. Steel (Cl)
 Gelding v. Lowden (Cause)
 Gladding v. Gladding (Cause).

COMMON-LAW CAUSE LISTS, EASTER TERM, 1852.

Court of Queen's Bench.

CROWN PAPER, EASTER TERM, 1852.

Yorkshire	Reg. v. Carr.
Gloucestershire	Great Western Railway Company.
Hull	Hull Dock Company.
Yorkshire	Leeds and Bradford Railway Co.
Same	Same.
Denbighshire	Edmund Williams.
Carnarvonshire	Evan Williams.
Kent	Wilson.
Yorkshire	Churchwardens and Overseers of Longwood.
Lincolnshire	Inhabitants of Wickenley.
Lancashire	Slater.
Leicestershire	Inhabitants of Slawstone.

Court of Common Pleas.

NEW TRIALS.

MICH. TERM, 1848.		urance Co. (Part heard)
Surr.—Hamilton v. Cochrane (To stand over for arrangement)		London.—Graham v. Chapman
		„ Jupe v. Great Western Railway Co.
HILARY TERM, 1852.		„ Steadman v. Chappell
Midd.—Dalby v. India and London Life As-		„ Odams v. Avery

DEMURRER PAPER.

Tuesday, April 20.
 Addison v. Mayor of Preston
 Robinson v. Gill
 Gladstones v. Allen
 Hayes v. Keene
 Holmes v. Sparkes
 Ricketts v. East & West India Docks & Birmingham Junction Railway Co.
Thursday, April 22.
 Novello v. Sudlow

ENLARGED RULES.

To first Day.
 Stebbing v. Mortman
 Bell v. Fiak
Generally.
 In re Sharp v. All of Horbury

CUR. ADV. VULT.

Behaw v. Bush.

Court of Exchequer.

SITTINGS—EASTER TERM, 1852.

<i>Days in Term.</i>		<i>Base.</i>
Thursday April 15	Motions and Peremptory Paper.	
Friday 16	Peremptory Paper and Motions.	
Saturday 17	Motions and New Trial Paper.	
Monday 19	.....
Tuesday 20	.....
Wednesday 21	Special Paper.	
Thursday 22	Motions and New Trial Paper.	
Friday 23	.....
Saturday 24	Crown Cases, Motions, and New Trial Paper.	
Monday 26	Special Paper.	
Tuesday 27	Errors, Motions, and New Trial Paper.	
Wednesday 28	Special Paper.	
Thursday 29	Motions and New Trial Paper.	
Friday 30	.....
Saturday May 1	.....
Monday 3	Special Paper.	
Tuesday 4	Motions and New Trial Paper.	
Wednesday 5	.....
Thursday 6	.....
Friday 7	.....
Saturday 8	.....

<i>Days in Term.</i>	<i>Nisi Prius.</i>
Friday April 16	Middlesex first Sitting.
Thursday 22	London first Sitting.
Friday 23	Middlesex second Sitting.
Thursday 29	London second Sitting.
Friday 30	Middlesex third Sitting.

NEW TRIALS.

FOR ARGUMENT.

Moved Easter Term, 1851.
 Kingston—Griffin v. Humphery
 York—Wood v. Ripley
 Bristol—Fowles v. Great Western Railway Co.
Moved Mich. Term, 1851.
 Lond.—Wallington v. Dale
 " Key v. Cotesworth
Moved Hilary Term, 1852.
 Midd.—Bluck v. Gompertz
 " Marks v. Hamilton
 " Furze v. Asker
 " Barbat v. Allen

Lond.—De Rothschild v. Royal Mail Steam-
 packet Co.
 " Vincent v. Shropshire
 Union Railway and
 Canal Co.
 " Galvanized Iron Co.
 v. Westoby
 " Guest v. Warren
 " Mitcheson v. Nicol
 " Conturier v. Hastie

Moved after the 4th Day of Hilary Term, 1852.

Midd.—Copner v. Copner
 " Thomas v. Cross
 " Whitehead v. Lord

SPECIAL PAPER.

FOR JUDGMENT.
 Atkinson v. Stephens (D)
 Williams v. Roberts (D)
 Miller v. Salomons (Sp. Ver.)
 FOR ARGUMENT.
 Canman v. South-eastern Rail-
 way Co. (Sp. C.)

Burton v. White (Sp. C.)
 (Standing for arrangement)
 Doe d. Kimber v. Cafe (Sp.
 C., part heard)
 Thomas v. Watkins (D)
 Alcard v. Wisson (D)
 George v. Devereux (D).

London Gazettes.

FRIDAY, APRIL 9.

BANKRUPTS.

CONSTANT CHAMPION, Fenchurch-st., London, merchant, dealer and chapman, April 16 and May 13 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sole & Co., 68, Aldermanbury, London.—Petition filed April 7.
 SAMUEL TRICKETT, Victoria Stone Wharf, Isle of Dogs, Middlesex, stone and slate merchant, dealer and chapman, April 19 and May 22 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Cox, Pinner's-hall, Old Broad-street.—Petition dated April 7.
 THOMAS BARTON LAWRENCE, Parliament-st., Westminster, Middlesex, and York-place, Lambeth, Surrey, zinc dealer and manufacturer, (trading under the style or name of Lawrence & Co.), April 19 at 11, and May 22 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Stevenson & Ley, 1, Victoria-street, Holborn-bridge.—Petition dated April 6.
 THOMAS COWDREY, Brighton, Sussex, wine and spirit merchant and tobacconist, dealer and chapman, April 20 at half-past 11, and May 17 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Messrs. Linklater, 17, Sise-lane, London.—Petition filed April 8.
 JOSEPH WILLIAMS and WILLIAM WILLIAMS, Golyons and Varteg, Monmouthshire, shopkeepers, dealers and chapmen, (carrying on trade in the name of Joseph Williams), April 26 and May 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed April 2.

MEETINGS.

Geo. Gull and Francis Deacon Wilson, Old Broad-street, London, Russia brokers, April 29 at 1, Court of Bankruptcy, London, last ex.—*Thos. G. Phillips*, Newport, Monmouthshire, grocer, April 28 at 11, District Court of Bankruptcy, Bristol, last ex.—*Eden Clark and Henry Blackley*, Chorlton-upon-Medlock, Lancashire, ironmongers, April 20 at 11, District Court of Bankruptcy, Manchester, last ex.—*Matthew Warren*, Macclesfield, Cheshire, silk dyer, April 22 at 12,

District Court of Bankruptcy, Manchester, last ex.—*Wm. Dyson*, Wakefield, Yorkshire, grocer, May 3 at 12, District Court of Bankruptcy, Leeds, aud. ac.; May 10 at 12, fin. div.—*Edw. Teague* the younger, Littledean Woodside, East Dean, Gloucestershire, grocer, April 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Michael Common*, North Shields, Northumberland, draper, April 22 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Jane Parker*, Goosnargh-with-Newsham, Lancashire, innkeeper, April 29 at 1, District Court of Bankruptcy, Manchester, aud. ac.; April 30 at 12, div.—*Noah Welch*, Deep-fields, Sedgley, Staffordshire, iron manufacturer, April 21 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Rawlins*, Warwick, maltster, April 29 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*T. Harris*, Camborne, Cornwall, grocer, April 28 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 5 at 11, div.—*Thos. Gundry and J. Gundry*, Goldsmithy, Cornwall, merchants, April 28 at 11, District Court of Bankruptcy, Exeter, aud. ac., and May 5 at 11, div., sep. est. of *J. Gundry*.—*C. Bacon*, Walton, Somersetshire, tailor, April 27 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 4 at 11, div.—*D. Boobyer*, Tavistock, Devonshire, ironmonger, April 27 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 4 at 11, div.—*Owen Gray*, Great Tower-st., London, builder, April 30 at 11, Court of Bankruptcy, London, div.—*James Hollick Davis*, Hendon, Middlesex, livery-stable keeper, April 30 at 12, Court of Bankruptcy, London, fin. div.—*H. Woolf and Isaac Lyons*, Cripplegate-buildings, London, umbrella manufacturers, April 30 at 11, Court of Bankruptcy, London, div.—*Henry Farncombe Hodson*, Romford, Essex, ironmonger, April 30 at 12, Court of Bankruptcy, London, fin. div.—*John Johnson*, Great Winchester-st., London, merchant, April 30 at 12, Court of Bankruptcy, London, fin. div.—*Frederick Long*, Vere-street, Oxford-street, Middlesex, importer of foreign lace, May 7 at 11, Court of Bankruptcy, London, div.—*Robert Allison and Thos. Allison*, Dean-street, Soho, Middlesex, pianoforte manufacturers, May 7 at 11, Court of Bankruptcy, London, div.—*Josiah Westley*, Playhouse-yard, London, bookbinder, May 6 at 11, Court of Bankruptcy, London, div.—*Caleb Wm. Elliott*, Aylesbury, Buckinghamshire, grocer, May 7 at 11, Court of Bankruptcy, London, div.—*Dumas Bonnet*, Mark-lane, London, and Golden-square, Westminster, Middlesex, wine merchant, April 30 at 11, Court of Bankruptcy, London, div.—*Walter M'Dowall and Ralph Brown*, Pemberton-row, Gough-square, London, printers, May 1 at 12, Court of Bankruptcy, London, div. sep. est. of *W. M'Dowall*.—*James Ballingall*, Edward-street, Portman-square, Middlesex, pianoforte maker, May 1 at half-past 11, Court of Bankruptcy, London, div.—*James Bosall*, Brighton, Sussex, coachmaker, April 30 at 12, Court of Bankruptcy, London, div.—*Frederick Palmer*, Bristol, wine merchant, May 14 at 11, District Court of Bankruptcy, Bristol, first and fin. div.—*Robert Jackson*, Nottingham-butchery, April 30 at half-past 10, District Court of Bankruptcy, Nottingham, div.—*Henry Morris*, Stourbridge, Worcestershire, grocer, May 1 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*John Lilley and Alfred Ashmall*, Liverpool, merchants, April 30 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *A. Ashmall*.—*W. Baynes*, Leeds, Yorkshire, flax spinner, April 30 at 11, District Court of Bankruptcy, Leeds, div.—*Wm. Dyson*, Wakefield, Yorkshire, grocer, May 10 at 12, District Court of Bankruptcy, Leeds, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. B. Barnes, Thaxted, Essex, surgeon, May 6 at 12, Court of Bankruptcy, London.—*Thomas Burtenshaw*, Southwark-bridge-road, Surrey, builder, May 1 at 12, Court of Bankruptcy, London.—*Rowland Bateman and Robert Hardwick*, Carey-street, Lincoln's-inn, Middlesex, printers, April 30 at half-past 11, Court of Bankruptcy, London.—*Wm. E. Spencer*, Holland-street, Blackfriars-bridge, Surrey, mustard manufacturer, May 1 at half-past 11, Court of Bankruptcy, London.—*Edward H. Palmer*, Boston-road, Brentford, Middlesex, common brewer, April 30 at 11, Court of Bankruptcy, London.—*Wm. Williams*, *Wm. Williams* the younger, and *Thos. R. Williams*, Newport, Monmouthshire, bankers, May 10 at 12, District Court of Bankruptcy, Bristol.—*G. Sherlock*, Hulme, Lancashire, joiner, May 1 at 12, District Court of

Bankruptcy, Manchester.—*Geo. Milnes*, Falgrave and Scarborough, Yorkshire, cloth merchant, May 3 at 12, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John F. Cole, Toy Hotel, Hampton Court, Middlesex, victualler.—*Hans Crosby*, Burnley, Lancashire, linendraper.—*Daniel Morton*, Walsall, Staffordshire, chemist.—*W. Worley*, Smethwick, Staffordshire, licensed victualler.—*John O'Donnell*, Sheffield, Yorkshire, grocer.

SCOTCH SEQUESTRATIONS.

John Davidson, Glasgow, grocer.—*Robert Haig Simpson*, Glasgow, coalmaster.—*John Paterson*, Killeonan, near Campbelltown, farmer.—*D. Macpherson*, Dingwall, hotel keeper.—*Thomas G. Allan* and *Peter Lightbody*, Glasgow, cabinet makers.—*Archibald McLaren*, Glasgow, provision merchant.—*Thomas Lesaitie*, Edinburgh, hay dealer.—*Elizabeth Baird* or *Morrison*, widow, Glasgow, innkeeper.—*J. M'Robert*, Dumfries, bookseller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George H. Pollard, Bristol, boat builder, April 21 at 11, County Court of Gloucestershire, at Bristol.—*W. Battershill*, Bristol, retailer of beer, May 5 at 11, County Court of Gloucestershire, at Bristol.—*Charles Higga*, Stapleton, Gloucestershire, mason, May 5 at 11, County Court of Gloucestershire, at Bristol.—*John Harford*, Bristol, scavenger, April 21 at 11, County Court of Gloucestershire, at Bristol.—*John Riley*, Slaverton, Devonshire, out of business, April 29 at 11, County Court of Devonshire, at Totnes.—*Henry Mitchell*, Winchester, Hampshire, licensed victualler, April 27 at 11, County Court of Hampshire, at Winchester.—*Wm. Thurlow*, Cambridge, tailor, April 26 at 10, County Court of Cambridgeshire, at Cambridge.—*Edward Cliff*, Bury St. Edmund's, Suffolk, butcher, April 26 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Samuel Gooch*, Wissett, Suffolk, beer-house keeper, April 22 at 12, County Court of Suffolk, at Halesworth.—*Fred. Tillet*, Redenhall with Harleston, Norfolk, cabinet maker, April 19 at 1, County Court of Norfolk, at Harleston.—*Robt. Marshlain*, Westleton, Suffolk, farmer, April 22 at 12, County Court of Suffolk, at Halesworth.—*Daniel Hudson*, Kirton, Suffolk, saddler, April 24 at 10, County Court of Suffolk, at Woodbridge.—*Thos. Bamforth*, Linthwaite, Almondsbury, Yorkshire, shoemaker, April 22 at 10, County Court of Yorkshire, at Huddersfield.—*John Field*, Lockwood, Yorkshire, cattle doctor, April 22 at 10, County Court of Yorkshire, at Huddersfield.—*George Henthwaite*, Huddersfield, Yorkshire, cabinet maker, April 22 at 10, County Court of Yorkshire, at Huddersfield.—*Robt. Wharton*, Brough, Westmoreland, butter carrier, April 21 at 11, County Court of Westmoreland, at Appleby.—*George Hogg*, Nookgate, Kirkandrews-on-Eak, Cumberland, shoemaker, April 26 at 10, County Court of Cumberland, at Carlisle.—*Thomas Grosvenor Hill*, Walsall, Staffordshire, beer-shop keeper, April 23 at 12, County Court of Staffordshire, at Walsall.—*James Ashwell*, Caldmore, Walsall, Staffordshire, licensed victualler, April 23 at 12, County Court of Staffordshire, at Walsall.—*Richard Griffith*, Defcety, Llangefni, Anglesey, farmer, April 29 at 10, County Court of Anglesey, at Llangefni.—*Noah Harris*, Lye, Oldswinford, Worcestershire, forgerman, April 19 at 10, County Court of Worcestershire, at Stourbridge.—*William Godland* the elder, Upton Hellions, Devonshire, miller, May 3 at 10, County Court of Devonshire, at Crediton.—*James Johnston*, West Marton, Craven, Yorkshire, gardener, April 23 at 10, County Court of Yorkshire, at Skipton.—*Robert Langmead*, Totnes, Devonshire, pork butcher, April 29 at 11, County Court of Devonshire, at Totnes.—*Joseph Sanders*, Tockbury, Bromsgrove, Worcestershire, miller, April 26 at 11, County Court of Worcestershire, at Bromsgrove.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 24 at 11, before Mr. Commissioner PHILLIPS.

James Wise, Liverpool-street, Bishopsgate, London, shoe-

maker.—*James Godfrey Elster*, Hans-place, Sloane-street, Chelsea, Middlesex, assistant manager of the Anglo-French Trust and Agency Association.—*John Baker*, Winchmere-hill, Edmonton, Middlesex, cowkeeper.—*John James Sherley*, Twickenham-common, Middlesex, servant to a horse dealer.

April 26 at 10, before Mr. Commissioner LAW.

John Francis Watson, North-side, Bethnal-green-road, Middlesex, bricklayer.

April 26 at 11, before Mr. Commissioner PHILLIPS.

Robert Archibald Middleton, South-street, Islington, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 23 at 11, before the CHIEF COMMISSIONER.

William Aldred, Westmoreland-place, Southampton-street, Camberwell, Surrey, corn dealer.—*Thomas Ross Comyn*, Hornsey, Middlesex, out of business.

April 23 at 10, before Mr. Commissioner LAW.

Thomas Keeley, Onalow-terrace, Lorimer-road, Walworth, Surrey, out of business.—*John Godfrey*, Upper Islington-terrace, Barnsbury, Middlesex, sheep salesman.—*Wm. John Wake*, Printer's-place, Church-row, Bermondsey, Surrey, bricklayer.

April 24 at 11, before Mr. Commissioner PHILLIPS.

Bernard Emanuel Brooshoft, Regent-street, Kennington, Surrey, extra clerk in the Duchy of Cornwall-office, Somerset House, Strand, Middlesex.—*Samuel Priddle*, Prince's-street, Cavendish-square, Middlesex, tailor.

April 26 at 10, before Mr. Commissioner LAW.

John Fuller, Uxbridge-moor, Middlesex, tobacco-pipe maker.—*Isiah Smart*, Somerset-place, Rotherhithe, Surrey, out of business.—*George Shatwell*, Fish-street-hill, London, out of employment.—*Thomas Pearson*, Minories, Middlesex, out of business.—*Richard Thomas Peters*, Clayton-place, Kennington-road, Kennington, Surrey, not in any business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Christopher Bullen, Preston, out of business; *J. Blackhurst*, assignee.—*Thomas James Whitborne*, Tranmere, near Liverpool, out of business; *Wm. J. Baker*, assignee.—*Thos. Cooke Iliffe*, Culcheth, near Leigh, rope manufacturer; *John Turner*, assignee.—*Robert Yates* the younger, Oldham, out of employment; *Frederick Butterfield*, assignee.—*James Pimm*, Salford, gardener; *Joshua Bowker*, assignee.—*B. Josephson*, Liverpool, shopman; *Wm. B. Willett*, assignee.—*E. Firth*, Oldham, licensed victualler; *Richard H. Rhodes*, assignee.—*Thurston Newton*, Ashton-under-Lyne, out of business; *F. Perry*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Shropshire, at SHREWSBURY, April 20 at 10.

Miles Green, Wellington, tailor.

At the County Court of Lancashire, at LANCASTER, April 23 at 11.

Robert Fildes, Salford, out of employment.—*Hugh S. Smith*, Manchester, out of business.—*Harry Bentley*, Salford, out of business.—*John Challinor*, Manchester, plasterer.—*Joseph H. Farrand*, Liverpool, out of business.—*John Birch*, Bury, grocer.—*James Prescott*, Little Bolton, joiner.—*James Wood*, Manchester, fruiterer.—*Thomas A. Owen*, Heaton Norris, shoemaker.—*M. Metcalf*, Liverpool, out of business.—*George Kilby*, Liverpool, out of business.—*Richard Banks*, Hindley, near Wigan, shoemaker.—*John Turner*, Pendleton, near Manchester, brewer.—*Wm. Robinson*, Burnley, whitesmith.—*Wm. Dale*, Manchester, licensed victualler.—*Peter Jones*, Heaton Norris, near Manchester, brushmaker.—*Simon Wolf*, Liverpool, surgeon.—*James Lyon*, Hulme, out of business.—*Wm. Hodgson*, Lancaster, butcher.

At the County Court of Pembrokehire, at HAVERFORDWEST, April 23.

Eliza Bennett, Pill, Milford Haven, dressmaker.

At the County Court of Essex, at CHELMSFORD, April 24.

John P. Uwins, Stifford, farmer.—James Charles Poulett, Woodford, out of business.

At the County Court of Derbyshire, at DERBY, April 24 at 11.

Benjamin Ash, Great Hucklow, farmer.—Robert Howe, Great Hucklow, farmer.—John Bramwell, Little Hucklow, farmer.—John H. H. Keeling, Great Hucklow, blacksmith.

At the County Court of Cumberland, at CARLISLE, April 26 at 10.

Wm. Leech the younger, Gosforth, butcher.—E. Irving, Castle Sowerby, out of business.

At the County Court of Cambridgeshire, at CAMBRIDGE, April 26 at 10.

Robert Bricheno, Fulbourn, horse dealer.

At the County Court of Yorkshire, at YORK CASTLE, April 26 at 10.

James H. Hepworth, Alverthorpe, near Wakefield, commercial traveller.—James Beckett, Huddersfield, hosier.—J. Craven, Leeds, out of business.—Richard Sharp, Middlesbrough, tailor.—Robert Heath, Leeds, muffin maker.—Charles H. Braithwaite, Leeds, out of business.—James W. Turner, York, butcher.—James Shaw, Huddersfield, plasterer.—E. Bealand, Tong, near Bradford, engine tender.—R. Wilson, Wakefield, farmer.—William Raynes, Huddersfield, out of business.—Thos. Bedford, Shitlington, near Dewsbury, corn miller.—Matthew Booth, Halifax, farmer.—John Samuel Hawthorne, Leeds, cabinet maker.—Ainsley Dobson, Morley, near Leeds, out of business.—George Corbitt, Sheffield, out of business.—Daniel Brearley, Bradford, out of business.—Richard Deansfield, Huddersfield, woolstapler.—William W. Milnes, Lockwood, near Huddersfield, assistant grocer.—B. Wilson, Leeds, out of business.—Josiah Schorak, Leeds, hairdresser.—Roger Gill, Leeds, out of business.—J. Pontey, Leeds, book-clasp manufacturer.—Thomas Fearnley, Leeds, out of business.—Henry Hayley, Huddersfield, carrier.—Richard Hayley, Huddersfield, carrier.

At the County Court of Westmoreland, at APPLEBY, May 19 at 10.

George Reid, Gramere, gardener.

TUESDAY, APRIL 13.

BANKRUPTS.

DAVID FRASER LUCKIE, Fenchurch-st., London, merchant, (trading in co-partnership with George John Luckie, in London, and at George Town, Demerara, British Guiana, under the style or firm of Luckie, Brothers, & Co.), April 23 at half-past 12, and May 29 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Sole & Turner, 68, Aldermanbury, London.—Petition dated April 10.

JOSEPH WOOD ACKROYD, Bradford, Yorkshire, worsted spinner, dealer and chapman, (surviving partner of one Francis Burnup, lately deceased, carrying on business under the style or firm of Burnup & Ackroyd), April 30 and May 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Wavell & Co., Halifax.—Petition dated April 6.

SAMUEL HODGETTS BROOKES, Gwarsyllt, Gresford, Denbighshire, wire manufacturer, April 23 and May 20 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Evans & Sons, Liverpool.—Petition filed April 10.

MEETINGS.

Christopher Steadman and Charles Siddall Bakewell, Manchester, joiners, April 24 at 11, District Court of Bankruptcy, Manchester, last ex.—William Byrom, Henry Taylor, and Thos. Byrom, Manchester, Liverpool, and Wigan, Lancashire, coal proprietors, April 23 at 12, District Court of Bankruptcy, Manchester, last ex. of joint est.; May 6 at 12, div. sep. est. of Thos. Byrom.—Isaac Hodgkinson, Bolton-le-Moors, Lancashire, ironfounder, April 26 at 12, District Court of Bankruptcy, Manchester, last ex.—Philip Phillips, Crowland, Holland, Lincolnshire, common brewer, May 3 at half-past 12, Court of Bankruptcy, London, and ac.—Geo. Betts, Farnett St. Peter's, Norfolk, draper, May 5 at 1, Court of Bankruptcy, London, and ac.—J. Simmonds, Blandford Forum,

Dorsetshire, builder, May 5 at 12, Court of Bankruptcy, London, and ac.—Richard Billing the elder and Richard Billing the younger, Reading, Berkshire, brick makers, May 5 at half-past 12, Court of Bankruptcy, London, and ac.—Wm. Steel, Fenchurch-st., London, tailor, May 6 at 12, Court of Bankruptcy, London, and ac.—Benjamin Tipper, Maiden-lane, Queen-st., Cheapside, London, wholesale stationer, April 23 at 11, Court of Bankruptcy, London, and ac.—John Hunt, Edgeware-road, Middlesex, draper, April 23 at 11, Court of Bankruptcy, London, and ac.—James Bosall, Brighton, Sussex, coachmaker, April 24 at 1, Court of Bankruptcy, London, and ac.—Alfred Markwick, Martin's-lane, Cannon-st., London, manufacturer, April 24 at half-past 12, Court of Bankruptcy, London, and ac.—William Roberts, Warren-st., Camden-town, Middlesex, builder, April 27 at 11, Court of Bankruptcy, London, and ac.—George Bennett and Alex. Booth, Long-acre, Middlesex, dealers in Scotch whisky, April 22 at 12, Court of Bankruptcy, London, and ac.—John Grimsell, Wolverhampton, Staffordshire, grocer, April 26 at half-past 10, District Court of Bankruptcy, Birmingham, and ac.—David Jerons, Tipton, Staffordshire, grocer, April 26 at half-past 10, District Court of Bankruptcy, Birmingham, and ac.—Charles Burgin, Hollis Croft Steel Works, Sheffield, Yorkshire, steel manufacturer, April 24 at 10, District Court of Bankruptcy, Sheffield, and ac.—George Harrison, Frith-st., Soho-sq., Middlesex, ironmonger, May 4 at 11, Court of Bankruptcy, London, div.—George Senior, Fordingbridge, Southampton, apothecary, May 4 at half-past 12, Court of Bankruptcy, London, div.—William Peverley and John Ayrey Charlton, Sunderland near the Sea, Durham, shipbuilders, May 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—Joseph Lucas Horrocks, Manchester, merchant, May 7 at 12, District Court of Bankruptcy, Manchester, div.—John B. Taylor, Liverpool, commission agent, May 6 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Knock, Eton, Buckinghamshire, nurseryman, May 26 at half-past 12, Court of Bankruptcy, London.—John A. C. Reimann and John G. Geller, Liverpool, merchants, May 7 at 11, District Court of Bankruptcy, Liverpool.—Sidney Sherlock, Liverpool, wine merchant, May 5 at 11, District Court of Bankruptcy, Liverpool.—John Ellison, Liverpool, ironmonger, May 4 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Mary Ann Keell, Liverpool, coffee-house keeper.—John Nicol, Kingston-upon-Hull, broker.—Thos. Robinson, Kingston-upon-Hull, broker.

SCOTCH SEQUESTRATIONS.

James Paterson, Campbell-town, distiller.—Hugh Osborne, Newmilns, innkeeper.—John Crighton & Sons, Dunning, wool manufacturers.—John Richmond, Greenock, shoemaker.—Robert Douglas, Hamilton Farm, near Falkirk, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Isaac Abrahams, Paulton, Somersetshire, watchmaker, April 17 at 11, County Court of Somersetshire, at Clutton.—Joseph Critchfield, Pangbourne, Berkshire, butcher's assistant, May 3 at half-past 10, County Court of Berkshire, at Reading.—John Wakefield, Reading, Berkshire, grocer, May 3 at half-past 10, County Court of Berkshire, at Reading.—Timothy Brown, Shinfield, Berkshire, blacksmith, May 3 at half-past 10, County Court of Berkshire, at Reading.—John Edwards, Newchurch, Romney Marsh, Kent, bricklayer, April 21 at 11, County Court of Kent, at Romney.—Edward Puleston, Plymouth, Devonshire, cabinet maker, May 13 at 11, County Court of Devonshire, at East Stonehouse.—Charles Maddax, Abergwilly, Carmarthenshire, out of business, April 27 at 2, County Court of Carmarthenshire, at Carmarthen.—Wm. J. Allen, Southley, Datchet, Buckinghamshire, carpenter, May 5 at 10, County Court of Berkshire, at Windsor.—H. Davis, Cheltenham, Gloucestershire, builder, April 27 at 10, County Court of Gloucestershire, at Cheltenham.—Thomas Taylor,

Monmouth, out of business, May 3 at 11, County Court of Monmouthshire, at Monmouth.—*John Holland*, Rhosymedre, Ruabon, Denbighshire, builder, April 26 at 10, County Court of Denbighshire, at Ruabon.—*Samuel Jones*, Groffield, Abergavenny, Monmouthshire, carpenter, April 19 at 10, County Court of Monmouthshire, at Abergavenny.—*Robert Hodgson*, Newcastle-upon-Tyne, provision dealer, April 29 at 10, County Court of Northumberland, at Newcastle.—*R. Reid*, Newcastle-upon-Tyne, chemist, April 29 at 10, County Court of Northumberland, at Newcastle.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 28 at 11, before the CHIEF COMMISSIONER.

Edward Miller, West-street, Smithfield, London, not in any business.—*John Connerton Perry*, Tooley-street, Southwark, Surrey, attorney-at-law.

April 28 at 10, before Mr. Commissioner LAW.

George Pettit, High-street, Hackney, Middlesex, green-grocer.—*William White*, High-street, Kensington, Middlesex, baker.

April 22 at 11, before Mr. Commissioner PHILLIPS.

James Fry, Sunbury, Middlesex, out of business.

Saturday, April 10.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Edward Fenmore, Egham, Surrey, tailor: in the Gaol of Surrey.—*Charles Baker*, Albion-terrace, Dalston, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Crabb* the younger, Barrow-wheel-road, Portland-town, St. John's-wood, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*William Todd*, Cromer-street, Gray's-inn-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Hawks*, St. John's-wood, Middlesex, clerk in the Australian Auriferous Gold Mining Company: in the Debtors Prison for London and Middlesex.—*Daniel Staight*, Charles-street, Hatton-garden, Middlesex, ivory cutter: in the Debtors Prison for London and Middlesex.—*John Wright*, Popham-place, Lower-road, Islington, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*John Bath*, Strand, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*William Gerratt*, Brindley-street, Harrow-road, Middlesex, upholsterer: in the Debtors Prison for London and Middlesex.—*William Blundon*, Pamham-place, Back-road, Radcliffe, Middlesex, leather seller on commission: in the Debtors Prison for London and Middlesex.—*Patrick Stewart*, Acre-lane, West Brixton, Surrey, clerk in the Ordnance-office: in the Queen's Prison.—*Thomas Lyles Fitchmarsh*, Giltspur-street, London, out of business: in the Debtors Prison for London and Middlesex.—*James Wood*, Hulme, Manchester, fruiterer: in the Gaol of Lancaster.—*George Kilby*, Liverpool, printer: in the Gaol of Lancaster.—*John Challinor*, Manchester, plasterer: in the Gaol of Lancaster.—*Buckley Royle*, Hulme, Manchester, warehouseman: in the Gaol of Lancaster.—*Robert Fildes*, Cheshire-view, Pendleton, Salford, Lancashire, salesman: in the Gaol of Lancaster.—*Hugh Stephenson Smith*, Manchester, trunk maker: in the Gaol of Lancaster.—*John Potter Uwins*, Stafford, Essex, farmer: in the Gaol of Springfield.—*James Bower* the younger, Flat-house, Portsea, Hampshire, farmer: in the Gaol of Portsmouth.—*John Scott Hunter Williams*, Bristol-road, near Bristol, Gloucestershire, surgeon: in the Gaol of Gloucester.—*James Lyon*, Hulme, Manchester, yarn agent: in the Gaol of Lancaster.—*George Coulson*, Newcastle-upon-Tyne, grocer: in the Gaol of Newcastle-upon-Tyne.—*Charles Murphy*, Brookside, Herefordshire, coachman: in the Gaol of Gloucester.—*John Dobby*, Osmotherly, near Northalerton, Yorkshire, flax dresser: in the Gaol of York.—*Robert George Moore*, York, commission agent: in the Gaol of York.—*Joseph Ramsden*, Lepton, near Huddersfield, Yorkshire, woollen spinner: in the Gaol of York.—*John Jessop*, Dewsbury, Yorkshire: in the Gaol of York.—*John Hill*,

Chester, following no business: in the Gaol of Warwick.—*J. Knight*, Wattenhall, near Over, Cheshire, farmer: in the Gaol of Chester.—*Jane Thick*, Farrington, near Alton, Southampton, out of business: in the Gaol of Winchester.—*J. Woodhouse*, Salford, Lancashire, out of employment: in the Gaol of Lancaster.—*G. Court*, Stogursey, Somersetshire, maltster: in the Gaol of Wilton.—*James Prickett*, Oxford, butler of Trinity College, Oxford: in the Gaol of Oxford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 28 at 11, before the CHIEF COMMISSIONER.

Joseph Rutter, Union-street, Deptford, Kent, out of business.—*R. V. Phillpotts*, Great Bell-alley, Moorgate-street, London, Sergeant-at-Law to the Sheriffs of London.—*J. M. Nolan*, St. Alban's-terrace, Kennington-road, Lambeth, Surrey, out of business.—*Wm. T. Wise*, Ponsonby-place, Pimlico, Middlesex, shoemaker.—*Andrew Hardley*, Blackfriars-road, Surrey, out of business.

April 29 at 11, before Mr. Commissioner PHILLIPS.

Thomas Gurner, Russell-street, Southwark, Surrey, wheelwright.—*John Burridge*, Rupert-street, Westminster, Middlesex, out of business.—*Isaac Gabriel Costa*, Plummer's-row, Whitechapel-road, Middlesex, out of business.—*John Costar*, Cambridge-terrace, Hyde-park, Middlesex, lodging-house keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Carmarthenshire, at CARMARTHEN, April 27 at 2.

Edward E. D. Grove, Llanelly, attorney.

At the County Court of Hampshire, at WINCHESTER, April 27.

James Jolliffe, Bonchurch, near Ventnor, painter.—*Jane Thick*, widow, Farrington, near Alton, out of business.

At the County Court of Gloucestershire, at the Shirehall, GLOUCESTER, April 29 at 10.

Charles Murphy, Brookside, Herefordshire, coachman.

At the County Court of Gloucestershire, at GLOUCESTER, April 29 at 10.

John S. H. Williams, Bristol-road, near Bristol, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, April 29 at 10.

Fred. Haywood, Newcastle-upon-Tyne, auctioneer.—*Geo. Coulson*, Newcastle-upon-Tyne, grocer.

At the County Court of Monmouthshire, at MONMOUTH, May 3 at 11.

Further Hearing.

David Parry, Trosnant, Pontypool, common brewer.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—*Granville Leveson Gower Ward*, of the city of Durham, in and for the city of Durham, also in and for the county of Durham; *James Pashley Burbeary*, of Sheffield, in the county of York, in and for the West Riding of the county of York.

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APRIL 24, 1852.

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LONDON, APRIL 24, 1852.

OUR readers will have seen that the Lord Chancellor has brought forward in Parliament the principal bill for reforming the Court of Chancery, viz. the bill for entirely abolishing the Masters' offices. There are at present nine Masters; of these the four seniors are to retire forthwith—that is to say, as soon as the bill takes effect—with their full salaries as retiring pensions; the remaining five Masters are to work out all the remaining business at present consigned to the Masters' offices. The new system proposed is this—the judges are, as it is termed, to work out their own decrees—that is, with the assistance of a staff of clerks. Instead of referring all matters of inquiry, as has been hitherto the custom, to the Master, they are at once to have all those inquiries conducted under their own immediate superintendence. They are for that purpose to be aided by a chief clerk, a junior clerk, and, we presume, such other inferior officers as may be necessary. The duties of the chief clerk will obviously be of a most responsible character; he will, in effect, be the substitute of the Master, only that instead of working in a separate office irresponsible to the judge, except by way of appeal, he will be under the immediate control of the judge; but his duties if not of the same character as were those of the Master, will be at least as important.

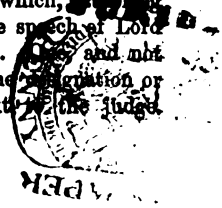
In carrying out this improvement, much of what may be termed the verbiage of Chancery proceedings will be abolished, to the great advantage of the suitor. The principal objection to the Master's office was, that in it was, in effect, carried on, in almost every case, a sort of repetition of the whole case brought from the

Court. Thus, supposing that a bill was filed for the administration of an estate, and for ascertaining what were the incumbrances on it, the bill and answers and other proceedings in the suit having already pointed out what was the case intended to be made, and what were the incumbrances upon the estate, the proceedings in the Master's office would be a sort of supplemental suit, quite beyond the control of the judge, stating over again, by a totally separate set of pleadings, viz. the states of facts of all parties, all that had been stated by the bill and answers, and asking thereupon the opinion of the Master, not so much in direct aid of the judge, as by way of preliminary and separate decision of the Master, to be afterwards decided upon appeal by the judge.

All this is to be done away with: the judge will hear the cause; he will determine at once what inquiries or collateral proceedings are necessary; he will direct these to be forthwith proceeded with by his chief clerk, under his own superintendence, instead of their being sent away to a tribunal over which he has no control, and with which he has no power of interfering until that tribunal shall have come to its own conclusion.

The judge will, in effect, have the complete superintendence of the working out of his own decrees from day to day, so far as he may think it necessary. The principle of this measure is very satisfactory; with the details of it the public is not yet made acquainted.

There are, however, some points on which, in stating the main features of the bill from the speech of Lord St. Leonard's, observations may arise. One, and not an immaterial one, has reference to the designation or title of the officer immediately next to the judge.



Lord Bacon has observed, that in council it is not an immaterial circumstance whether the councillors are seated at a long table or at a round table, for, said that politic person, at a round table all are within reach of the president, whereas at a long table the few who are near the president sway the whole proceedings. By something probably of the same train of reasoning, Lord St. Leonard's, a person not less politic and astute than Lord Bacon, has justly attributed to the atmosphere of Southampton-buildings a local influence, an effect so powerful, that his Lordship will not suffer the intended chief assistants of the judges to sit there, lest they should consider themselves independent masters, and not subordinate to the judges. Accurate as the conception of the Lord Chancellor is with regard to the local and special influences upon the persons intended to replace the Masters, it is surprising that he should have overlooked the influence of merely verbal designation. He proposes to attach to the courts of the judges in Chancery, officers whose duties will be at least, as we have observed, as difficult and responsible as those of Masters in Chancery—officers who will be brought in daily contact with the judges, not certainly as equals, but as persons with whom, upon most important subjects, the judges will have continually to consult—officers who, we presume, must not only be men at the Bar, but men of mature standing, of experience, and of public reputation; and it is proposed that these men, who will be second to the judges, and whose duties will be of the most laborious and responsible character, shall be called "the judges' chief clerks." Now, this question of designation or title seems a mere trifle, but practically it is not so. There are many men at the Bar highly fit for the functions which Lord St. Leonard's proposes to intrust to the persons whom, in his speech, he has designated as "the judges' chief clerks," who would recoil from and refuse an appointment in which they are to bear the title of "clerk," but which they would accept, with even a less amount of salary, if they were to be called "judges' assistants," or "official secretaries," or by some other title sounding a little more honourable in the public ear than "clerk." Such a distinction may sound trivial, but it is not more trivial than the round or square table of Lord Bacon, or the retention or abandonment of Southampton-buildings as a locus in quo by Lord St. Leonard's.

With regard to the mode in which the business can be carried on, we have never had, and have not, any doubt that it will be an enormous improvement upon the system of the Masters' offices. On the other hand, we have never had, nor have we now, the slightest doubt that it will be wholly impossible for the existing staff of judges to carry on the business under the new system. They are at present overloaded, and cannot, sitting usually six hours a day in court, and occupying many more in private, &c., keep down arrears; and making every allowance for the diminution of the work in each case, by reason of the improved system of pleading and procedure recommended by the Chancery Commissioners, and which, it seems, is to be adopted, it is not to be expected that the judges, absorbing the business of nine Masters besides their own, will be able to get through it. This, however, is mat-

ter for experiment. The judges will try and do the work; and when it is found that they cannot, no doubt the public will see with satisfaction the appointment of a few more judges. We only hope they will not require a judge or two to be killed before they are satisfied that two men cannot do the work of three.

THE CASES UPON THE RETAINER OF A SOLICITOR.

It is the duty of a solicitor to obtain a distinct and special authority from his client before he institutes any suit in his name; (*Wright v. Castle*, 3 Mer. 12); and the general rule is, that he ought to have it in writing. If the interests of the client induce the solicitor to act before he can obtain an authority in writing for that purpose, he should take the earliest opportunity of obtaining the sanction of the client for what he has done. (*Pinner v. Knights*, 6 Beav. 174; *Hood v. Phillips*, Id. 176; *Tabbemor v. Tabbemor*, 2 Kee. 679). There is not, however, any rule that the authority must be in writing: but if the client denies and the solicitor asserts authority to have been given, and there is nothing but assertion against assertion, the Court says, "The solicitor ought to have secured himself by having his authority in writing, and that not having done so, he must abide the consequences of his omission." (Per Lord Eldon in *Wright v. Castle*, 3 Mer. 12). In one case (*Lord v. Kellett*, 2 My. & K. 1) it was argued, upon the authority of Lord Eldon's decision in *Wright v. Castle*, that, whenever the client denied the fact of retainer, the solicitor was bound to produce an authority in writing. But it will be observed, that in that case the learned judge expressly supposed that there was nothing but assertion against assertion, and thereby indirectly excluded the supposition of its being proved by circumstances that authority was given by parol, or that acquiescence might be inferred from subsequent conduct; and Lord Brougham, therefore, after remarking that it had never been decided that the authority to act might not be by parol, held, that though a solicitor must receive specific authority from his client to institute a suit, yet such authority might be given by parol as well as in writing, and that in the former case it might be proved by circumstances and the subsequent conduct of the party. (See also *Wiggins v. Poppin*, 2 Beav. 403). But if the solicitor neglects the precaution of obtaining his authority in writing, and it is afterwards challenged, it is for him to prove it; and if he cannot do that, he must bear the costs of the risk he thus undertakes. (*Wright v. Castle*, 3 Mer. 12; *Martindale v. Lawson*, 1 C. P. Coop. 83; *Wiggins v. Poppin*, 2 Beav. 403; *Allen v. Bone*, 4 Beav. 493; *Pinner v. Knights*, 6 Beav. 174; *Hood v. Phillips*, Id. 176). It has, however, been held, that a general authority is sufficient to enable a solicitor to defend a suit. (*Wright v. Castle*, 3 Mer. 12).

A solicitor having no authority, and using the names of persons who do not employ him, is personally liable for the costs of the proceedings he so improperly occasions. (*Malins v. Greenaway*, 10 Beav. 564; *Pinner v. Knights*, 6 Beav. 174; *Hood v. Phillips*, Id. 176; *Hall v. Bennett*, 2 Sim. & S. 78. See *Es parte Stuckey*, 2 Cox, 283). If a solicitor files a bill in the name of any person without authority, the latter may, upon motion, have it dismissed, with costs as between solicitor and client, to be paid by the solicitor, together with the costs of the motion. (*Wright v. Castle*, 3 Mer. 12; *Allen v. Bone*, 4 Beav. 493). And where some of several plaintiffs have not authorised the solicitor who files the bill to act for them, and have not acquiesced in his so doing, they are entitled to have their names struck out of the record at the expense of the solicitor, and to

be indemnified by him, so far as they are concerned, against the costs of the suit; (*Wilson v. Wilson*, 1 J. & W. 457; *Tabbarnor v. Tabbarnor*, 2 Kee. 679; *Tarback v. Tarback*, 6 Beav. 134; *Ward v. Ward*, Id. 251); to which, however, as against the defendants, they will continue liable. (*Wade v. Stanley*, 1 J. & W. 674; *Dundas v. Dutens*, 2 Cox, 235; S. C., 1 Ves. jun. 196; *Tatterton v. Osborne*, 1 Dick. 360; *Hood v. Phillips*, 6 Beav. 176; *Ward v. Ward*, Id. 251; *Tarback v. Woodcock*, Id. 581). A recent case before Sir J. Parker, V. C., (*Bligh v. Tredgett*, 15 Jur., part 1, p. 1101), affords an illustration of this rule. A solicitor filed a bill on behalf of a married woman, by a next friend, without the authority or knowledge of the person whose name had been so used as the next friend. The first intimation he received of the suit and of the use of his name was on the receipt of a notice of motion for an order to dismiss the bill, with costs to be paid by him. Before he could appear the motion came on, and, in his absence, the bill was dismissed, with costs. The solicitor who had named him as next friend having become insolvent and absconded to America, in this state of circumstances the Court held the next friend liable, as against the defendants, to the costs of the suit, and refused a motion by him to discharge the order, directing him to pay them, or to vary it by making the solicitor pay them; the learned judge intimating that the practice of the Court was quite clear, and that there was no reason why the next friend should be relieved from his liability as between him and the defendants. The cases went to this length, that though the solicitor has improperly used the name of the next friend, and was liable to indemnify him, yet that circumstance did not interfere with the right of the defendants to look to the next friend for payment of costs.

If the interest of a person is such that he ought to be a co-plaintiff on the record, and on being applied to he refuses to join in the suit, and consequently is made a defendant, and thereby additional and unnecessary costs are sustained, it becomes a very proper subject for consideration at the hearing whether he should be allowed such costs or not; but it cannot for a moment be supposed that a party has the right to use the name of another person without his authority and against his consent, and thereby expose him to the risk of being subjected to the costs of the suit in case of its failure, merely because it is convenient to him to have the other party joined with him on the record. (*Ward v. Ward*, 6 Beav. 251; *Hosking v. Nicholls*, 1 Y. & C. C. C. 478).

As to the retainer of a solicitor who has used the names of persons without their authority, by the subsequent adoption of his acts on their behalf, it has been held by Sir J. Wigram, V. C., that the fact of their not taking any active steps to have their names as plaintiffs struck out of the record, after they had notice of the use of their names in the suit, did not of itself amount to an adoption of the solicitor's proceedings even in that suit, much less in other matters unconnected with it. (*Hall v. Laver*, 1 Hare, 571). But it is submitted, that a party so situated should, for his own security, get his name expunged from the record; for, independently of the fact, that by allowing it to remain there it is held forth to the defendants, and probably looked to by them, as a guarantee for costs in the event of the suit failing, it may be doubted whether in some cases the Court would not be induced to infer acquiescence in the solicitor's proceedings from the silence of the party after notice that his name has been so used; for Lord Eldon has remarked, in *Wilson v. Wilson*, (1 J. & W. 457), that if a person, who is made a co-plaintiff without authority, will acquiesce in it, and lay by for four or five months, he thought there were authorities enough to warrant him in holding that his name ought not to be struck out.

BILL IN PROGRESS.

An Act for the Amendment of an Act passed in the first Year of the Reign of her Majesty Queen Victoria, intituled "An Act for the Amendment of the Laws with Respect to Wills."

- Sect. 1. *When Signature to a Will shall be deemed valid.*
 2. *Act to extend to certain Wills already made.*
 3. *Interpretation of "Will."*
 4. *Short Title of Act.*

Whereas the laws with respect to the execution of wills require further amendment: be it therefore enacted, &c., as follows:—

Sect. 1. Where, by an act passed in the 1 Vict. [c. 26], intituled "An Act for the Amendment of the Laws with Respect to Wills," it is enacted, that no will shall be valid unless it shall be signed at the foot or end thereof by the testator, or by some other person in his presence and by his direction: every will shall, so far only as regards the position of the signature of the testator, or of the person signing for him as aforesaid, be deemed to be valid within the said enactment, as explained by this act, if the signature shall be so placed at, or after, or following, or under, or beside, or opposite to the end of the will, that it shall be apparent on the face of the will that the testator intended to give effect, by such his signature, to the writing signed as his will; and that no such will shall be affected by the circumstance that the signature shall not follow or be immediately after the foot or end of the will, or by the circumstance that a blank space shall intervene between the concluding word of the will and the signature, or by the circumstance that the signature shall be placed among the words of the testimonium clause or of the clause of attestation, or shall follow or be after or under the clause of attestation, either with or without a blank space intervening, or shall follow or be after or under or beside the names or one of the names of the subscribing witnesses, or by the circumstance that the signature shall be on a side or page or other portion of the paper or papers containing the will whereon no clause or paragraph or disposing part of the will shall be written above the signature, or by the circumstance that there shall appear to be sufficient space on or at the bottom of the preceding side or page, or other portion of the same paper on which the will is written, to contain the signature; and the enumeration of the above circumstances shall not restrict the generality of the above enactment; but no signature under the said act or this act shall be operative to give effect to any disposition or direction which is underneath or which follows it, nor shall it give effect to any disposition or direction inserted after the signature shall be made.

2. The provisions of this act shall extend and be applied to every will already made, where administration or probate has not already been granted or ordered by a Court of competent jurisdiction, in consequence of the defective execution of such will, or where the property, not being within the jurisdiction of the Ecclesiastical Courts, has not been possessed or enjoyed by some person or persons claiming to be entitled thereto, in consequence of the defective execution of such will, or the right thereto shall not have been decided to be in some other person or persons than the persons claiming under the will, by a Court of competent jurisdiction, in consequence of the defective execution of such will.

3. The word "will" shall, in the construction of this act, be interpreted in like manner as the same is directed to be interpreted under the provisions in this behalf contained in the said act of the 1 Vict. [c. 26].

4. This act may be cited as "The Wills Act Amendment Act, 1852."

The Queen has been pleased to appoint Edward Hume Smedley, Esq., to be District Judge of Galle, in the island of Ceylon.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Charles Edward Wratiaslaw, of Rugby, in the county of Warwick, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Warwick; also in and for the counties of Leicester and Northampton.

London Gazettes.

FRIDAY, APRIL 16.

BANKRUPTS.

WILLIAM JONES and CHARLES JOHN JONES, High-street, Islington, Middlesex, plumbers and glaziers, (under the style or firm of W. Jones & Son), May 4 at 2, and May 25 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Hill & Mathews, 1, Bury-court, St. Mary-axe.—Petition filed April 16.

WILLIAM LAWSON, Diss. Norfolk, chemist and druggist, April 26 at 1, and May 25 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Miller & Carr, 24, Eastcheap.—Petition filed April 2.

JOHN STUTELY, Salisbury-street, Stepney, Middlesex, marble and stone mason, April 23 at 12, and May 28 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lawrance & Co., 14, Old Jewry-chambers, Old Jewry, London.—Petition filed April 8.

JAMES TODD and WILLIAM TODD, Yarm, Yorkshire, saddlers, ironmongers, and auctioneers, dealers and chapmen, April 30 and May 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sol. Middleton, Leeds.—Petition filed April 15.

JAMES LEADER, Liverpool, joiner and builder, April 26 at 12, and May 31 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Tyrer, Liverpool.—Petition filed April 14.

JOHN RYMER, Gateshead, Durham, paper manufacturer, March 19 at 11, and May 6 at 11, (and not April 29 at 1, as before advertised), District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Petition filed March 1.

MEETINGS.

George Edward Noone, Shepherd's-bush-market, Notting-hill, Middlesex, ironmonger, May 13 at 2, Court of Bankruptcy, London, last ex.—*D. J. Field and Boulton Molyneux* the younger, Manchester, corn dealers, April 27 at 12, District Court of Bankruptcy, Manchester, last ex.—*Wm. Peverley and John Ayrey Charlton*, Sunderland-near-the-Sea, Durham, ship builders, May 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.; at 1, aud. ac.—*James Ogle Holmes*, Sunderland, and *Young Lawson Marshall*, Roker, Durham, timber merchants, April 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Geo. Turnbull*, Coxhoe, Durham, draper, May 6 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Geo. Harrison*, Frith-street, Soho-square, Middlesex, ironmonger, April 28 at 12, Court of Bankruptcy, London, aud. ac.—*Sarah Matfers*, widow, Tench-street, Wapping, Middlesex, dealer and chapman, April 28 at 1, Court of Bankruptcy, London, aud. ac.—*George Senior*, Fordingbridge, Southampton, apothecary, April 28 at half-past 12, Court of Bankruptcy, London, aud. ac.—*William Davis Prichard and Daniel Prichard*, High-street, St. Marylebone, Middlesex, coachsmiths, April 28 at 1, Court of Bankruptcy, London, aud. ac.—*Samuel Watkinson*, Writtle, Essex, innkeeper, May 10 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Armstrong*, Norwich, linen-draper, May 6 at 11, Court of Bankruptcy, London, aud. ac.—*John Miller*, Conduit-st. West, Paddington, Middlesex, corn dealer, May 6 at 2, Court of Bankruptcy, London, aud. ac.—*Richard Knight*, Balaam-street, Plaistow, Essex, wholesale stationer, May 10 at 11, Court of Bankruptcy, London, aud. ac.—*James Millard*, Reading, Berkshire, coppersmith, April 27 at 11, Court of Bankruptcy, London, aud. ac.—*Leon J. Nerinckx*, Great Portland-st., Marylebone, Middlesex, lace-man, May 4 at 11, Court of Bankruptcy, London, aud. ac.—*John Hurley*, Birmingham, linendraper, May 4 at 12, Court of Bankruptcy, London, aud. ac.—*John Watson and Robert Y. Watson*, Sunderland, shipbuilders, May 4 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. joint and sep. est.—*Robert Seymour*, Sunderland, Durham, linendraper, May 13 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Pile and John Pile*, Monkwearmouth, Durham, shipbuilders, May 7 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John J. Rayner*, Manchester, tailor, May 30 at 11, Dis-

trict Court of Bankruptcy, Manchester, aud. ac.; May 7 at 11, div.—*Joseph L. Horrocks*, Manchester, merchant, April 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*W. Byrom, Henry Taylor, and Thomas Byrom*, Manchester, Liverpool, and Wigan, Lancashire, coal proprietors, April 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Michael Humble and Samuel Holland*, Liverpool, merchants, April 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Lilley and Alfred Ashmall*, Liverpool, merchants, April 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Frederick Wintle and Henry M. Shaw*, Liverpool, drapers, April 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*W. Cole*, Eirkenhead, Cheshire, estate agent, April 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Wilkinson and Thomas Bentley*, Liverpool, tailors, April 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Pryde, David Jones, and John Gibb*, Liverpool, sail makers, April 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac. joint and sep. est.—*Wm. Baynes*, Leeds, Yorkshire, flax spinner, April 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Jackson, Morley, Batley, Yorkshire*, chemist, April 30 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*David Shaw and Joshua Shaw*, Royd Edge, Meltham, Almondbury, Yorkshire, manufacturers, April 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Joseph Shelford*, Standon, Hertfordshire, butcher, May 7 at 11, Court of Bankruptcy, London, div.—*James Spalding*, Cambridge, ironmonger, May 7 at 11, Court of Bankruptcy, London, div.—*W. Haalam*, Hertford, chemist, May 1 at 11, Court of Bankruptcy, London, div.—*Frederick Winch*, Margate, Kent, tailor, May 1 at half-past 11, Court of Bankruptcy, London, div.—*J. Perry*, Harlow, Essex, grocer, May 11 at 11, Court of Bankruptcy, London, fin. div.—*Josiah J. Hatch*, Friday-st., London, wholesale furrier, May 11 at 11, Court of Bankruptcy, London, div.—*James Starkey*, Old-street, St. Luke's, Middlesex, carpenter, May 11 at 11, Court of Bankruptcy, London, div.—*Jacob J. Nicholas*, Newport, Monmouthshire, timber merchant, May 11 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. B. Richards*, West Bromwich, Staffordshire, grocer, May 8 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*John Padgett*, Idle, Yorkshire, cloth manufacturer, May 6 at 12, District Court of Bankruptcy, Leeds, div.—*Michael Common*, North Shields, Northumberland, draper, May 7 at 2, (and not April 29 at half-past 12, as before advertised), District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Robert Seymour*, Sunderland, Durham, linendraper, May 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Stephen Curties, York-st., Westminster, Middlesex, cheesemonger, May 10 at 1, Court of Bankruptcy, London.—*Wm. John Miall*, Ingram-court, Fenchurch-st., London, and St. Peter's-terrace, Islington, Middlesex, cement manufacturer, May 11 at 12, Court of Bankruptcy, London.—*John Andrew Christian Reimann and John Gerard Geller*, Liverpool, merchants, May 7 at 11, District Court of Bankruptcy, Liverpool.—*George Moon*, Borrowby, near Thirsk, Yorkshire, corn miller, May 14 at 11, District Court of Bankruptcy, Leeds.—*William Savage*, Bradford, Yorkshire, dispensing druggist, May 24 at 12, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Wm. Clapham, Strand, Middlesex, licensed victualler.—*R. Trower*, College-st., Chelsea, Middlesex, builder.—*Solomon Solomon*, Strand, Middlesex, tailor.—*Wm. Miller*, Hawley-place, Kentish-wood, Middlesex, baker.—*Edw. Jones*, Strand, Middlesex, wollen draper.—*Edwin Fowler*, Bristol, and Pontypool, Monmouthshire, draper.—*Chas. Bacon*, Walton, Somersetshire, tailor.—*Jas. Copland*, Barnstaple, Devonshire, tea dealer.

PETITION ANNULLLED.

William Green, Coggeshall, Essex, builder.

SCOTCH SEQUESTRATIONS.

David Mathew, Dundee, heckle maker.—*Robert Frame Barr*, Glasgow, tea merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Peter Sterne, Shouldham Thorpe, Norfolk, general-shop keeper, April 30 at 12, County Court of Norfolk, at Downham Market.—*Rev. John Hague Bloom*, Castleacre, Norfolk, clerk, April 28 at 4, County Court of Norfolk, at King's Lynn.—*Michael Maltby*, King's Lynn, Norfolk, shoemaker, April 28 at 4, County Court of Norfolk, at King's Lynn.—*William Pidd*, Eastoft, Crowle, Lincolnshire, blacksmith, May 10 at 1, County Court of Yorkshire, at Thorne.—*R. Crowthor*, Maidstone, Kent, licensed retailer of beer, May 4 at 12, County Court of Kent, at Maidstone.—*Geo. Chambers* the younger, Maidstone, Kent, carpenter, May 4 at 12, County Court of Kent, at Maidstone.—*William Hobday*, Canterbury, Kent, teacher of music, April 22 at 11, County Court of Kent, at Canterbury.—*Robert Leach*, Canterbury, Kent, auctioneer, April 22 at 11, County Court of Kent, at Canterbury.—*William Bemister*, Southampton, carpenter, April 28 at 10, County Court of Hampshire, at Southampton.—*Henry Green Wood*, Southampton, cabinet maker, April 28 at 10, County Court of Hampshire, at Southampton.—*Jos. Atkinson*, Kingston-upon-Hull, out of business, May 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*William Dalton*, Bilston, Staffordshire, teacher at an infant school, April 24 at 12, County Court of Staffordshire, at Wolverhampton.—*Thos. Hayward*, Deal, Kent, grocer and tea dealer, April 23 at 11, County Court of Kent, at Deal.—*James Deayton*, St. Alban's, Hertfordshire, victualler, April 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Thos. Kingham*, Ford, Dinton, Buckinghamshire, agricultural labourer, April 28 at 12, County Court of Buckinghamshire, at Aylesbury.—*James Raggett*, Hemel Hempstead, Hertfordshire, watchmaker, April 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Jas. Bogue*, Bedmont, Abbot's Langley, Hertfordshire, grocer, April 19 at 10, County Court of Hertfordshire, at Watford.—*W. Brock*, Epworth, Lincolnshire, schoolmaster, May 10 at 1, County Court of Yorkshire, at Thorne.—*Frederick Smith*, Liverpool, dealer in glass, April 29 at 10, County Court of Lancashire, at Liverpool.—*John Dougherty* the younger, Liverpool, butcher, April 29 at 10, County Court of Lancashire, at Liverpool.—*Samuel Wood*, Liverpool, grocer, April 29 at 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 30 at 11, before the CHIEF COMMISSIONER.

Thos. Devey, Great Guildford-street, St. Saviour's, Southwark, Surrey, out of business.

April 30 at 10, before Mr. Commissioner LAW.

Wm. Bain, New Oxford-street, Middlesex, tailor.

May 1 at 11, before Mr. Commissioner PHILLIPS.

Angelo Richards, Townshend-road, St. John's Wood, Middlesex, tailor.—*Richard Pullen*, Basinghall-street, London, commission agent.—*Thos. H. Carstairs*, Lombard-st., London, professor of writing.

May 3 at 10, before Mr. Commissioner LAW.

Robert French, Brook-street, Holborn, Middlesex, leather seller.

May 3 at 11, before Mr. Commissioner PHILLIPS.

Wm. Buis, White-place, Kennington-lane, Lambeth, Surrey, plumber.—*George Peck*, Tottenham-grove, Ball's-pond, Middlesex, porter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 30 at 10, before Mr. Commissioner LAW.

James Parris, Stanhope-street, Hampstead-road, Middlesex, ornamental harp decorator.

May 1 at 11, before Mr. Commissioner PHILLIPS.

John Wheeler, Hereford-terrace, Westbourne-grove, Paddington, Middlesex, assistant to a tailor.—*Robert Gellard*, Adams-row, Hampstead-road, Middlesex, out of business.

May 3 at 10, before Mr. Commissioner LAW.

N. W. T. Isherwood, Tothill-street, Westminster, Middlesex, out of employ.—*Thomas Leach*, Lisson-grove North, Middlesex, cheesemonger.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, May 4 at 12.

Benj. Garlon, Scroddington, near Folkingham, farmer.

At the County Court of Kent, at MAIDSTONE, May 4 at 12.

Edward Hooper, Tunbridge Wells, lodging-house keeper.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, May 15.

John S. Bell, Kingston-upon-Hull, out of business.

TUESDAY, APRIL 20.

BANKRUPTS.

WILLIAM JOHN DARKE and **JAMES PORTER**, Hayfield-place, Mile-end-road, Middlesex, carpenters and builders, dealers and chapmen, (carrying on business under the firm of Darke & Porter), May 4 at 2, and May 31 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Surr & Gribble, 80, Lombard-st.—Petition filed April 8.

EDMUND SPETTIGUE and **GEORGE FARRANCE**, Chancery-lane, Middlesex, booksellers, publishers, and printers, dealers and chapmen, April 30 and June 4 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Tilson & Co., 29, Coleman-street, London.—Petition filed April 17.

JOHN DAWSON, Tolleshunt Darcy, Essex, surgeon and apothecary, April 30 at half-past 11, and June 4 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Abell, 8, Romney-terrace, Horseferry-road, Westminster, Middlesex, and Colchester, Essex.—Petition dated April 17.

WILLIAM HODGE, Great Marlborough-st., Westminster, Middlesex, wholesale manufacturing stationer, dealer and chapman, May 5 and June 8 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed April 20.

JOHN HINTS WATKINS, Woolwich, Kent, grocer, April 29 at 12, and May 27 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Batho, 2, America-square.—Petition filed April 16.

PATRICK BEIRNS, Liverpool, formerly carrying on the business of a provision dealer, but now or late that of a tailor and draper, May 4 and June 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Yates, jun., Liverpool.—Petition filed April 17.

MARY FOURACRE, Wigan, innkeeper, and Standish-with-Langhee, Lancashire, colliery proprietor, May 1 and 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Price, Wigan.—Petition filed April 14.

MEETINGS.

Job Clark, Willenhall, Staffordshire, bolt manufacturer, May 12 at half-past 11, District Court of Bankruptcy, Birmingham, ch. ass.—*Robert Johnston*, Macclesfield, Cheshire, silk manufacturer, May 5 at 12, District Court of Bankruptcy, Manchester, ch. ass.—*Stephen Couchman*, Strood, Kent, grocer, May 13 at 11, Court of Bankruptcy, London, last ex.—*John Newton* the elder, Watlingborough, Lincolnshire, boat owner, June 2 at 12, District Court of Bankruptcy, Kingston-upon-Hull, last ex.—*Thos. Burton Barnes*, Thaxted, Essex, surgeon, May 6 at 12, Court of Bankruptcy, London, aud. ac.—*James Ballingall*, Edward-st., Portman-square, Middlesex, pianoforte maker, April 30 at 1, Court of Bankruptcy, London, aud. ac.—*Thomas Burtenshaw*, Southwark-bridge-road, Surrey, builder, May 1 at 12, Court of Bankruptcy, London, aud. ac.—*Walter M'Dowall* and *Ralph Brown*,

Pemberton-row, Gough-square, London, printers, April 30 at 1, Court of Bankruptcy, London, aud. ac. sep. est. of *Walter M' Dowall*.—*John Lilley* and *Alfred Ashmall*, Liverpool, merchants, April 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Kay Dinsdale*, Oxford-st., Middlesex, saddler, May 14 at half-past 11, Court of Bankruptcy, London, div.—*T. Foot Piper*, Lawrence-lane, Bishopsgate, London, and Victoria-road, Pimlico, and Landport, Hampshire, wholesale staymaker, May 14 at 11, Court of Bankruptcy, London, div.—*Wm. Foster*, Great Bolton, Lancashire, confectioner, May 13 at 11, District Court of Bankruptcy, Manchester, div.—*Thos. Urquhart Anderson*, Wellington, Shropshire, mercer, May 12 at half-past 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Haines, Northampton, grocer, May 12 at half-past 1, Court of Bankruptcy, London.—*Richard Billing* the elder and *Richard Billing* the younger, Reading, Berkshire, brick-makers, May 12 at half-past 12, Court of Bankruptcy, London.—*Henry Johnson*, York-buildings, Adelphi, Middlesex, coal merchant, May 14 at 12, Court of Bankruptcy, London.—*Amos Dean*, Brighton, Sussex, clothier, May 15 at half-past 1, Court of Bankruptcy, London.—*George Hopkinson*, Liverpool, coach builder, May 13 at 11, District Court of Bankruptcy, Liverpool.—*John Yates*, Prescott, Lancashire, builder, May 11 at 11, District Court of Bankruptcy, Liverpool.—*John Heywood* and *James Heywood*, Liverpool, provision merchants, May 12 at 11, District Court of Bankruptcy, Liverpool.—*R. Wells*, Brigg, Lincolnshire, draper, June 2 at 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Richard Hayling* the younger, Hereford, grocer, May 13 at half-past 11, District Court of Bankruptcy, Birmingham.—*Job Clark*, Willenhall, Staffordshire, bolt manufacturer, May 12 at half-past 11, District Court of Bankruptcy, Birmingham.—*John James*, Netherton, Worcestershire, tailor, May 13 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Richard Billing the elder and *Richard Billing* the younger, Reading, Berkshire, brickmakers.—*Christopher Sims*, Upper Ground-st., Surrey, wharfinger.—*John Watson Dawson* and *Thomas Edward Williams*, Crescent-place, New Bridge-st., Blackfriars, London, wine merchants.—*Wm. Lockyer*, Old-street, St. Luke's, Middlesex, baker.—*W. Bensing*, Fleet-st., London, law bookseller.—*Wm. Taylor*, Wood-st., London, sock manufacturer.—*Wm. W. King*, Liverpool, chemist.—*Hugh M' Coll*, South Shields, Durham, bookseller.—*Thomas Harris*, Camborne, Cornwall, grocer.—*Thomas Fray*, Wigan and Manchester, Lancashire, check manufacturer.—*Thomas Ramsden*, Liverpool, out of business.—*Samuel Taylor*, Liverpool, ship chandler.—*Thomas Cottingham*, West Barkwith, Lincolnshire, wool buyer.—*John Pescod Whitmore*, Hackney, Middlesex, draper.

PETITION ANNULLLED.

Henry Cooke, Leamington Priors, Warwickshire, hatter.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Wearing, Manchester, tailor, April 30 at 2, County Court of Lancashire, at Manchester.—*Joseph Jackson*, Gorton, Lancashire, out of business, April 30 at 2, County Court of Lancashire, at Manchester.—*John Shaw* the elder, Blackley, near Manchester, farmer, April 30 at 2, County Court of Lancashire, at Manchester.—*James Shaw*, Manchester, retail dealer in ale, April 30 at 2, County Court of Lancashire, at Manchester.—*Edward Wharton*, Wintingham, Lincolnshire, pig jobber, May 21 at 12, County Court of Lincolnshire, at Barton-upon-Humber.—*Ann Clapson*, widow, East Grinstead, Sussex, out of business, April 28 at 12, County Court of Sussex, at East Grinstead.—*John Sanders*, Bideford, Devonshire, farmer, May 6 at 10, County Court of Devonshire, at Bideford.—*Charles Cusa*, Gainsborough, Lincolnshire, licensed hawk, May 10 at 10, County Court of Lincolnshire, at Gainsborough.—*Benjamin Eddison* the younger, Worksop, Nottinghamshire, surgeon, May 6 at 11, County Court of

Nottinghamshire, at Worksop.—*Robert B. Polden*, Ringwood, Hampshire, butcher, May 8 at 10, County Court of Hampshire, at Fordingbridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 5 at 11, before the CHIEF COMMISSIONER.

William Martin, South Mimms, Middlesex, blacksmith.—*William Henry White*, Providences-place, Upper Kennington-lane, Lambeth, Surrey, oilman.—*Harriette Mary Gibben*, widow, Vinarage-terrace, High-street, Kentish-town, Middlesex, out of business.—*Mary Sophia Pointon*, widow, Wilson-street, Deptford, Kent, not following any trade.

May 5 at 10, before Mr. Commissioner LAW.

William Parry the elder, Hatfield, Hertfordshire, saddler.—*Emanuel Minden*, Susannah-row, Curtain-road, Shoreditch, Middlesex, furniture broker.

Saturday, April 17.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Edward Trustram Wand, North-end, Finchley, Middlesex, baker, No. 59,887 T.; *Thomas Woodward*, jun., assignee.—*John Lawrence Orpen*, Kilburn, Middlesex, signalman on the London and North-western Railway, No. 62,548 T.; *Charles Sanders*, assignee.—*Joseph Smith*, Bayham-terrace, Camden-town, Middlesex, cabinet maker, No. 62,733 T.; *Thomas Clemens Watson*, assignee.—*William Coshead*, London-road, Southwark, Surrey, watchmaker, No. 62,851 T.; *William Chambers*, assignee.—*Isaac Hurn*, Victoria-place, Hackney-road, Middlesex, rope manufacturer, No. 62,854 T.; *Samuel Blott*, assignee.—*Frederick Debenham*, Sidney-terrace, Kilburn, Middlesex, baker, No. 62,859 T.; *Charles Wells Rolfe*, assignee.—*William Liddle*, Hartlepool, Durham, joiner, No. 74,653 C.; *William Broom*, assignee.—*Thomas Goddard*, Ramsbury, Wiltshire, farmer, No. 72,926 C.; *Joseph Cundell* the younger, assignee.—*Edmund Cross*, Rolleston, near Burton-upon-Trent, Staffordshire, butcher, No. 74,793 C.; *Thomas Bate*, assignee.—*Thomas Fearnley*, Bradford, Yorkshire, shopkeeper, No. 74,833 C.; *James Bowes*, assignee.—*John Goodger*, Emneth, Norfolk, labourer, No. 12,429 C.; *Samuel Sturgis*, new assignee in room of *Thomas Mason*, deceased.

Saturday, April 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Shiffeld, Trinity-street, Liverpool-road, Islington, Middlesex, sorter, General Post-office: in the Debtors Prison for London and Middlesex.—*Henry Blore*, Stanley-street, Chelsea, Middlesex, picture dealer: in the Queen's Prison.—*William Negus Robinson*, Cross Keys, St. John-street, Middlesex, saddler: in the Debtors Prison for London and Middlesex.—*Henry Herries Creed*, Duke-street, St. James's, Middlesex, clerk in the House of Commons: in the Debtors Prison for London and Middlesex.—*Frederick Robinson*, Church-street, Shoreditch, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Edward Hall*, Peter's-hill, Doctors'-commons, London, coffee-house keeper: in the Debtors Prison for London and Middlesex.—*Edward Alexander Gairn*, Henrietta-street, Covent-garden, Middlesex, dentist: in the Queen's Prison.—*John Benton*, Acton-street, Gray's-inn-road, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Thos. Murray*, Prince's-square, Kennington, Surrey, printer: in the Debtors Prison for London and Middlesex.—*Thomas John Winter*, Richmond, Surrey, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Neville Daniell*, Upper Gordon-street, Easton-square, Middlesex, dentist: in the Debtors Prison for London and Middlesex.—*George Ross*, Russell Hotel, Brixton-road, Brixton, Surrey, cornet in the 14th Regiment of Light Dragoons: in the Queen's Prison.—*Edward Irving*, Castle Sowerby, Cumberland, draper: in the Gaol of Carlisle.—*William Leach* the younger, Gosforth, Cumberland,

butcher: in the Gaol of Carlisle.—*William Frederick Mills*, Stanley-street, Brompton, Middlesex, merchant: in the Gaol of Bristol.—*Peter Bishop*, Birmingham, licensed victualler: in the Gaol of Coventry.—*Henry Bourne*, Birmingham, maltster: in the Gaol of Coventry.—*Walter James*, Beaufort, Llangatock, Brecknockshire, provision dealer: in the Gaol of Brecknock.—*Wm. Mobberley*, Lye Waste, near Stourbridge, Worcestershire, brickmaker: in the Gaol of Coventry.—*S. Mitchell*, Middlesbrough, Yorkshire, baker: in the Gaol of York.—*Edward Collins*, Birmingham, manager to a brass foundry: in the Gaol of Coventry.—*James George*, Coventry, Warwickshire, road surveyor: in the Gaol of Warwick.—*T. L. Hoskin*, Werrington, Devonshire, farmer: in the Gaol of Bodmin.—*Edward Hooper*, Tunbridge Wells, Kent, leather cutter: in the Gaol of Maidstone.—*Chas. Wm. Carrington*, Blackheath-hill, Greenwich, Kent, plumber: in the Gaol of Maidstone.—*C. T. Kirby*, Falmouth, Cornwall, linendraper: in the Gaol of Bodmin.—*Thomas Grimmit*, Coventry, Warwickshire, maltster: in the Gaol of Coventry.—*Isaac Martin Lindley*, Manchester, carrier: in the Gaol of Lancaster.—*W. Marchant*, Ramsgate, Kent, shopman to a pawnbroker: in the Gaol of Dover.—*John Marsh*, Chowbent, Lancashire, screw bolt maker: in the Gaol of Lancaster.—*Jas. Wrigglesworth*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*John N. Clarke*, Liverpool, ship chandler: in the Gaol of Lancaster.—*Wm. Douvrand*, Manchester, clogger: in the Gaol of Lancaster.—*James Hornsby*, Blandford Forum, Dorsetshire, bookbinder: in the Gaol of Dorchester.—*Richard Green*, Northampton, innkeeper: in the Gaol of Northampton.—*Nathan Kentrowitz*, Manchester, cigar dealer: in the Gaol of Lancaster.—*James Sutton*, Gorton, near Manchester, lime burner: in the Gaol of Lancaster.—*Adam Sandiford*, Hulme, Manchester, baker: in the Gaol of Lancaster.—*S. Swindells*, Newton, near Manchester, provision-shop keeper: in the Gaol of Lancaster.—*James Smith Yates*, Leeds, Yorkshire, grocer: in the Gaol of York.

(On Creditor's Petition).

Robert Tibbitts, Warwick, attorney-at-law: in the Gaol of Warwick.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 4 at 11, before the CHIEF COMMISSIONER.

The Rev. T. B. L. Hall, Coburg-place, Kennington-lane, Surrey, clerk.—*John N. White*, Queen-square, Bloomsbury, Middlesex, out of business.

May 5 at 10, before Mr. Commissioner LAW.

Patrick Riordan, Cross-street, Hatton-garden, Middlesex, importer and purifier of bed feathers.—*Patrick Stewart*, Acre-lane, West Brixton, Surrey, clerk in the Ordnance-office.—*T. B. Loader*, Prince's-street, Stamford-street, Surrey, map publisher.

May 6 at 11, before Mr. Commissioner PHILLIPS.

E. Jones, Grove, Highgate, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Brecknockshire, at BRECKNOCK, May 3 at 10.

Walter James, Beaufort, Llangatock, out of business.

At the County Court of Kent, at MAIDSTONE, May 4 at 12.

Chas. W. Carrington, Blackheath-hill, Greenwich, plumber.

At the County Court of Kent, at DOVER, May 5 at 10.

Wm. Marchant, Ramsgate, pawnbroker's shopman.

Adjourned Hearing.

George Laver, Lyminge, near Eltham, attorney-at-law.

At the County Court of Cornwall, at BODMIN, May 5 at 10,

Chas. T. Kirby, Falmouth, linendraper.—*T. L. Hoskin*, Werrington, Devonshire, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, May 10 at 9.

Alfred Tyler, Nottingham, watchmaker.

At No. 3, Lower Ormond Quay, DUBLIN, May 1 at 11.

James M'Callagh, Dublin, music seller.

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LONDON, MAY 1, 1852.

THE powers of directors of companies to bind the companies whom they represent have been frequently the subject of judicial consideration. This question has been recently much discussed in the case of *The German Mining Company* (14 Jur., part 1, p. 874) and *Burmester v. Norris*, (17 Law T. 232). The German Mining Company was a company established in this country by English shareholders, for working certain quicksilver and other mines in Germany. The company was an ordinary company, not incorporated under the Joint-stock Companies Act, but simply working under a deed of settlement of the usual kind. By that deed the amount of original capital was fixed; power was given by it to general meetings indirectly to raise further capital by the creation of new shares; powers were given to the directors of the company for the absolute management of the concerns and business of the company; but there was no express power given to the directors to borrow money. What took place was this—the company expended the whole of their subscribed capital in working, or attempting to work, the mines, and from time to time new shares were created to raise more capital. When all this capital had been expended, the directors, conceiving that if more money was not procured the mines would have to be abandoned and the whole concern wound up, proceeded, as directors of the company, to borrow money of the London and Westminster Bank, giving, however, at the same time, according to the custom of bankers in such matters, their personal guarantee or undertaking for repayment. The monies thus borrowed were expended by the directors upon the company's mines; and at general meetings of the shareholders, not, however, specially convened for considering these special

matters, but being the ordinary general meetings of the company, resolutions were passed adopting the accounts, and directing circulars to be sent (which accordingly were sent to most, but not to all, the shareholders absent from the meetings) stating the matters disposed of at such general meetings. The question of the validity of these advances of the company came before the Court in this way:—The affairs of the company being in process of winding up, under the Winding-up Acts, the bank brought in a claim in the Master's office for the money advanced by them. Certain shareholders objected to the claim, which, however, the Master allowed. The matter was then taken, by way of appeal, to Sir J. L. Knight Bruce, V. C., who ordered the application to stand over, giving liberty to the bank to bring an action at law for the debt due to them, if any debt was, in fact, due. An action was brought, and a verdict was found partly favourable to the plaintiff (the bank) and partly favourable to the defendant, who was nominally one of the official managers, but substantially represented the class of contributories who, on behalf of the company, resisted the claim. The ultimate opinion of the Court of Exchequer, delivered on making absolute a rule for a new trial, was, that the claim of the bank was unfounded. (See 17 Law T. 232). They said, that borrowing and lending money was no part of the habitual business of the company; that there was no power given by the deed to the directors to borrow money; that, from the nature of the business, there did not arise any implied power to borrow money; that, consequently, the bank, lending to the directors for the company, lent to the directors personally, and could not charge the company as a company. After this opinion, the plaintiff in *Burmester v. Norris* gave up the case, and in consequence an order was made by Sir J. Par-

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ker, V. C., on the 16th April, on the application of the shareholders who, on behalf of the company, had throughout resisted the claim of the bank, to discharge the Master's order. The broad result of this case is, that where there is no power, in a deed of settlement, to the directors to pledge the credit of the company, they have no implied power to do so, unless the company is of such a character that its business, of its own nature, and according to the usual mode of conducting it, requires the borrowing of money on behalf of the company, as in the case of *The Australasian Bank*, (6 Moo. P. C. 152); but if, in such a case as that of a mining company, there is no habitual necessity for borrowing, or rather, if it is not in the regular and usual course of business to do so, and there is no power in the deed expressly authorising it, parties advancing to the directors do so at their own risk, and nothing but the assent of every shareholder to the borrowing will enable them to recover against the company. Such cases, or cases very similar to the case of *Burmester v. Norris*, will probably still occasionally occur, because there are still, and probably always will be, many companies acting under deeds informally drawn, containing neither express powers to borrow, nor express restrictions upon borrowing; but every carefully-drawn deed of settlement ought to provide expressly powers for borrowing money, or to declare that money shall not be borrowed, according to the intention of the shareholders.

WHAT ARE NEWSPAPERS WITHIN THE STAMP ACT?

THE recent case of *The Attorney-General v. Bradbury & Evans* (16 Jur., part 1, p. 130) is interesting even in a legal point of view, on account of the difference of opinion that existed among the learned judges, by the majority of whom the case was decided, though not, as it seems, finally. The well-known publication in question, "The Household Narrative of Current Events," was stated, in the special case which the Crown and the defendants agreed to state for the opinion of the Court, to be a paper containing public news, printed and published in London, for sale, for less than 6d., containing not more than two sheets of paper, of the dimensions of twenty-one inches in length and seventeen inches in breadth, and published in parts or numbers, at intervals exceeding twenty-six days. The information was filed for penalties and duty under the 6 & 7 Will. 4, c. 76, "An Act to reduce the Duties on Newspapers, and to amend the Laws relating to the Duties on Newspapers and Advertisements." That act repealed the then existing duties on newspapers, and in lieu thereof imposed the duties mentioned in the Schedule (A.) to the act, and it enacted, (sect. 4), "that every paper declared by the Schedule (A.) to this act annexed to be chargeable with the duties by this act granted on newspapers, shall be deemed and taken to be a newspaper within the meaning of this act, and of every act relating to the printing and publishing of newspapers."

The schedule imposes certain duties on "every sheet or other piece of paper whereon any newspaper shall be printed," and it contains the following definition of a newspaper:—

"And the following shall be deemed and taken to be newspapers chargeable with the said duties, viz.:—

"Any paper containing public news, intelligence, or occurrences, printed in any part of the United Kingdom, to be dispersed and made public:

"Also any paper printed in any part of the United Kingdom weekly or oftener, or at intervals not exceeding twenty-six days, containing only or principally advertisements:

"And also any paper containing any public news, intelligence, or occurrences, or any remarks

or observations thereon, printed in any part of the United Kingdom, for sale, and published periodically, or in parts or numbers, at intervals not exceeding twenty-six days between the publication of any two such papers, parts, or numbers, where any of the said papers, parts, or numbers respectively shall not exceed two sheets of the dimensions hereinafter specified, (exclusive of any cover or blank leaf, or any other leaf upon which any advertisement or other notice shall be printed), or shall be published for sale at a less sum than 6d., exclusive of the duty by this act imposed thereon: Provided always, that no quantity of paper less than a quantity equal to twenty-one inches in length and seventeen inches in breadth, in whatever way or form the same may be made or may be divided into leaves, or in whatever way the same shall be printed, shall, with reference to any such paper, part, or number as aforesaid, be deemed or taken to be a sheet of paper:

"And provided also, that any of the several papers hereinbefore described shall be liable to the duties by this act imposed thereon, in whatever way or form the same may be printed or folded, or divided into leaves, or stitched, and whether the same shall be folded, divided, or stitched, or not."

The first observation that occurs upon these clauses is, that they are even worse drawn than the other Stamp Acts of the last and present reign. The stat. 10 Ann. c. 19, s. 101, was the first statute that imposed a stamp on newspapers, and the duty was continued by several acts, of which the one in force when the stat. 6 & 7 Will. 4, c. 76, passed, was the 55 Geo. 3, c. 185. That act imposed the duty in the following terms, which are substantially the same as those of the statute of Anne:—"Newspaper or paper containing public news, intelligence, or occurrences, printed in Great Britain, to be dispersed or made public—that is to say, for every sheet, half-sheet, or other piece of paper whereof the same shall consist, 4d." The clauses in the stat. 6 & 7 Will. 4, c. 76, are taken from the stat. 60 Geo. 3 & 1 Geo. 4, c. 9, which was passed "to subject certain publications to the duties of stamps upon newspapers, and to make other regulations for restraining the abuses arising from the publication of blasphemous and seditious libels." It enacted, that "from and after ten days after the passing of this act, all pamphlets and papers containing any public news, intelligence, or occurrences, or any remarks or observations thereon, or upon any matter in church or state, and published periodically, or in parts or numbers, at intervals not exceeding twenty-six days between the publication of any two such pamphlets or papers, parts or numbers, &c., when any of the said pamphlets, &c. shall not exceed two sheets, or shall be published for sale for a less sum than 6d., exclusive of the duty by this act imposed thereon, shall be deemed and taken to be newspapers within the true intent and meaning of" certain acts therein mentioned, and be subject to the same duties of stamps, &c. The act then proceeded to regulate the publication of pamphlets and papers containing public news, &c., published periodically, at intervals exceeding twenty-six days, and not exceeding two sheets, or published for sale at a less price than 6d., such publications being treated as pamphlets not liable to the newspaper duty.

The ingenious framers of the stat. 6 & 7 Will. 4, c. 76, having repealed the clauses above cited from the prior acts, repeated the substance of them in the new act; but, instead of treating the matter borrowed from the 60 Geo. 3 & 1 Geo. 4, c. 9, as explaining and interpreting the general expression, "newspaper or paper containing public news," &c., they have added that matter as containing a further or cumulative charge; and hence all the difficulty.

It was held by the majority of the Court, namely, the Chief Baron and Barons Platt and Martin, that the publication in question was not liable to duty, because not published periodically within the intervals mentioned in the act. But Parke, B., was of opinion that the Crown was entitled to judgment, and for the following reasons:—The publication would clearly be within the first paragraph in the schedule, if that stood alone, being a paper whose main or general object was to give to the public information as to recent events. The generality of that paragraph is not limited by the subsequent clauses, which are cumulative, and not restrictive; and the clauses are perfectly consistent. "Three descriptions of publications are newspapers—first, a paper whose main object is to give news, or intelligence of recent events, and which is printed to be dispersed and made public; secondly, any paper printed weekly or oftener, or at intervals not exceeding twenty-six days, containing only or principally advertisements; and, thirdly, any paper which contains any news, intelligence, or occurrences, or any remarks or observations, though its chief object be not the giving of news of recent events to the public or any remarks on such news, if it is printed for sale, and published in any way, and provided such publication is at intervals of twenty-six days or less, and if each paper is two sheets or less, or if each paper is published for sale at less than 6d., and though such publication may possibly not be construed to be a dispersion and making public in the way that a paper is whose main object is to give public news. The publication in question is not within the last clause, because it is published at greater intervals than twenty-six days; but it is within the first, because its general object is to give the public intelligence of recent events."

We think that few persons will be disposed to agree with the learned dissentient Baron in his opinion, that the enactments, read together, "are clear enough, and perfectly consistent." They seem to us to be extremely obscure; and certainly, in point of expression at least, on the theory that the third or twenty-six days' clause is intended to be cumulative in effect, (as it clearly is in form), and not explanatory, and that the first clause was intended to apply to papers containing intelligence, and published periodically, at intervals exceeding twenty-six days, the third clause is chargeable with inconsistency, in repeating part of that which it professes merely to add to; for it applies, in terms, to papers containing "any public news, intelligence, or occurrences," and these are already included by the first clause. The distinction suggested by Parke, B., between a paper whose principal object is to give news, and a paper containing "any news," we must, with all deference, treat as utterly untenable. It is not warranted by the language; for the expressions "news" and "any news" are identical in meaning, and it is merely a desperate attempt to reconcile the conflicting clauses. It could never have been intended to charge a weekly periodical as a newspaper, merely on the ground of its accidentally, and not as part of its general scheme, occasionally containing some information which, in a newspaper, would be "news." No interpretation can save the clauses from the charge of obscurity and inaccuracy; but we think that the interpretation adopted by the majority of the Court is justified by the rule which requires the stamp acts to be construed strictly against the Crown, and, while it agrees with the presumable intention of the Legislature, does no violence to any of the words of the act. To give a sensible meaning to every word in the act is, we submit, hopeless; but that meaning of the entire enactment which is most consistent with its language appears to be the following.—That publications are to be deemed newspapers only when the giving of news (including advertisements and observations on recent events) is the

principal object, or one of the principal objects. That while the act does not profess to define every meaning with which it uses the expression "public news, intelligence, or occurrences," some limit of time must necessarily be fixed after which information of an event ceases to be "news," &c., within the meaning of the act. That the first clause applies to papers, whether periodical or merely occasional, published with the design of giving information of so recent a date as to possess the character of "news or intelligence." That the third clause shows that a paper published periodically, at intervals of more than twenty-six days, and recording events happening in the interval of publication, was not intended by the Legislature to be treated as a paper containing "public news;" in other words, that though such a publication might contain information of some events occurring so recently as on the day before the day of publication, yet, as its general object was to give the events of the entire interval between the days of publication, it could not be considered as having for its object the publication of such recent intelligence as was contemplated under the term "news," (and here the distinction taken by Parke, B., between "news" and "any news," would assist our argument). This, we submit, is a construction which, without justifying every word in the enactments to be construed—a service which it is impossible to render to many acts of Parliament—agrees as well with the language of the act as any construction that can be suggested, and at the same time furnishes a definition of the term "public news" which is reasonable in itself, and also sanctioned by the express language of the act. Some limit must be fixed between "news" and "history;" the judgment of Parke, B., fixes no limit; that of the majority of the Court adopts a limit furnished by the act itself.

COMMON-LAW CAUSE LIST, EASTER TERM, 1852.

Court of Queen's Bench.

NEW TRIALS NISI, GRANTED IN EASTER TERM, 1852.

Midd.—Reynolds v. Tupper	Monmouth.—Leyse v. Powell
" Stewart v. Anglo-Californian Gold Mining Co.	Dorset—Meech v. Dawe
" Doe d. King v. Graf-ton	Devon—Palk v. Shinner
Lond.—Arnott v. Holden	" Vaughan v. Stevens
" Lewis v. Nicholson	" Reg. v. Avery
Midd.—Mardall v. Thellusson	Cornwall—Doe d. Trevannion
Same v. Same	Derby—Lowe v. London and North-western Railway Co.
Norwich—Poppy v. Poppy	Durham—Barron v. Robinson
Kent—Mallalieu v. Anglo-Californian Gold Mining Co.	Liverp.—Crosthwaite v. Gardner
Surrey—Blackall v. Bremer	" Reg. v. Inhabitants of Denton
" Burlington v. Richardson	Denbigh—Jones v. Evans
Stafford—Timmins & Wife v. Gibbon	Chester—Robinson v. Jones
" Reg. v. Whitehouse	" Reg. v. Lloyd & ora.
	<i>Tried during Term.</i>
	Midd.—Bateman v. Black.

Notice.—The Court will sit to hear Appeals from County Courts on Monday, the 10th May, at ten o'clock.

London Gazettes.

FRIDAY, APRIL 23.

BANKRUPTS.

HENRY LAMPLOUGH, late of Snow-hill, London, but now at Hamilton-place, New-road, Middlesex, chemist and druggist, dealer and chapman, May 1 at 11, and June 4 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Langley & Gibbon, 32, Great James-street, Bedford-row.—Petition filed April 20.

JOHN GEORGE LACY, Great St. Helen's, Bishopsgate-street, London, gum manufacturer, dealer and chapman, May 1 at half-past 1, and June 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Reed & Co., Friday-st.—Petition dated April 28.

JAMES LAING, Southampton, coal merchant, dealer and chapman, May 4 at 1, and June 8 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Philipson, Newcastle-upon-Tyne; Harle, 20, Southampton-buildings, London.—Petition filed April 14.

WILLIAM LODER, late of Virginia Water, Egham, Surrey, and now of Wokingham, Berkshire, innkeeper and victualler, dealer and chapman, May 6 at 2, and June 8 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Soames, Wokingham, Berkshire, and Old Broad-st., London.—Petition filed April 15.

THOMAS WELSH, Burslem, Staffordshire, joiner and builder, May 5 and 27 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Smith, Shelton, Staffordshire; Motteram & Co., Birmingham.—Petition dated April 14.

JOHN MEEK, Wolverhampton, Staffordshire, victualler, May 3 and 24 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Kitson, Wolverhampton; Motteram & Co., Birmingham.—Petition dated April 19.

RICHARD WILSON TODD and **RICHARD HOBBS**, Bath, Somersetshire, ironmongers, dealers and chapmen, May 6 and June 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Hellings, Bath.—Petition filed April 20.

ELIZABETH ANN YANDALL, Bath, Somersetshire, innkeeper and lodging-house keeper, dealer and chapwoman, May 7 and June 2 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Hellings, Bath.—Petition filed April 22.

MARY FOURACRE, Wigan, innkeeper, and Standish-with-Langtree, Lancashire, (and *not* Langhee, as before advertised), colliery proprietor, May 1 and 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Price, Wigan.—Petition filed April 14.

THOMAS PEARCE and **WILLIAM THACKRAY**, Sunderland, Durham, timber merchants, dealers and chapmen, May 11 and June 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. A. J. & W. Moore, Bishopwearmouth.—Petition filed April 15.

HENRY BATES and **HENRY WILLIAMSON**, Warley, Halifax, Yorkshire, common brewers, dealers and chapmen, May 24 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Wavell & Co., Halifax.—Petition dated April 20.

MEETINGS.

Wm. D. Prichard and *Daniel Prichard*, High-street, St. Marylebone, Middlesex, coachsmiths, May 7 at 1, Court of Bankruptcy, London, last ex.—*Thomas Chaffers* and *Henry Jones*, Liverpool, brewers, May 7 at 11, District Court of Bankruptcy, Liverpool, last ex. of *Thomas Chaffers*.—*Ralph Darlington*, Wigan, Lancashire, money scrivener, May 3 at 12, District Court of Bankruptcy, Manchester, last ex.—*Joshua Shaw*, Manchester, warehouseman, May 3 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thomas Harris* and *John Burls*, Hampstead-road, Middlesex, brewers, May 7 at 11, Court of Bankruptcy, London, aud. ac., and May 14 at 12, div. sep. est. of *John Burls*.—*Thomas Gundry* and *John Gundry*, Goldsmithy, Cornwall, merchants, May 4 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Snowdon*, Newcastle-upon-Tyne, draper, May 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Robert A. Taylor*, Dunston, Durham, Epsom salts and colour manufacturer, May 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 14 at 12, div.—*Charles Parker*, Houghton-le-Skerne and Darlington, Durham, and Rawcliffe, Yorkshire, flax spinner, May 13 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Arnold*, Elmore, Gloucestershire, timber dealer, May 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Webb Dunn* and *Wm. Keene*, Bath, Somersetshire, *Henry Brooks Marriott*, Llanganoyd, Glamorganshire, and *Samuel Brewer Wearing*, Bristol, brewers, May 6 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Foster*, Great Bolton, Lancashire, confectioner, May 6 at 11,

District Court of Bankruptcy, Manchester, aud. ac.—*Jonathan Chew*, Manchester, stuff manufacturer, May 8 at 11, District Court of Bankruptcy, Manchester, aud. ac.; May 15 at 11, div.—*Job Clark*, Willenhall, Staffordshire, bolt manufacturer, May 12 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Shadrach Edward Robert Jones*, Wrockwardine, Shropshire, apothecary, May 11 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; May 18 at half-past 11, div.—*John Padgett*, Idle, Yorkshire, cloth manufacturer, May 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Gedge*, Leicester-square, Middlesex, linendraper, May 7 at 12, Court of Bankruptcy, London, fin. div.—*Henry Pinhorn* and *Robert Pinhorn*, Southampton, tailors, May 14 at 11, Court of Bankruptcy, London, div. joint est., and div. sep. est. of *Robert Pinhorn*.—*Zachariah Warren*, Ardleigh, Essex, miller, May 14 at 1, Court of Bankruptcy, London, div.—*Edward Jones*, Strand, Middlesex, woollendraper, May 14 at 1, Court of Bankruptcy, London, div.—*Amos Dean*, Brighton, Sussex, clothier, May 15 at half-past 12, Court of Bankruptcy, London, div.—*Wm. Dennis*, Cheam, Surrey, carpenter, May 15 at 12, Court of Bankruptcy, London, div.—*Ralph Titcomb*, Highgate, Middlesex, butcher, May 20 at half-past 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

William Harding, Acton, Middlesex, miller, May 14 at half-past 11, Court of Bankruptcy, London.—*Thomas Freeman*, Northampton, innkeeper, May 14 at half-past 11, Court of Bankruptcy, London.—*John Burls*, Hampstead-road, Middlesex, brewer, May 14 at 12, Court of Bankruptcy, London.—*James Norris*, Watford, Hertfordshire, grocer, May 14 at half-past 1, Court of Bankruptcy, London.—*Ralph Titcomb*, Highgate, Middlesex, butcher, May 20 at half-past 11, Court of Bankruptcy, London.—*George Bennett* and *Alexander Booth*, Long-acre, Middlesex, dealer in Scotch whisky, May 14 at 11, Court of Bankruptcy, London.—*William Sharp*, Birkenhead, Cheshire, merchant, May 14 at 11, District Court of Bankruptcy, Liverpool.—*William Pritchard*, Liverpool, tea merchant, May 18 at 11, District Court of Bankruptcy, Liverpool.—*William Caldwell*, Shevington, Lancashire, coal proprietor, May 17 at 11, District Court of Bankruptcy, Liverpool.—*Eden Clark* and *Henry Bleackley*, Charlton-upon-Medlock, Lancashire, ironmongers, May 17 at 12, District Court of Bankruptcy, Manchester.—*Edwin Walker*, Huddersfield, Yorkshire, woolstapler, June 21 at 11, District Court of Bankruptcy, Leeds.—*John Rogers*, Leicester, grocer, May 14 at half-past 10, District Court of Bankruptcy, Nottingham.—*Edw. Brian Smith Hoff*, Holbeach, Lincolnshire, dealer in chicory, May 14 at half-past 10, District Court of Bankruptcy, Nottingham.—*Isaac Morris*, Derby, innkeeper, May 14 at half-past 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

James Duggan, Maryport, Cumberland, draper.—*Henry Pinhorn* and *Robert Pinhorn*, Southampton, tailors.—*John Steuart Ritson*, Liverpool, printer.—*Andrew Glass*, Queen's-road, Bayswater, Middlesex, baker.—*William Gosling*, Woolwich, Kent, ironmonger.—*John Sykes* the younger, Sowerby, near Halifax, Yorkshire, tea dealer.—*Wm. Belshaw*, Ancoats, Manchester, joiner.—*Wm. Haywood*, Birmingham, grocer.

FIAT ANNULLED.

Christopher Jos. Knapping, Eastwood, Essex, cattle dealer. PETITION ANNULLED.

Hugh Clark, Cheshunt, Hertfordshire, and Bank Chambers, London, stock and share broker.

PARTNERSHIP DISSOLVED.

Wm. Roberts and *James Thomas*, Oswestry, Shropshire, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Donald Macdonald, Kilmorie, Strathaird, Isle of Skye, farmer.—*Wm. Dalrymple*, Coupar-Angus, merchant.—*David Miller*, deceased, Dalkeith, seed crusher.—*D. Fraser*, sen., Dingwall, ironmonger.—*Robert Bruce*, Hamilton, gas coal carter.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Woodcock, Stamford, Lincolnshire, baker, May 10

at 11, County Court of Lincolnshire, at Stamford.—*Thomas Tew*, Stoke Braern, near Towcester, Northamptonshire, mason, May 13 at 12, County Court of Northamptonshire, at Towcester.—*Edw. Holloway*, Norton-juxta-Kempsey, Worcestershire, shoemaker, May 13 at 2, County Court of Worcestershire, at Pershore.—*John Shore* the younger, Cheetham-hill, near Manchester, retail dealer in ale, May 4 at 1, County Court of Lancashire, at Salford.—*Robert Middleditch*, Norwich, out of business, May 11 at 10, County Court of Norfolk, at Norwich.—*Susannah Williams*, widow, Madeley, Shropshire, licensed victualler, May 15 at 10, County Court of Shropshire, at Madeley.—*George Barrett*, Birmingham, hair dresser, May 15 at 10, County Court of Warwickshire, at Birmingham.—*Wm. H. Norton*, Birmingham, architect, May 15 at 10, County Court of Warwickshire, at Birmingham.—*Edw. Woodland*, Birmingham, lodging-house keeper, May 15 at 10, County Court of Warwickshire, at Birmingham.—*Henry Carter*, Birmingham, gun polisher, May 1 at 11, County Court of Warwickshire, at Birmingham.—*James Pagett*, Birmingham, out of business, May 1 at 11, County Court of Warwickshire, at Birmingham.—*James Langley*, Birmingham, out of business, May 1 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Smith*, Birmingham, out of business, May 15 at 10, County Court of Warwickshire, at Birmingham.—*John Geo. Buxrell*, Fakenham, Norfolk, confectioner, May 5 at 11, County Court of Norfolk, at Little Walsingham.—*Joseph Staniforth*, Sheffield, Yorkshire, tailor, May 5 at 12, County Court of Yorkshire, at Sheffield.—*T. G. Blythe*, Uppingham, Rutlandshire, grocer, May 8 at 10, County Court of Rutlandshire, at Uppingham.—*George Coleing*, Dorchester, Oxfordshire, baker, May 8 at 10, County Court of Berkshire, at Wallingford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 7 at 11, before the CHIEF COMMISSIONER.

Alfred Robt. Burton, John-street, Back-road, Kingsland, Middlesex, assistant to a grocer.

May 8 at 11, before Mr. Commissioner PHILLIPS.

James Sanderson, Merton-villas, Salford-road, Cold Harbour-lane, Camberwell, Surrey, engineer.—*Stephen Anthony Della Focca*, Lambeth-walk, Surrey, plumber.—*H. Druggan*, Goswll-road, Middlesex, boot maker.

May 10 at 10, before Mr. Commissioner LAW.

James Weston the younger, Uxbridge, Middlesex, out of business.—*John Bishopp*, Henry-street, New Cross, Old Kent-road, Surrey, retailer of beer.

May 10 at 11, before Mr. Commissioner PHILLIPS.

John Wm. Casse, Edgeware-road, Paddington, Middlesex, schoolmaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 7 at 11, before the CHIEF COMMISSIONER.

Saxe Bannister, Melbourne-cottages, Townshend-road, St. John's-wood, Middlesex, barrister-at-law.—*Robert Curtis*, Leard-street, Caledonian-road, Islington, Middlesex, shoemaker.—*Henry H. Creed*, Eccleston-street, Chester-square, Fimlico, Middlesex, contributor to various literary periodicals.

May 8 at 11, before Mr. Commissioner PHILLIPS.

Thomas L. Titchmarsh, Giltspur-street, London, out of business.—*Wm. Patterson*, Grundy-street, Poplar New-town, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,

May 7 at 11.

James Sutton, Stockport-road, near Manchester, commission agent.—*Samsuel Swindells*, Manchester, provision-shop keeper.—*T. Lonsdale*, Lancaster, out of business.—*A. Sandiford*, Manchester, out of business.—*W. Donbavand*, Manchester, clogger.—*N. Kantrowitz*, Manchester, cigar dealer.—*J. Marsh*, Chobvent, near Bolton-le-Moors, screw bolt maker.—*Isaac Royle*, Chorlton-cum-Hardy, near Manchester, gene-

ral agent.—*Jas. Wrigglesworth*, Liverpool, out of business.—*Wm. Moody*, Manchester, bricklayer.—*John Woodhouse*, Salford, out of employment.—*Isaac Martin Lindley*, Manchester, out of business.—*John Henry Francis*, St. Helen's, tailor.—*Abraham Hollis*, Liverpool, auctioneer.—*W. Crossdale*, Preston, out of business.—*Geo. Heyes*, Blackburn, out of business.—*Archibald Fish*, Heaton Norris, tailor.—*James Rowbottom*, Manchester, out of business.—*John Howarth*, Rochdale, shopman.—*Robt. Smithson*, Little Bolton, Bolton-le-Moors, farmer.—*Peter Jones*, Liverpool, joiner.—*George Saville*, Bacup, near Rochdale, stonemason.—*John Johnson*, Ashton-under-Lyne, jacquard builder.—*John Pickering*, Over Darwen, brickmaker.—*Edw. Williams*, Liverpool, commission coal dealer.

At the County Court of Durham, at DURHAM, May 7.

Robert Watson, Chester-le-street, chemist.—*Geo. Garbutt*, Stockton-upon-Tees, brewer.—*Robert Raine*, Ferry-hill, farm bailiff.—*Thomas Swan Armstrong*, Seaham Harbour, eating-house keeper.

At the County Court of Cheshire, at CHESTER, May 10.

Thos. Williams, Northwich, general dealer.—*Nath. Bell*, Macclesfield, silk manufacturer.—*Thomas Tunstall*, Chester, out of business.—*Chas. Baguley*, Macclesfield, grocer.—*John Knight*, Wettehall, near Over, farmer.—*Richard Christie Brown*, Liverpool, attorney-at-law.—*Richard Cross*, Chester, out of business.—*Thomas Woodward Shaw*, Macclesfield, joiner.—*Joseph Sparrow*, Lower Bebbington, near Birkenhead, out of business.

At the County Court of Oxfordshire, at OXFORD, May 10 at 10.

Samuel Warren Howell, Oxford, tailor's foreman.—*James Prickett*, Oxford, butler of Trinity College, Oxford.—*Richard Yerbury*, Burford, assistant to a surgeon.

At the County Court of Norfolk, at the Shirehall,

NORWICH CASTLE, May 12.

Ambrose Whiteman, Feltwell, wheelwright.—*Aaron Osler*, Southery, carrier.

At the County Court of Worcestershire, at WORCESTER, May 12.

Wm. Bradley, Rock, out of business.

At the County Court of Glamorganshire, at CARDIFF, May 12.

Wm. Parry, Llandaff, near Cardiff, builder.—*David Rowland Morgan*, Merthyr Tydfil, chemist.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. Trafalgar Evans Miller, Rusby Green, Lewisham, Kent, clerk in her Majesty's Dockyard at Woolwich: 3s. 6 $\frac{1}{2}$ d. in the pound.—*Robert Aytton*, Cambridge-road, Mile-end, Middlesex, undertaker: 3s. 4d. in the pound.—*Chas. Fred. Underwood*, Walton-st., Brompton, Middlesex, compositor: 5s. 8 $\frac{1}{2}$ d. in the pound.—*Abraham Matthews*, Wellington-terrace, Islington, Middlesex, saddler: 1s. 3 $\frac{1}{2}$ d. in the pound.—*Henry Aford*, Albert-terrace, Bayswater, Middlesex, clerk in Somerset House: 2s. 9 $\frac{1}{2}$ d. in the pound.—*John Collop Bonus*, Wallington-place, Wandsworth-road, Surrey, ironmonger: 3s. 1 $\frac{1}{2}$ d. in the pound.—*John Jenkins*, High-st., Hoxton Old-town, Middlesex, oilman: 1s. 1 $\frac{1}{2}$ d. in the pound.—*William Fearn Ladd*, Whitechapel-road, Middlesex, tailor: 1s. 3 $\frac{1}{2}$ d. in the pound.—*Charles Large Tytherleigh*, Highworth, Wiltshire, grocer: 3s. 3d. in the pound.—*Thos. Dalton*, Pendleton, Lancashire, builder: 1s. 9 $\frac{1}{2}$ d. in the pound.—*Jos. Fraser Wilson*, Winchester, Hampshire, lieutenant in the army: 4s. 8d. in the pound.—*James Peers*, Stockport, Cheshire, hat manufacturer: 8d. in the pound.—*Henry Levin*, Macclesfield-street, Soho, Middlesex, surgeon: 9 $\frac{1}{2}$ d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Richard Gibbs, South Littleton, Worcestershire, out of business, May 10 at 12, Wheatcroft's, Evesham, sp. aff.

TUESDAY, APRIL 27.

BANKRUPTS.

JOSEPH DAVID BENJAMIN, Southampton-st., Bloomsbury-square, Middlesex, dealer in cigars, May 7 and June 11 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Braham, 101, Chancery-lane, London.—Petition filed March 20.

ALFRED MASON, Kimbolton, Huntingdonshire, ironmonger, grocer, dealer and chapman, May 7 at half-past 12, and June 11 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Prescott, Stourbridge, Worcestershire; Skilbeck & Hall, 19, Southampton-buildings, Chancery-lane.—Petition filed April 1.

HENRY PLUMMER the younger, Golden-lane, St. Luke's, Middlesex, wood turner, dealer and chapman, May 3 at 11, and June 19 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Terrell & Matthews, 30, Basinghall-street, London.—Petition dated April 26.

JOHN WOOD and **EDWIN NORTON**, Hoyland Nether, Wath-upon-Deerne, Yorkshire, corn millers, (carrying on business under the style or firm of Wood & Norton), May 7 and June 11 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Marshall, Barnsley; Bond & Barwick, Leeds.—Petition dated and filed April 3.

LUND NEWHAM, Sheffield, Yorkshire, draper, dealer and chapman, May 15 and 29 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Sale & Co., Manchester; Gould, Sheffield.—Petition dated April 23; filed April 24.

HUMPHREY DAVIES, Liverpool, leather seller, dealer and chapman, May 13 and June 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Blundell & Sharman, Liverpool.—Petition filed April 15.

THOMAS MILLS, Llanidloes, Montgomeryshire, grocer, May 11 and June 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Evans & Son, Liverpool.—Petition filed April 19.

JAMES M'OSKRIE, Liverpool, merchant, shipowner, commission agent, dealer and chapman, May 11 and June 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Neale & Martin, Liverpool.—Petition filed April 23.

THOMAS LAWSON, Bury, Lancashire, draper, dealer and chapman, May 10 and June 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Grundy, Bury, Lancashire.—Petition filed April 23.

MEETINGS.

Henry W. Guyon, London, merchant, May 10 at 11, Court of Bankruptcy, London, ch. ass.—*W. Denman*, Chesham, Surrey, carpenter, May 8 at 11, Court of Bankruptcy, London, aud. ac.—*John Hodges*, Bristol, carpenter, May 28 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Jas. Potter*, Birmingham, mill manufacturer, May 8 at half-past 10, District Court of Bankruptcy, Birmingham; aud. ac.—*T. Myring*, Walsall, Staffordshire, bridle cutler, May 8 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Joshua Denton*, Denton, Lancashire, hat manufacturer, May 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Lyon Samuel*, Bury-street, St. Mary-axe, London, jeweller, May 14 at half-past 12, Court of Bankruptcy, London, fin. div.—*L. Alexander* and *Wm. Bardgett*, Old Broad-street, London, merchants, May 14 at 1, Court of Bankruptcy, London, fin. div. of *W. Bardgett*.—*Wm. D. Goodove*, Wimborne Minster, Dorsetshire, common brewer, May 20 at 11, Court of Bankruptcy, London, div.—*Alexander Ross* and *John Ogilvie*, Argyll-st., Middlesex, army agents, May 18 at 12, Court of Bankruptcy, London, fin. div.—*George Bailey*, Coventry, ribbon manufacturer, May 22 at half-past 10, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. Worley*, Smethwick, Staffordshire, licensed victualler, May 18 at half-past 11, District Court of Bankruptcy, Birmingham, div.—*S. Mason*, Newcastle-under-Lyne, Staffordshire, draper, May 19 at half-past 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Harold Stanley, Gerard-street, Soho, Middlesex, scrivener, May 20 at 11, Court of Bankruptcy, London.—*George Bette*, Forncett St. Peter, Norfolk, draper, May 19 at 2, Court of Bankruptcy, London.—*Henry Hodges*, Addington-place, Camberwell, Surrey, coach builder, May 19 at half-past 2, Court of Bankruptcy, London.—*George Gull* and *Francis Deacon Wilson*, Old Broad-street, London, Russia brokers, May 19 at 1, Court of Bankruptcy, London.—*Arthur Hills*, Woodside, near Croydon, Surrey, and *Poplar*, Middlesex, oil manufacturer, May 19 at half-past 12, Court of Bankruptcy, London.—*George Senior*, Fordingbridge, Southampton, apo-

thecary, May 19 at 12, Court of Bankruptcy, London.—*Thomas Wilec*, Rourdean, Gloucestershire, grocer, May 26 at 11, District Court of Bankruptcy, Bristol.—*Wm. M'Com*, Liverpool, merchant, May 19 at 11, District Court of Bankruptcy, Liverpool.—*George Gillott*, Castleford, Yorkshire, grocer, May 25 at 11, District Court of Bankruptcy, Leeds.—*Thomas Footman*, Wolverhampton, Staffordshire, huckster, May 19 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas James Lough and *Charles Wm. Lewis*, Great St. Helen's, Bishopsgate-street Within, London, drysalers.—*J. H. Stupner*, Mark-lane, London, general merchant.—*John Amery*, Chelmsford, Essex, hotel keeper.—*George Law*, Harrow-road, Middlesex, hatter.—*George Chetnam* and *G. W. Gill*, Strood and Frindsbury, Kent, shipwrights.—*David Jones*, Liverpool, sailmaker.—*John Pile*, Monkwearmouth, Durham, shipbuilder.—*Edward Lowe*, Bristol, toy dealer.—*Isaac Gardiner*, Bristol, saddler.—*Wm. Kirkham*, Manchester, paperhanger.—*Charles Lucas*, *Richard Wilkinson*, and *Edward Bond*, Manchester, calico printers.—*Henry Gladwin*, Nottingham, draper.—*George H. Wilson*, Kingston-upon-Hull, merchant.

PARTNERSHIP DISSOLVED.

Wm. Roberts and *J. Jones Thomas*, Oswestry, Shropshire, attornies and solicitors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Snow, Tranmere, Bebbington, Cheshire, grocer, April 30 at 10, County Court of Cheshire, at Birkenhead.—*Wm. C. Ellis*, Great Pounland, Norfolk, out of business, May 11 at 10, County Court of Norfolk, at Norwich.—*A. J. Dibuale*, Hesale, Yorkshire, letter carrier, May 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*J. Watkins*, Pontyprydd, Lantartfardre, Glamorganshire, shoemaker, May 12 at 10, County Court of Glamorganshire, at Cardiff.—*S. J. Dart*, Cardiff, Glamorganshire, retailer of beer, May 12 at 10, County Court of Glamorganshire, at Cardiff.—*James Piek Townsend*, Cardiff, Glamorganshire, draper, May 12 at 10, County Court of Glamorganshire, at Cardiff.—*N. Bradley*, Cardiff, Glamorganshire, chemist, May 11 at 10, County Court of Glamorganshire, at Cardiff.—*James Fry*, Brinkworth, Wiltshire, butcher, May 21 at 11, County Court of Wiltshire, at Malmesbury.—*Daniel Read*, Speldhurst, Kent, farmer, May 13 at 10, County Court of Kent, at Tunbridge Wells.—*Roger Hewitt*, Mears Ashby, near Wellingborough, Northamptonshire, in no business, May 18 at half-past 1, County Court of Northamptonshire, at Wellingborough.—*John Moore*, Hexham, Northumberland, market gardener, May 17 at half-past 11, County Court of Northumberland, at Hexham.—*John Webster*, Louth, Lincolnshire, butcher, May 13 at 10, County Court of Lincolnshire, at Louth.—*John Hunt*, Pontmwyndd, Trevithin, Monmouthshire, flannel manufacturer, May 13 at 10, County Court of Monmouthshire, at Pontypool.—*George M. Cowley*, Nottingham, attorney-at-law, May 10 at 9, County Court of Nottinghamshire, at Nottingham.—*John Hudson*, Margate, Kent, grocer, May 3 at 12, County Court of Kent, at Margate.—*George Raymond*, Dover, Kent, lieutenant in the Royal Navy, May 5 at 10, County Court of Kent, at Dover.—*Thomas Max Dreaper*, West Derby, Lancashire, corn merchant, April 29 at 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 12 at 11, before the CHIEF COMMISSIONER.

Charles Longman, Great Blank-st., Dover-road, Newington, Surrey, baker.—*Matthew Evans*, City-terrace, City-road, Middlesex, glass manufacturer.—*James Low*, Carlisle-street, Soho-square, Middlesex, plumber.—*Edward Kirk*, Ponders-end, Enfield, Middlesex, jobber.

May 12 at 10, before Mr. Commissioner L.A.W.

W. Murthwaite Thompson, Lucas-road, Royal-road, Waltham, Surrey, surgeon.—*Wm. Cooper*, Russell-st., Brixton-road, Surrey, baker.

Saturday, April 24.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Bish, Stratford, Essex, smith, No. 62,785 T.; T. Miers, assignee.—James Charlesworth, Shoeneass, Kent, waterman, No. 74,441 C.; Lewis Shrubsole, assignee.—Jos. Wharton, Huddersfield, Yorkshire, steam-engine maker, No. 74,656 C.; Henry Rawson Morley, assignee.—Edward Marsden, Dudley-hill, near Bradford, Yorkshire, worsted spinner, No. 52,928 C.; Isaac Clayton, assignee.—Abraham Jobson Marsden, Dudley-hill, near Bradford, Yorkshire, worsted spinner, No. 52,927 C.; Isaac Clayton, now assignee, in the room of John Marsden, deceased.

Saturday, April 24.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Tucker, North-place, Hampstead-road, Middlesex, builder: in the Debtors Prison for London and Middlesex.—Walter Edmund Archer, Cross Keys, St. John-street, Clerkenwell, Middlesex, innkeeper: in the Queen's Prison.—Francis John Bernard, St. Mary Axe, London, dealer in watches: in the Debtors Prison for London and Middlesex.—Charles Robert Harris, Great Coram-st., Brunswick-square, Middlesex, builder: in the Debtors Prison for London and Middlesex.—Edw. Palmer, William-street, Park-road, Holloway, Middlesex, builder: in the Gaol of Horsemonger-lane.—David Henry Sayers, Clark's-place, Lambeth, Surrey, carman: in the Gaol of Horsemonger-lane.—Charles Edward Bryson, Hanway-st., Oxford-st., Middlesex, dealer in shares: in the Debtors Prison for London and Middlesex.—Samuel Varley, Great Leonard-street, Shoreditch, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—Andrew Wilkie, Crawford-st., St. Marylebone, Middlesex, merchant: in the Debtors Prison for London and Middlesex.—Wm. Alfred Chambers, Church-st., Deptford, Kent, baker: in the Debtors Prison for London and Middlesex.—William Scott, Kilburn, Middlesex, baker: in the Debtors Prison for London and Middlesex.—Henry Finsis, Poplar-row, New Kent-road, Surrey, banker's clerk: in the Debtors Prison for London and Middlesex.—Samuel Badgery, Bedfordbury, St. Martin's-in-the-fields, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—Geo. Grosvenor Cobham, Wentworth-st., Whitechapel, Middlesex, clerk to a carman: in the Debtors Prison for London and Middlesex.—Edmund Fullock, Spitalfields-market, Spitalfields, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—H. Groombridge, Grove-st., Camden-town, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—Wm. Gray, Southwark-bridge-road, Surrey, brewer: in the Queen's Prison.—Harman Matthew Milton, Brompton-yard, Brompton-road, Brompton, Middlesex, livery-stable keeper: in the Queen's Prison.—Geo. Robinson, Bayham-st., Camden-town, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—James Rowbottom, Manchester, provision-shop keeper: in the Gaol of Lancaster.—George Bower the elder, Whittington, Derbyshire, farmer and cattle dealer: in the Gaol of Derby.—John Green Bennett, Barnsley, Yorkshire, stage coachman: in the Gaol of York.—Samuel Burman, Hulme, Manchester, plumber: in the Gaol of Manchester.—Parnel Booth, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—Abraham Hollis, Liverpool, auctioneer: in the Gaol of Lancaster.—Peter Jones, Liverpool, joiner: in the Gaol of Lancaster.—James Miell Knight, Portsmouth, Hampshire, assistant wine-merchant: in the Gaol of Winchester.—Wm. Moody, Chorlton-upon-Medlock, Manchester, bricklayer: in the Gaol of Lancaster.—John Pickering, Over Darwen, Lancashire, contractor: in the Gaol of Lancaster.—George Saville, Bacup, Lancashire, stonemason: in the Gaol of Lancaster.—Robert Smithson, Little Bolton, Bolton-le-Moors, Lancashire, farmer: in the Gaol of Lancaster.—Thomas Woodward Shaw, Macclesfield, Cheshire, joiner: in the Gaol of Chester.—William Thornton, Boston, near Thorpe Arch, Yorkshire, flour dealer: in the Gaol of York.—William Kingstone, Birmingham, builder: in the Gaol of Coventry.—William Spears, Brighton, Sussex, cook: in the Gaol of Lewes.—John Hewson, Rochdale, Lancashire, shopman: in the Gaol of Lancaster.—Richard Antram, Slapton, Devonshire, clerk: in the Gaol of St.

Thomas the Apostle.—Charles William Boone, Devonport, Devonshire, paymaster and purser in her Majesty's Navy: in the Gaol of St. Thomas the Apostle.—John Down, Plymouth, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—Samuel Hall-Hardacre, Chorlton-upon-Medlock, Manchester, commission agent: in the Gaol of Manchester.—John Harries, Hauguard, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—Lydia M'Keer, Plymouth, Devonshire, stationer: in the Gaol of St. Thomas the Apostle.—Aaron Ouler, Southey, Norfolk, carrier: in the Gaol of Norwich.—William Williams, Ruthin, Denbighshire, haulier: in the Gaol of Ruthin.—Ambrose Whiteman, Feltwell, Norfolk, wheelwright: in the Gaol of Norwich.—Thomas Bere, Stoodleigh, Devonshire, labourer: in the Gaol of St. Thomas the Apostle.—Aaron Lloyd, Merthyr Tydvil, Glamorganshire, farmer: in the Gaol of Cardiff.—Job Ross, Stanningley, near Bradford, Yorkshire, out of business: in the Gaol of York.—David Hanson, Halifax, Yorkshire, grocer: in the Gaol of York.—Robert Adhead, Manchester, stonemason: in the Gaol of Lancaster.—Thomas Brown, Lewes, Sussex, trainer: in the Gaol of Lewes.—William De Caus, Heigham, Norwich, Norfolk, licensed victualler: in the Gaol of Norwich.—Benjamin Fins, Newick, Sussex, farmer: in the Gaol of Lewes.—Charles W. Woodworth, Liverpool, licensed victualler: in the Gaol of Lancaster.

(On Creditor's Petition).

John Bull, Elmwell, near Stowmarket, Suffolk, tailor: in the Gaol of Ipswich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 11 at 11, before the CHIEF COMMISSIONER.

Thomas Singfield, Trinity-street, Liverpool-road, Islington, Middlesex, sorter in the London District Department of the General Post-office.

May 12 at 10, before Mr. Commissioner LAW.

Fred. Robinson, George-street, Shoreditch, cheesemonger.

Adjourned Case.

May 11 at 11, before the CHIEF COMMISSIONER.

Philip Davies, Tooley-street, Southwark, Surrey, not following any business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Guildhall, NORWICH, May 11 at 10.

William De Caus, Norwich, oatmeal manufacturer.

At the County Court of Dorsetshire, at DORCHESTER, May 11 at 12.

James Hornsby, Blandford Forum, bookbinder.

At the County Court of Denbighshire, at RUTHIN, May 12 at 11.

William Williams, Merthyr Tydvil, out of business.

At the County Court of Worcestershire, at WORCESTER, May 12 at 10.

John George Lawrence, Upton-upon-Severn, lieutenant of the 24th Regiment of Bengal Infantry.

At the County Court of Glamorganshire, at CARDIFF, May 12.

Aaron Lloyd, Merthyr Tydvil, farmer.

At the County Court of Suffolk, at IPSWICH, May 13 at half-past 1.

David Coe, Ipswich, haberdasher.—William Suthers the younger, Ipswich, tobacconist.

At the County Court of Hampshire, at PORTSMOUTH, May 14.

James Bower the younger, Portsea, out of business.

At the County Court of Gloucestershire, at BRISTOL, May 19 at 11.

William Frederick Mills, Stanley-street, Brompton, Middlesex, out of business.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed John Taylor, of Bradford, in the county of York, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the West Riding of the county of York.

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LONDON, MAY 8, 1852.

THE question whether a member of Parliament professing the Jewish faith may take the parliamentary oath of abjuration, omitting the words "upon the true faith of a Christian," has at length been decided in the negative by a majority of the judges of the Court of Exchequer. If the inquiry in the legal forum was reduced to dimensions of a more limited character than it had occupied in the political arena, it was at the same time subjected to severer tests and to a more rigid analysis than it had hitherto undergone. Regarded merely in its legal aspect, the decision will always present features of interest, for it involves the discussion of important rules for the construction of statutes in general, and defines the duties of the judge as distinguished from those of the legislator.

The question before the Court was mainly one of construction of the stat. 3 Geo. 3, c. 53, giving the form of the oath of abjuration, which members of Parliament are to take and subscribe "according to the form therein set down and prescribed;" and the judges had to decide whether the concluding words of that oath, "upon the true faith of a Christian," were only a part of the ceremony of administering the oath, or a substantive part of the oath itself. The Chief Baron and Barons Parke and Alderson held the words to be of the substance of the oath; Baron Martin was of a contrary opinion; and the different results appear to have been arrived at by the different degrees of latitude which the learned judges allowed themselves in discovering the intention of the Legislature, as expressed in the statutes bearing directly upon the subject, or in statutes in *pari materia*.

The distinction between judicial and official oaths was pointed out by Alderson, B., in these terms:—"Where an oath is to be taken in order to establish affirmatively or negatively any proposition by a witness, I agree that *Omichund v. Barker* (Willes, 538)

has settled that it ought to be taken in that form and upon that sanction which most effectually binds the conscience of the party swearing. But it is also clear, and expressly admitted by Willes, C. J., in his judgment, referring to Lord Coke's authority on the subject, that in the case of oaths of office, or of qualification, where the very form of the oath, as well as the oath itself, is prescribed by the Legislature, there the directions of the Legislature must be literally followed, and the oath must, and can only lawfully, be taken in the prescribed form, until that form be altered by the same authority which appointed it." But it was contended that to apply the form of oath to Jews involved an absurdity, and that therefore, according to the "golden rule" of construction, the words must be modified, so as to get rid of the absurdity. The rule was admitted, but with this limitation, that the ordinary sense of the words used by the Legislature be no further altered than is absolutely necessary to cure the absurdity, and that in the application of the rule injustice must not be confounded with absurdity. "The reason of the rule," said Alderson, B., "is, that the absurdity induces us to conclude that the Legislature did not so intend. I am afraid, if we say that in old times—such as those of the Gunpowder Plot—the Legislature must be held not to have intended what now we judge to be unjust, we shall ourselves be guilty of the grossest absurdity. I am afraid that I should, if that were the proper principle to be adopted, be obliged to hold that almost all the penal statutes had no operation at all, for I think that the most of them were grievously unjust. The golden rule only requires us to stop where the absurdity stops. It cannot surely be absurd to say that the Legislature may have really intended to require such an oath from all men, Jews or Christians, who take office, or propose to exercise important legislative functions." Parke, B., said:—"No one, by the express words of the statute, can be excused. It is, however, true, that words which are

plain enough in their ordinary sense may, when they would involve any absurdity, or inconsistency, or repugnance to the clear intention of the Legislature, to be collected from the whole of the act or acts in pari materia to be construed with it, or other legitimate grounds of interpretation, be modified or altered so as to avoid that absurdity, inconsistency, or repugnance, *but no further*; for then we may predicate that the words never could have been used by the framers of the law in such a sense. . . . Looking at these provisions of the Legislature in a judicial spirit, as I think we are bound to do, how can we say that it is a flagrant violation of natural justice, and a manifest wrong, to make a provision which has the effect of preventing all but Christians from being members of the Legislature of a Christian country? Whether it is a politic measure or not to exclude them is not within our province to inquire, and it would be very wrong in us to offer, or even to hint, any opinion." And in answer to an argument founded on the hardship of requiring Jews to take the oath, which, by the 1 Geo. 1, st. 2, c. 13, may be tendered to any person by two justices, and must then be taken, under penalty of the person refusing being deemed a Popish recusant convict, his Lordship quoted the maxim, "Ad ea que frequentius accidunt jura adaptantur," and added, "If, in the vast majority of possible cases, in all of ordinary occurrence, the law is in no degree inconsistent or unreasonableness, construed according to its plain words, it seems to me to be an untenable proposition, and unsupported by authority, to say that the construction may be varied in every case, because there is one possible but highly improbable one in which the law would operate with great severity, and against our own notions of justice. The utmost that can be reasonably contended is, that it should be varied, in that particular case, so as to obviate that injustice—no further."

One argument urged for the defendant was, that the oath of abjuration was no longer in force, as the form given by the last statute applied in its express terms to King "George," and had never been altered so as to be rendered applicable to Queen Victoria; but the Court held that the name of King George referred to his corporate capacity, and included all his successors; and, indeed, this point was clearly so determined in *Reu v. Green* (1 Vent. 171) and the case of *The Parliament of Ireland*, (12 Rep. 110).

NEW RULE, QUEEN'S BENCH.
EASTER TERM, 15 VICT.

IT IS ORDERED, that whenever a defendant shall be required by law and the practice of this Court to give recognisance to appear and answer to any indictment found in this Court, or removed or to be removed into the same, it shall be added to the condition to every such recognisance, that the defendant shall personally appear from day to day on the trial of such indictment, and not depart until he shall be discharged by the Court before whom such trial shall be had, unless the Court or a judge shall think fit to dispense with such additional condition.

BY THE COURT.

Read in Court, April 27, 1852.

ON THE TITLE TO LAND ACQUIRED UNDER
THE STATUTE OF LIMITATIONS.

A CORRESPONDENT sends us the following remarks on this subject, which we insert, notwithstanding the obvious inaccuracy of some of the writer's propositions, because they are suggestive of important questions which must ultimately be determined, and probably with some unexpected results. We cannot at present undertake the consideration of the subject with the care which its importance and difficulty require: perhaps some of our readers, who have learning and leisure adequate to the task, will give us their assistance. We have appended to our correspondent's letter a few notes on points in which we consider that he is in error:—

Under the old law of limitation, a man might be in possession of an estate, and the rightful owner out of possession for years, and yet neither change his position with regard to the true ownership. Before the time began to run against an owner out of possession, it was necessary that the possession of the occupant should be *adverse*, and on its becoming adverse, so the occupant year by year acquired a title to exclude the true owner; for the true owner's right never died—*aliquando dormit jus, moritur nunquam*. Until this right by adverse possession—this legal estate *de facto*—had been acquired, the right was in, and only in, the true owner. But suppose a trespasser on this intruder while in possession, it is quite clear that he could have successfully resisted him; although having no legal title in himself, still he has the possession, and that is sufficient against a wrongdoer, who, unless he can set up title to justify his trespass, has nothing. But supposing the occupier to have lost or abandoned his possession, and another to have taken it, I think it is clear that he could have recovered it in a possessory action, such as an assize of novel disseisin, or a writ of right, which simply decided on who had the best title to the possession. But could he recover that possession by ejectment, where the claimant must recover on the strength of his own title, not the weakness of his opponent's? Under the old law there were actions adapted to the case of a person having gained a better possessory title than the occupant, as before stated; but under the new law there are no such remedies. An action of ejectment is not applicable to such a case*. Then comes the question, what length of possession is necessary to give an indefeasible right not only to hold, but also to recover, against all the world? Under the old law the title by adverse possession may be said to have been only acquired as drawn out of the rightful possessor; the gain by one, and loss by the other, were in equal ratios. But there is no such thing as adverse possession under the new law†; discontinuance or non-possession by the rightful owner is quite sufficient to bar *him*. But having lost his right, it does not necessarily follow that any one has gained it. How, then, are the rights (if they can be called such)

* This is not necessarily so. The possession of the occupier is presumptive evidence of his title in fee simple, and sufficient evidence, in an action of ejectment against an intruder upon him; though it may be rebutted if the defendant can show a better title in a third person.

† The reverse is the fact. Under the new law there is no such thing as *non-adverse possession* without title. This was decided very soon after the passing of the act. "We are clearly of opinion that the 2nd and 3rd sections of the act have done away with the doctrine of non-adverse possession, and, except in cases falling within the 15th section of the act, the question is, whether twenty years have elapsed since the right accrued, whatever be the nature of the possession." (Per Cur., in *Nepess v. Doe d. Knight*, 2 M. & W. 894.) This appears to be our correspondent's meaning.

of the intermediate occupants, supposing more than one, to be settled? Or what length of time is necessary to confer a title to *recover* in ejectment—not a title to *resist* a claim? I take it that the cases are very different, and that a rightful owner, having been out of possession more than twenty years, i. e. that more than twenty years having elapsed since the accruer of his right, according to the provisions of the statute, could not recover against an intruder of yesterday*. But suppose a man to have occupied twenty years, having in the first instance entered without title, e. g. as heir under a supposed intestacy, and to have held during that time, so as to exclude a devisee, and then to discontinue possession, whereupon another enters, and he is obliged to bring ejectment, will evidence of peaceable possession by him during the twenty years be sufficient to raise a *prima facie* title, throwing it on the party in possession to shew his title†? If *he* cannot recover, no one else can, and the person in possession has a good title so long as *he* holds. To revert to first principles: as it was necessary at all times to have a tenant to the *precipue*, whoever was in possession was considered and looked upon as the freeholder, unless he claimed by inferior title, and the descent from him of the freehold on his heir, or his alienation by feoffment, &c. to another, had peculiar effects on the state of his title; his possession, right or wrong, carried with it all the rights of freehold, and his heir claimed from him *as such*, which could not have been the case if he had not filled the estate as freeholder. But in all these cases the possession must have been adverse to all others, i. e. asserting a title to the freehold. But under the new law there is no adverse possession. What sort of a title, then, has this person in possession‡? Is he the *freeholder*, or a mere occupier, whose heir takes nothing, because he has no *estate* to descend, and whose conveyance transfers nothing, because he has no *estate* to transfer—in fact, an *occupancy of*, not an *estate in the land*? But this would totally destroy the notion of tenure on which our real property law is based; and if a man, holding by no inferior title, is not looked upon as a freeholder, (while the actual freeholder is dormant), in the event of a freeholder abandoning or discontinuing his possession, the quality of freehold in that land is lost altogether, and the right gained thereto becomes either the old allodial or something previously unknown to the law, having none of the incidents of freehold attached to it. Thus it can neither descend to the heir, be liable to dower or cour-

* There can be no doubt whatever on this point. The statute expressly says so.

† There can be no doubt on this point. As we said in a former note, the possession of the lessor of the plaintiff is *prima facie* evidence of title in fee simple; and as the title of the former rightful owner is supposed to have been extinguished by lapse of time, the defendant cannot set up the *ius tertii*.

‡ Where does our correspondent find that there is no adverse possession under the new law? The Statute of Limitations, 3 & 4 Will. 4, c. 29, says nothing about adverse possession, except where providing, in the 15th section, for certain cases in which the retrospective operation of the statute might work injustice. The object of the act is solely to bar the remedy and extinguish the right and title of the owner after a certain period of dispossession; but in other respects it leaves the character of a wrongful or adverse possession, and the effect of a disseisin, to be determined by the rules of the common law—within this single alteration, that in cases where, under the old law, the possession of a tenant at will, &c. would have been treated as the possession of the true owner until the tenant made some overt declaration of an independent title, such possession must now, in cases where, under the new act, it has continued so as to bar the title of the true owner, be interpreted, retrospectively, as having amounted to a disseisin, or assertion of title to the freehold. This appears to be our correspondent's view.

tesy, or be the subject of a use. It is absurd to say that time can alter the *quality* of the estate—a possession of two or fifty years must have the same result*. Under the old law every man in possession was *prima facie* considered the freeholder, and time merely barred the rights of others to interfere with that estate; from the first moment of his possession his estate was regulated by all the rules applicable to freehold, and his widow entering, entered as dowress, his son as heir. But how is it to be for the future? Suppose a man, in possession for fifteen years, dies, and his widow enters, she cannot enter as dowress, and the heir cannot claim as heir unless the estate of the ancestor in the lands was freehold. I think, that as tenure is in no way affected by the late acts, and that as the law of escheat and forfeiture is still in existence, the possessor of lands, who holds under no inferior title, must be held to be the *freeholder* until dispossessed by the rightful owner, and his estate attended by all the consequences attached to freehold. The question then is, how will the rights of these intermediate parties, before referred to, be settled. The acts limiting the time with respect to easements and lights proceed on altogether a different footing. There a positive enjoyment is necessary to gain a right, not a negative non-enjoyment to lose a right.

R. D.

VESTING OF MORTGAGE ESTATES UNDER THE TRUSTEE ACT, 1850, s. 19.

ON a recent petition under the Trustee Act, 1850, (*Re Boden's estate*, 16 Jur., part 1, p. 279), the Lords Justices held, reversing a decision of Sir G. Turner, V. C., on the same petition, (and also a previous decision in *Meyrick's case*, 15 Jur., part 1, p. 506), that the 19th section of the act authorised the Court, on the petition of a mortgagee's executor, to vest the legal estate in such executor, the mortgagee's heir being unknown, and the mortgage debt remaining unpaid. Orders made on the authority of this decision must, we fear, be classed with the orders under the former Trustee Act, to which the present Lord Chancellor referred in *Re Fitzgerald*, (Lloyd & G., t. Sugd., 22), and which he described as "absolute waste paper, having no legal validity under the act, and likely very much to embarrass titles."

The 19th section of the Trustee Act, 1850, enacts, "that when any person, to whom any lands have been conveyed by way of mortgage, shall have died without having entered into the possession or into the receipt of the rents and profits thereof, and the money due in respect of such mortgage shall have been paid to a person entitled to receive the same, or such last-mentioned person shall consent to an order for the reconveyance of such lands, then in any of the following cases it shall be lawful for the Court of Chancery to make an order for vesting such lands in such person or persons, in such manner, and for such estate as the said Court shall direct; that is to say:

"When an heir or devisee of such mortgagee shall be out of the jurisdiction of the Court of Chancery, or cannot be found.

"When" &c., (specifying other cases in which a conveyance cannot be obtained without the aid of the act).

Sir J. L. Knight Bruce, L. J., said, "The word made use of in this section is 'reconveyance.' It should have been 'conveyance.' The question is, whether the term

* This is very questionable. See the preceding note. The great difficulty in applying the new law is to determine the effect of acts done within the twenty years by the party, or successive parties, in possession during that time—say as tenants at will, and without any assertion of title to the freehold.

'reconveyance' has so strict and inflexible a meaning as to prevent us from acting on the spirit of the act." And he added, "I cannot attribute to the Legislature an intention to leave a person in such a situation as the literal construction would lead to."

If the construction of the enactment in question could never be judicially discussed out of the Court of Chancery, it would scarcely be worth while to consider the soundness of a decision so convenient as that which was made in this case. But as the efficacy of the order, when made, is to be decided in a court of law, and not in Chancery, it becomes important to ascertain whether it is really within the scope of the enactment. Their Lordships seem to have assumed that the case was within the spirit of the 19th section. But this, we think, will be found, on examination, to be clearly not the case. If the 19th section had been intended to provide for the transfer of the legal estate in an unsatisfied mortgage, it would not have been confined, as it is expressly confined, to cases where the mortgagee has "died without having entered into the possession or into the receipt of the rents and profits thereof"—a qualification which overrides the whole of the clause, and which, though very important, in a question of *reconveyance*, to the person entitled to the equity of redemption, is of no significance at all as between the real and the personal representatives of the mortgagee. This construction is confirmed by the condition next specified, that either the mortgage money shall have been paid, or the person entitled to it shall *consent* to an order for the *reconveyance* of the lands. This, in terms, contemplates satisfaction, or a release of the security, and shews that the Legislature was not contemplating a transfer of the legal estate to the personal representative of the mortgagee, or to a trustee for such representative. To read the word "reconveyance," in this clause, as meaning a conveyance not amounting to a reconveyance, seems to us to be doing a violence to the language of the act which is not sanctioned either by the terms or by the spirit of the context.

London Gazettes.

FRIDAY, APRIL 30.

BANKRUPTS.

HENRY PLUMMER the younger, Golden-lane, St. Luke's, Middlesex, wood turner, dealer and chapman, May 3 at 11, and June 19 at half-past 11, Court of Bankruptcy, London: Off. Ass. Nicholson, (and *not* Pennell, as advertised in the Gazette of the 27th ultimo); Sols. Terrell & Matthews, 30, Basinghall-street, London.—Petition dated April 26.

WILLIAM WYMARK, Mistle, near Manningtree, Essex, wharfinger, merchant, dealer and chapman, May 14 and June 11 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Hubbard, 18, Bucklersbury, London.—Petition filed April 22.

JAMES GULLICK, Yalding, Kent, licensed common brewer, May 14 at half-past 1, and June 18 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Morgan, Maidstone, Kent; Nicholls & Doyle, 2, Verulam-buildings, Gray's-inn, Middlesex.—Petition filed April 29.

WILLIAM THOMAS GIBSON, High-street, Islington, Middlesex, baker, May 13 at 12, and June 8 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Vallance & Vallance, 20, Essex-street, Strand.—Petition filed April 26.

WILLIAM COLLINS, Marlborough, Wiltshire, draper, May 10 at 12, and June 10 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turners, Aldermanbury, London.—Petition filed April 27.

JOSEPH NEWBOLD, Barton-under-Needwood, Staffordshire, innkeeper, dealer and chapman, May 10 and June 7 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Bass, Burton-upon-Trent; E. & H. Wright, Birmingham.—Petition dated April 17.

JOHN WARREN, Old Brentford, Middlesex, manufacturer of brass and iron, and George-street, Hanover-square, Middlesex, dentist, dealer and chapman, May 8 at half-past 11, and June 11 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Tate, 10, Basinghall-street, London.—Petition filed April 26.

ALEXANDER M'KERROL, Kingston-upon-Hull, Yorkshire, draper, dealer and chapman, May 26 and June 16 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Neild, Manchester; Shackles & Son, Hull.—Petition dated March 14.

MEETINGS.

Thomas Fwokes, Redditch, Worcestershire, innkeeper, May 12 at half-past 11, District Court of Bankruptcy, Birmingham, sp. aff.—*Thos. B. Cousins*, Wisbeach St. Peter's, Cambridge-shire, shipbuilder, May 20 at 1, Court of Bankruptcy, London, pr. d.—*W. Walker*, Preston, Lancashire, chemist, May 11 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Thomas H. Fiske*, Portsmouth, Hampshire, ironmonger, May 11 at 12, Court of Bankruptcy, London, last ex.—*David E. Colombine*, Carlton-chambers, Regent-st., Middlesex, money scrivener, May 12 at 11, Court of Bankruptcy, London, last ex.—*Benjamin Crossland*, Fenay Bridge, near Huddersfield, Yorkshire, head knitter, May 21 at 11, District Court of Bankruptcy, Leeds, last ex.—*John Stafford*, West Smithfield, London, tailor, May 20 at 12, Court of Bankruptcy, London, and. ac.—*John R. Threadgold*, Southampton, tea dealer, May 13 at 1, Court of Bankruptcy, London, and. ac.—*Amos Dean*, Brighton, Sussex, clothier, May 14 at 11, Court of Bankruptcy, London, and. ac.—*Henry Johnson*, York-buildings, Adelphi, Middlesex, coal merchant, May 14 at 12, Court of Bankruptcy, London, and. ac.—*Robert Youngman*, Waterbeach, Cambridgeshire, miller, May 14 at 11, Court of Bankruptcy, London, and. ac.; May 21 at half-past 11, div.—*Wm. Herring* and *Abraham Simmons*, Bristol, tailors, May 28 at 11, District Court of Bankruptcy, Bristol, and. ac.—*James Wilde*, Salford, Lancashire, builder, May 12 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Matt. Warren*, Macclesfield, Cheshire, silk dyer, May 14 at 12, District Court of Bankruptcy, Manchester, and. ac.; May 21 at 12, div.—*John Stephen Orford* and *Wm. Kirkham*, Manchester, paper hangers, May 14 at 11, District Court of Bankruptcy, Manchester, and. ac.; May 21 at 11, div.—*E. Wills Uren*, Totnes, Devonshire, builder, May 12 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 26 at 11, div.—*Jas. Copland*, Barnstaple, Devonshire, tea dealer, May 12 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 26 at 11, div.—*Matthew Mumford*, Dittisham, Devonshire, miller, May 12 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 26 at 11, div.—*John Toy*, Wolverhampton, Staffordshire, innkeeper, May 25 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*William Worley*, Smethwick, Staffordshire, licensed victualler, May 11 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Edw. Bevan Thomas*, Leominster, Herefordshire, wine merchant, May 19 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Samuel Mason*, Newcastle-under-Lyne, draper, May 19 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*John Caine*, Whitehaven, Cumberland, grocer, May 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*John Barnes*, Woodfield-road, Harrow-road, Faddington, Middlesex, builder, May 22 at half-past 11, Court of Bankruptcy, London, div.—*Rowland Bateman* and *Robert Hardwicke*, Carey-street, Lincoln's-inn, Middlesex, printers and stationers, May 21 at 11, Court of Bankruptcy, London, div.—*Thomas Freeman*, Northampton, innkeeper, May 21 at 11, Court of Bankruptcy, London, div.—*Alfred Markwick*, Martin's-lane, Cannon-street, London, manufacturer, May 22 at half-past 11, Court of Bankruptcy, London, div.—*Thos. Cheatwood Jones*, Blackfriars-road, Surrey, linendraper, May 22 at 12, Court of Bankruptcy, London, div.—*William Bird Brodie* and *Chas. Geo. Brodie*, Salisbury, Wiltshire, bankers, May 25 at 11, Court of Bankruptcy, London, div.—*Samuel Manning*, Newman-st., Oxford-st., Middlesex, stonemason, May 20 at 12, Court of Bankruptcy, London, div.—*Richard Northover*, Skinner-st., Bishopsgate-st., and Cheap-side, London, liat manufacturer, May 21 at 12, Court of Bankruptcy, London, div.—*John Birnie Philip*, *John Richard Clayton*, *Edward Ager Wynne*, and *John Lumsden*, East-st., Manchester-square, Middlesex, builders, May 21 at 11, Court

of Bankruptcy, London, div. joint est. of *Edward Agar Wynne* and *John Lumsden*, and div. sep. est. of *John Birnie Philip* and *John Lumsden*.—*John Slaney*, Wellington-place, Hackney, Middlesex, and Skinner-st., St. Botolph's, Bishopsgate, London, cabinet maker, May 22 at 11, Court of Bankruptcy, London, div.—*John Crosthwaite*, Liverpool, merchant, May 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Peter Lawton*, Liverpool, chemist, May 25 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Waudby King*, Liverpool, chemist, May 25 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Neil Monies*, Liverpool, wine merchant, May 26 at 11, District Court of Bankruptcy, Liverpool, div.—*John Barker*, Newcastle-upon-Tyne, and North Shields, Northumberland, merchant, May 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fn. div.—*Edward Robson*, South Shields, Durham, boat builder, May 21 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Richard Hayling* the younger, Hereford, grocer, May 18 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Henry Bridge the younger, Warnborough, near Odiham, Hampshire, butcher, May 21 at half-past 1, Court of Bankruptcy, London.—*T. Patient*, Saffron Walden, Essex, cooper, May 21 at 11, Court of Bankruptcy, London.—*Milbourne Clark*, Pudding-lane, London, commission agent, May 25 at 12, Court of Bankruptcy, London.—*Robert Green Watson*, Gateshead, Durham, wine and spirit merchant, May 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Cogle*, Limington, Somersetshire, miller, May 25 at 11, District Court of Bankruptcy, Exeter.—*George Townson*, Church-in-Whalley, Lancashire, plumber, May 21 at 12, District Court of Bankruptcy, Manchester.—*George Foster*, Chorlton-upon-Medlock, Lancashire, joiner, May 24 at 1, District Court of Bankruptcy, Manchester.—*William Hough* the younger, Rochdale, Lancashire, joiner, May 24 at 12, District Court of Bankruptcy, Manchester.—*Stavors J. Negroponie*, Manchester, merchant, May 24 at 12, District Court of Bankruptcy, Manchester.—*Isaac Hodgkinson*, Bolton-le-Moors, Lancashire, ironfounder, May 24 at 12, District Court of Bankruptcy, Manchester.—*Robt. Youngman*, Waterbeach, Cambridgeshire, miller, May 22 at 1, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

George Pryde and *John Gibb*, Liverpool, sailmakers.—*William Hartridge*, Milton-next-Sittingbourne, Kent, miller.—*William Simmonds*, Brighton, Sussex, grocer.—*John Fuller*, Ely, Cambridgeshire, stonemason.—*Gerard Burton*, Whitechapel-road, Middlesex, linendraper.—*Anthony Edw. Corvan*, Hampstead-road and Lisson-grove, Middlesex, baker.—*Thos. Myring*, Walsall, Staffordshire, bride cutter.—*Joseph Hall*, Hoped, Cradley, Herefordshire, farmer.—*William Argent*, Abbey-street, Bethnal-green-road, Middlesex, hearth-rug manufacturer.

PETITION ANNULLLED.

William Harris, Kingston-upon-Hull, draper.

SCOTCH SEQUESTRATIONS.

James Miller, jun., Ayr, ironfounder.—*Robert Walker*, deceased, Ferrygate, Dirleton, Haddingtonshire.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Pateshall, Tenbury, Worcestershire, labourer, May 20 at 2, County Court of Worcestershire, at Tenbury.—*Charles Milburn*, Moulsham, Chelmsford, Essex, out of business, May 20 at 12, County Court of Essex, at Chelmsford.—*Edmund Law Bewsher* the younger, Lower Shadwell, Middlesex, miller, May 11 at 1, County Court of Suffolk, at Haverhill.—*James Hutson*, Maldon, Essex, carter, May 18 at 12, County Court of Essex, at Maldon.—*Thomas William Reynolds*, Chipping Ongar, Essex, furniture broker, May 21 at 10, County Court of Essex, at Brentwood.—*Mark William Crowthurst*, Brighton, Sussex, pork butcher, May 7 at 11, County Court of Sussex, at Brighton.—*Reubin Lewis*, Halesowen, Worcestershire, manufacturer of hammered iron, May 17 at 10, County Court of Worcestershire, at Stourbridge.—

Henry Steel, Bradford, Yorkshire, tea dealer, May 15 at 11, County Court of Yorkshire, at Bradford.—*Joseph Charlesworth*, Bowling, near Bradford, Yorkshire, dealer in tea, May 15 at 11, County Court of Yorkshire, at Bradford.—*William Pickles*, Bradford, Yorkshire, plasterer, May 15 at 11, County Court of Yorkshire, at Bradford.—*John Firth*, Shipley, Yorkshire, joiner, May 15 at 11, County Court of Yorkshire, at Bradford.—*John Bell*, Chirton, Tynemouth, Northumberland, traveller, May 21 at half-past 10, County Court of Northumberland, at North Shields.—*George Poole*, Gloucester, in no business, May 27 at 10, County Court of Gloucestershire, at Gloucester.—*Rebecca Graveley*, widow, Millbrook, Southampton, in no business, May 13 at 10, County Court of Hampshire, at Southampton.—*John Early*, Southampton, tailor, May 13 at 10, County Court of Hampshire, at Southampton.—*John Clibron*, Halifax, Yorkshire, wheelwright, May 14 at 10, County Court of Yorkshire, at Halifax.—*William Jenkins*, Cowbridge, Glamorganshire, hay dealer, May 13 at 10, County Court of Glamorganshire, at Bridgend.—*Mary Parry*, Hay, Brecknockshire, shopkeeper, May 6 at 10, County Court of Brecknockshire, at Hay.—*John Morgan*, Brynmawr, Llangatock, Brecknockshire, innkeeper, May 7 at 10, County Court of Brecknockshire, at Crickhowell.—*Arthur James Dibnah*, (and not Dibuale, as before advertised), Heale, Yorkshire, letter carrier, May 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 14 at 11, before the CHIEF COMMISSIONER.

John Ashford, Ann's-place, Hoxton, Middlesex, green-grocer.—*Wm. Ripper*, Thornton-st., Dockhead, St. John's, Southwark, Surrey, carpenter.

May 14 at 10, before Mr. Commissioner LAW.

Edward J. Palmer, Aldgate, London, hat manufacturer.—*Frederick C. Parks*, York-road, Lambeth, Surrey, clerk in the office of her Majesty's Paymaster-General, Whitehall.—*Wm. Hall*, Cottage-place, Lock's-fields, Surrey, undertaker.—*Edmund Tarrant*, Blandford-street, Manchester-square, St. Marylebone, Middlesex, clerk in the Ionian Bank, Great Winchester-st., London.

May 15 at 11, before Mr. Commissioner PHILLIPS.

H. Ross, Barrington-crescent, Loughborough-road, Brixton, Surrey, out of business.—*Phineas Nwacz*, Freeman-street, Tenter-ground, Spitalfields, Middlesex, coachmaker.—*Edward Cohei*, Michael's-place, Brompton, Middlesex, omnibus conductor.—*George Spencer*, Backchurch-lane, Whitechapel, Middlesex, butcher.—*Thomas C. Knight*, Fort-street, Spital-square, Middlesex, blind maker.—*H. Whistler*, St. Mary's-terrace, Queen's-road, Peckham, Surrey, merchant's clerk.

May 17 at 10, before Mr. Commissioner LAW.

James B. Goggin, Tachbrook-st., Vauxhall-road, Fimlico, Middlesex, linendraper's assistant.

May 17 at 11, before Mr. Commissioner PHILLIPS.

George Fred. H. Clark, Sun-st., Bishopsgate-st. Without, London, oil and colour man.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 14 at 10, before Mr. Commissioner LAW.

N. Daniell, Upper Gordon-street, Euston-sq., Middlesex, dentist.

May 14 at 11, before the CHIEF COMMISSIONER.

Charles Robert Harris, Great Coram-st., Brunswick-sq., Middlesex, builder.—*John Wright*, Popham-place, Lower-road, Islington, Middlesex, beer-shop keeper.

May 17 at 10, before Mr. Commissioner LAW.

Thomas J. Winter, Richmond, Surrey, attorney-at-law.—*James Bennett*, Suffolk-st., Cambridge-road, Mile-end, Middlesex, out of business.—*George G. Cobham*, Wentworth-st., Whitechapel, Middlesex, clerk to a carman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, May 15 at 10.

John Down, Plymouth, out of business.—*Charles Wm.*

Boone, Devonport, paymaster and purser in her Majesty's Royal Navy.—*Thomas Bere*, Stoodleigh, labourer.—*Lydia M'Keer*, Plymouth, stationer.

At the County Court of Sussex, at LEWES, May 18.

Wm. Spears, Brighton, eating-house keeper.—*T. Brown*, Lewes, trainer.—*E. Flint*, Newick, general shopkeeper.

At the County Court of Gloucestershire, at BRISTOL, May 19 at 11.

Wm. Brown, Bristol, out of business.

TUESDAY, MAY 4.

BANKRUPTS.

CHARLES RITCHIE, Oxford-street, St. Marylebone, Middlesex, jeweller, dealer and chapman, May 13 at 11, and June 10 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Fraser, 78, Dean-street, Soho.—Petition filed April 30.

WILLIAM ARTHUR WATSON, Whitacre, Warwickshire, builder, dealer and chapman, May 18 and June 15 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Dabbs, Atherstone; Hodgson, Birmingham.—Petition dated April 27.

FRANK JAMES, Walsall, Staffordshire, ironfounder, merchant, dealer and chapman, (under the firm or style of John James & Son), May 18 and June 15 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Duignan & Hemmant, Walsall; E. & H. Wright, Birmingham.—Petition dated April 23.

JOHN EARP, Uttoxeter, Staffordshire, brewer, cheese-factor, dealer and chapman, May 15 and June 5 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Duignan & Hemmant, Walsall; E. & H. Wright, Birmingham.—Petition dated April 14.

SAMUEL BENIAMS the younger, Hereford, grocer and tea dealer, dealer and chapman, May 18 and June 15 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Prichard, Hereford; Bloxham, Birmingham.—Petition dated April 28.

JAMES THOMAS WOODHOUSE, Leominster, Herefordshire, scrivener, dealer and chapman, May 15 and June 5 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated May 1.

MEETINGS.

Robert Greenham, Liverpool, merchant, May 14 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*John Steels*, Spottland-bridge, near Rochdale, Lancashire, brewer, May 15 at 12, District Court of Bankruptcy, Manchester, ch. ass.—*Daniel Pugsley*, Broad-street, Cheapside, warehouseman, May 25 at 12, Court of Bankruptcy, London, last ex.—*Thos. Lord*, Ashton-under-Lyne, Lancashire, shoemaker, May 17 at 12, District Court of Bankruptcy, Manchester, last ex.—*A. Lee*, Guildford, Surrey, banker, May 14 at 2, Court of Bankruptcy, London, aud. ac.—*Wm. Walker* and *Stephen Webb*, Oxford-street, St. Marylebone, Middlesex, India rubber warehouseman, May 15 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. C. Jones*, Blackfriars-road, Surrey, linen draper, May 14 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thomas Freeman*, Northampton, innkeeper, May 14 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Rowland Bateman* and *Robt. Hardwicke*, Carey-street, Lincoln's-inn, Middlesex, printers, May 14 at 11, Court of Bankruptcy, London, aud. ac.—*John Crosthwaite*, Liverpool, merchant, May 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Dever*, Cornhill, London, cook, May 25 at 12, Court of Bankruptcy, London, div.—*John Barnett* and *Thos. Hancock*, Conduit-street, Regent-street, Middlesex, ladies' shoemakers, May 27 at half-past 12, Court of Bankruptcy, London, div.—*Jabez Grimble*, Sydney-square, Whitechapel, Middlesex, builder, May 27 at 11, Court of Bankruptcy, London, div.—*Wm. Jones*, Castle-street, Finsbury, Middlesex, cabinet maker, May 27 at 2, Court of Bankruptcy, London, div.—*Thomas Britten*, Suffolk-lane, Cannon-street, London, wine merchant, May 27 at 12, Court of Bankruptcy, London, div.—*Robert Attree*, Brighton, Sussex, hosier, May 25 at 11, Court of Bankruptcy, London, fin. div.—*Thomas Oocleshead* and *Chas. Chummins*, Liverpool, commission agents, May 27 at 11, District Court of Bankruptcy, Liverpool, div.—*George Renais*, Liverpool, merchant, May 27 at 11, District

Court of Bankruptcy, Liverpool, div.—*Joseph Longbottom* and *Thomas Finceff*, Leeds, Yorkshire, cloth merchants, May 27 at 1, District Court of Bankruptcy, Leeds, div.—*John Norwood*, Snaith, Yorkshire, corn factor, May 27 at 1, District Court of Bankruptcy, Leeds, div.—*John Taverner*, Nuneaton, Warwickshire, silk manufacturer, May 27 at half-past 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. Brookes, Banbury, Oxfordshire, printer, May 31 at 12, Court of Bankruptcy, London.—*Daniel James Field* and *Boulton Molineaux* the younger, Manchester, corn dealers, May 26 at 12, District Court of Bankruptcy, Manchester.—*William Noblet*, Blackpool, Lancashire, post-horse keeper, May 26 at 12, District Court of Bankruptcy, Liverpool.—*Wm. Lougher*, *Thomas Lougher*, and *David Lougher*, Plymouth, Devonshire, ironfounders, May 27 at 11, District Court of Bankruptcy, Plymouth.—*Benj. Smith*, Droitwich, Worcestershire, salt manufacturer, May 27 at half-past 11, District Court of Bankruptcy, Birmingham.—*Wm. Baynes*, Leeds, Yorkshire, flax spinner, May 27 at 1, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John Sharrer Ward, Bruton, Somersetshire, silk throwster.—*Wm. Edw. Spencer*, Holland-st., Blackfriars-bridge, Surrey, mustard manufacturer.—*Edward Hanson Palmer*, Brentford, Middlesex, brewer.—*Thomas Burtenshaw*, Southwark-bridge-road, Surrey, builder.—*Rowland Bateman* and *Robert Hardwicke*, Carey-st., Lincoln's-inn, Middlesex, printers.—*Edward Waring*, Kirkdale, Lancashire, keeper of an inn.—*Henry Pammont*, Penton-st., Pentonville, Middlesex, cheese-monger.—*Stephen Webb*, Oxford-st., St. Marylebone, Middlesex, India rubber warehouseman.—*Robert Squire James*, Leeds, Yorkshire, wholesale ironmonger.—*George Squire*, Hulme, Lancashire, joiner.—*Sarah Wilson*, Nottingham, hotel keeper.—*Wm. Hawkins*, Heage, Derbyshire, seedsmn.—*Philip Rufford*, Stourbridge, Worcestershire, banker.

PARTNERSHIP DISSOLVED.

Wm. Ghymes Kell and *Alex. Chaffers*, Bedford-row, Middlesex, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

David Jack, Arbroath, baker.—*David Clark*, deceased, Perth, writer.—*Richard Horsfall Watson*, Glasgow, merchant.

INSOLVENT.

William Eames, Bristol, eating-house keeper, May 11 at 12, County Court of Monmouthshire, at Newport.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Field, Birmingham, butcher, May 15 at 10, County Court of Warwickshire, at Birmingham.—*Rev. John Holmes*, Hollinwood, Lancashire, justice of the peace, May 7 at 12, County Court of Lancashire, at Oldham.—*Joseph Phillips* the younger, Coventry, Warwickshire, plumber, May 19 at 12, County Court of Warwickshire, at Coventry.—*John Beard*, Pick's-green, Lindfield, Sussex, licensed retailer of beer, May 20 at 12, County Court of Sussex, at Cuckfield.—*W. Baker*, Angmering, Sussex, baker, May 15 at 10, County Court of Sussex, at Arundel.—*Benjamin Archer*, Hulme, Lancashire, bookkeeper, May 14 at 2, County Court of Lancashire, at Manchester.—*George Taylor*, Norwich, baker, May 11 at 10, County Court of Norfolk, at Norwich.—*James Runciman Barfoot*, Newport, Monmouthshire, accountant, June 9 at 11, County Court of Gloucestershire, at Bristol.—*Geo. Hawkins*, Cotham Vale, Westbury-upon-Trym, Bristol, painter, June 9 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 19 at 11, before the CHIEF COMMISSIONER.

Wm. Walker, Southampton-row, New-road, Paddington, Middlesex, army exchange agent.—*Wm. Bale Clarke*, Three

Colt-lane, Cambridge-road, Bethnal-green, Middlesex, chandler-shop keeper.—*Daniel Fox*, Union-terrace, Camden-town, Middlesex, railway labourer.—*John Poulton*, Queen's-road, Homerton, Middlesex, butcher.

May 19 at 10, before Mr. Commissioner LAW.

Alice Atkins, North-road, Highgate-town, Hornsey, Middlesex, smith.

Saturday, May 1.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Auguste Motte, Keppell-street, Southwark-bridge-road, Surrey, out of business, No. 62,792 T.; *Zachariah Watkins*, assignee.—*John T. Gain*, Hawkins-st., Sydney-st., Stepney, Middlesex, cap manufacturer, No. 62,811 T.; *David Scholes*, assignee.—*James Banks*, Castle-st., Holborn, London, stereotyper, No. 62,877 T.; *Hugh W. Palmer*, assignee.—*James Perrins*, Birmingham, brush manufacturer, No. 74,807 C.; *Richard Dean*, assignee.—*Wm. Lupton*, Brighton Waterloo, near Liverpool, auctioneer, No. 73,250 C.; *Daniel Bradshaw*, assignee.—*Richard R. Blackman*, Kingston-upon-Hull, confectioner, No. 74,709 C.; *Charles R. Morehead*, assignee.

Saturday, May 1.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

James B. Gordon, Belsize-road, Finchley-road, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*John Johnson*, John-street, Waterloo-road, Surrey, lighterman: in the Gaol of Horsemonger-lane.—*T. Lowe*, Freeschool-st., Southwark, Surrey, watchmaker: in the Gaol of Horsemonger-lane.—*Wm. Norton*, Chadwell-st., St. John-street-road, Clerkenwell, Middlesex, wine merchant: in the Queen's Prison.—*John L. White*, St. Mary's Cray, Kent, baker: in the Debtors Prison for London and Middlesex.—*James Walker*, Upper Symons-st., Chelsea, Middlesex, fishmonger: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

John Shum, Carlton-square, Pomeroy-st., Old Kent-road, Surrey, in no trade: in the Queen's Prison.

(On their own Petitions).

Robert Sales, Haverfordwest, grocer: in the Gaol of Haverfordwest.—*Warner Joy*, Chatham, Kent, corn factor: in the Gaol of Maidstone.—*John L. Evans*, Fountain-hill, Carmarthenshire, out of business: in the Gaol of Carmarthen.—*Wm. Brown*, Bristol, farmer: in the Gaol of Bristol.—*J. Pollitt*, Over Darwen, near Blackburn, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Wood*, Deansgate, Manchester, eating-house keeper: in the Gaol of Lancaster.—*Charles Yeates*, Monmouth, printer: in the Gaol of Monmouth.—*Henry Bent*, West Bromwich, Staffordshire, coal master: in the Gaol of Stafford.—*Wm. C. Draper*, Stone, Staffordshire, shoe manufacturer: in the Gaol of Stafford.—*Charles Duckitt*, Halifax, Yorkshire, commercial traveller: in the Gaol of York.—*Morgan Humphrey*, Dowlais, near Merthyr Tydvil, Glamorganshire, miner: in the Gaol of Cardiff.—*J. Helliswell*, Mirfield, near Dewsbury, Yorkshire, common brewer: in the Gaol of York.—*James Priestley*, Ovenden, near Halifax, Yorkshire, farmer: in the Gaol of York.—*John Priestley*, Ovenden, near Halifax, Yorkshire, farmer: in the Gaol of York.—*Wm. Sykes*, Dewsbury, Yorkshire, mungo dealer: in the Gaol of York.—*Josiah S. Wood*, Kingston-upon-Hull, dealer in oil: in the Gaol of Kingston-upon-Hull.—*James Blackett*, Choriton-upon-Medlock, Manchester, blacksmith: in the Gaol of Lancaster.—*Samuel Brazendale*, Liverpool, brass founder: in the Gaol of Lancaster.—*John Clare*, Liverpool, joiner: in the Gaol of Lancaster.—*George Crabtree*, Barley Woodhead, near Otley, Yorkshire, out of business: in the Gaol of York.—*James Darbyshire*, York, butcher: in the Gaol of York.—*Alexander Johnston*, Stroud, Gloucestershire, draper: in the Gaol of Gloucester.—*Thomas Kelley*, Chorlton-upon-Medlock, Manchester, painter: in the Gaol of Lancaster.—*John Mellor*, Halifax, Yorkshire, innkeeper: in the Gaol of York.—*George Mason*, Howden, Yorkshire, fishmonger: in the Gaol of York.—*Isaac Powell*, Gloucester, out of business: in the Gaol of Gloucester.—*John Whitworth*, Leeds, Yorkshire, millwright: in the Gaol of York.—*David Smith*, Ripponden, near Halifax, Yorkshire, woolsorter: in

the Gaol of York.—*George Travis Buckley*, Middleton, near Manchester, whitesmith: in the Gaol of Lancaster.—*John Carver*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Adam Dalgleish*, Oldham-road, Manchester, retired supervisor of her Majesty's Excise: in the Gaol of Lancaster.—*Lawrence Hartley*, Burnley-lane-head, near Burnley, Lancashire, provision-shop keeper: in the Gaol of Lancaster.—*David Leather*, Great Sankey, near Warrington, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Joseph Lord*, Hulme, Manchester, machine maker: in the Gaol of Lancaster.—*Arthur North*, Shelf, near Halifax, Yorkshire, farmer: in the Gaol of York.—*James Pennington*, Manchester, fishmonger: in the Gaol of Lancaster.—*John Traverser*, Hulme, Manchester, joiner: in the Gaol of Lancaster.

(On Creditor's Petition).

William Nicholson, Shotley Bridge, Durham, builder: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 18 at 11, before the CHIEF COMMISSIONER.

William Alfred Chambers, Deptford, Kent, baker.—*Rich. Abbey*, Dorchester-place, Blandford-square, Middlesex, in no trade.—*Edward Alexander Gavin*, Henrietta-street, Covent-garden, and Dover-street, Piccadilly, Middlesex, dentist.—*William Tucker*, Warren-street, Fitzroy-square, and North-place, Hampstead-road, Middlesex, builder.

May 19 at 10, before Mr. Commissioner LAW.

Walter Edmund Archer, St. John-street, Clerkenwell, Middlesex, innkeeper.—*William Kirpatrick Smith*, Stabington-street, Clarendon-square, Somers-town, Middlesex, cheesemonger.

May 20 at 11, before Mr. Commissioner PHILLIPS.

William Garratt, Bundley-street, Harrow-road, Middlesex, out of business.—*Robert Beck*, Park-place, Kennington, Surrey, hairdresser.—*William Kitchell*, Gower-street North, Euston-square, Middlesex, out of business.—*William Negels Robinson*, Amptill, Bedfordshire, saddler.—*William Hayhow*, Holderness-terrace, South Lambeth, Surrey, carver.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northamptonshire, at NORTHAMPTON, May 19.

Richard Green, Northampton, in no business.

At the County Court of Warwickshire, at COVENTRY, May 19 at 12.

Edward Collins, Birmingham, manager to a brass founder, At the County Court of Cardiganshire, at CARDIGAN, May 19.

Charles James, Llanddewybreff, carpenter.

At the County Court of Staffordshire, at STAFFORD, May 19 at 10.

Mary Blomfield, Walsall, upholsteress.—*William Clinton Draper*, Stone, shoe manufacturer.—*James Rose*, Kingswinford, manager for Messrs. Beasley, gun barrel manufacturers.—*Henry Bent*, West Bromwich, out of business.—*George Robotham* the younger, Stoke-upon-Trent, carrier.—*James Cooke* the elder, Stoke-upon-Trent, brickmaker's overlooker.

At the County Court of Pembrokeshire, at HAVERFORDWEST, May 21 at 10.

John Harries, Hasguard, out of business.—*Robert Sales*, Haverfordwest, grocer.

At the County Court of Lancashire, at MANCHESTER, May 28 at 2.

Samuel Burman, Hulme, Manchester, plumber.—*Samuel Hall Hardacre*, Chorlton-upon-Medlock, Manchester, commission agent.

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MEMBERS RETURNED TO SERVE IN PARLIAMENT.—William Lalett, Esq., for the city of Worcester, in the room of Francis Rufford, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds; Samuel Carter, Esq., for the borough of Tavistock, in the room of John Salusbury Trelawney, Esq., who has accepted the office of Steward of her Majesty's Manor of Hempholme; Sir Fitzroy Kelly, Knt., her Majesty's Solicitor-General, for the Eastern Division of the county of Suffolk, in the room of Frederick Baron Rendlesham, deceased.

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LONDON, MAY 15, 1852.

IN the case which has recently excited so much public interest, (*Lumley v. Wagner*), one point discussed was, whether, the contract between Mr. Lumley and the defendant being entered into and executed in a country by the laws of which the only remedy for breach of a contract is a suit for damages, and interdict or injunction is not known, the Courts of this country have jurisdiction to give a more extensive or different legal consequence to the contract, in regard to the mode of enforcing it, than it would have by the law of the country where it was made. Upon this point the authorities were formerly not very satisfactory—at least, so far as they are to be looked at as bearing on the question in *Lumley v. Wagner*. In *Melan v. The Duke de Fitz James* (1 B. & P. 138) it was held that a party could not be held to bail in this country on an instrument executed in France which would not have rendered his person liable there. But in that case Heath, J., differed from the other judges, and said this—"In construing contracts we must be governed by the law of the country in which they are made, for all contracts have a reference to such laws; but when we come to remedies it is another thing—they must be pursued by the means which the law points out where the party resides. The laws of the country where the contract was made can only have reference to the nature of the contract, not to the mode of enforcing it." In *Talleyrand v. Boulanger* (3 Ves. 447) the case was, that the brother of the plaintiff, the Bishop of Autun, had borrowed money of the defendant; and by way of security, the bishop as principal, and one of the plaintiffs as surety, bound themselves to pay by instalments. By the law of France the person could not be arrested

on such a bond—the contract was wholly French, made between French subjects in France. Some payments were made, and then the plaintiff and defendant (in consequence of the French revolution) came to England. Afterwards one of the plaintiffs, being about to sail on an expedition to France, was arrested by the defendant, and to procure his release he paid some cash and gave bills, and entered into other securities, in which the other plaintiff became surety. This plaintiff made some payments, and afterwards, refusing to make any more, he was arrested by the defendant. The question was, whether the defendant should be restrained by injunction from proceeding at law upon these securities, and the Lord Chancellor held that he should. It is true, the decision went upon the ground of duress, but then the duress would have had no existence if it had been considered lawful to arrest the original parties to the French securities; and the Lord Chancellor said, "If it stood upon the original contract, it would be contrary to all the principles which guide the Courts of one country in deciding upon contracts made in another, to give a greater effect to the contract than it would have by the laws of the country where it took place." So that, in effect, the Lord Chancellor decided the case on the ground, that if liability to personal arrest was not a legal consequence of the contract in France, the Courts of this country could not annex to it such a legal consequence. Lord Eldon, in *Flack v. Holme*, (1 J. & W. 405), at p. 417, adverts to this decision of Lord Loughborough, not directly adopting it, but certainly not repudiating the doctrine.

But subsequently, in *De la Vega v. Viana*, (13 B. & Ad. 284), so far as the question of the jurisdiction of our Courts to affect personal liability on a contract, under which in the foreign country it would not

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be liable to be affected, a directly contrary decision was pronounced; for in that case, under a Portuguese contract, although it was proved that, by the law of Portugal, the person of the debtor was not, under such a contract, liable to arrest, the Court of King's Bench decided that the debtor might be arrested. Lord Ten-terden, C. J., said—"A person suing in this country must take the law as he finds it; he cannot, by virtue of any regulation in his own country, enjoy greater advantages than other suitors here; and he ought not, therefore, to be deprived of any superior advantages which the law of this country may confer. He is to have the same rights which all the subjects of this kingdom are entitled to." And this rule has been since laid down, and acted upon as settled, by the highest authority—in *Don v. Lippman*, (5 Cl. & Fin. 1), where Lord Brougham said—"The law on this point is well settled in this country, where this distinction is properly taken—that whatever relates to the remedy to be enforced must be determined by the *lex fori*, the law of the country to the tribunals of which the appeal is made." And his Lordship continues—"Not only the principles of the law, but the known course of the Courts, render it necessary that the rules of precedent should be adopted, and that the parties should take the law as they find it when they come to enforce their contract. The distinction which exists as to the principle of applying the remedy, exists, with even greater force, as to the practice of the Courts where the remedy is to be enforced. No one can say, that because the contract has been made abroad, the form of action known in the foreign court must be pursued in the court where the contract is to be enforced, or the other preliminary proceedings of those Courts must be adopted, or that the rules of pleading or the curial practice of the foreign country must necessarily be followed."

All this seems to apply to the question in *Lumley v. Wagner*, almost as if it had been directly addressed to that particular case; for the granting of an injunction is, in point of fact, a curial practice—not a rule of law, but of procedure. On the whole, the modern authorities seem fully to support the jurisdiction of the Courts of this country to enforce a foreign contract, assuming its terms to be ascertained, according to the mode of procedure which the Courts would adopt in reference to an English contract.

THE rules of construction adopted by the Courts respecting the duration of annuities given by wills, though both simple and intelligible, are frequently most difficult of application to the circumstances of particular cases, as will be evident from a consideration of the following decisions, the majority of which, it will be observed, were differently decided by different judges on the original hearing, and rehearing on appeal, and therefore the correctness of the ultimate determination of one or more of them may be open to some reasonable doubts. After some slight conflict of opinion, the dictum of Lord Hardwicke in *Savory v. Dyer*, (1 Amb. 140; Dick. 162), that "if one give by will an annuity, not existing before, to A., A. shall have it only for life," has been adopted; and the rule may now be considered

as settled, that an annuity given indefinitely is an annuity for life only.

The term "annuity," especially in wills, is indefinite in its import, and its meaning must be ascertained in each case by reference to the context of the instrument; and if the context discloses nothing as to the testator's intention respecting the duration of the annuity, it would seem that he did not intend it to endure beyond the life of the annuitant; for, as Lord Cottenham remarked in *Blewitt v. Roberts*, (Cr. & Ph. 280), if it should be said that a testator had left another an annuity of 100*l.* per annum, no doubt would occur of the gift being an annuity for the life of the donee: it is the gift of an annual sum of 100*l.*; that is, of so many sums of 100*l.* as the donee shall live years. On the other hand, if the testator had intended to have given a perpetual annuity of that amount, or the corpus of a fund producing that amount, is it reasonable to suppose that he would have set about effecting his object by giving the legatee the annual amount of the produce of the fund, without any reference to the fund itself, or to any other capital sum? Moreover, the rule that the gift of the produce of a fund, without limit as to time, passes the fund, is not in any way inconsistent with the rule that the bequest of an annuity simply does not give more than a life annuity; for in the latter case there is no reference whatever to the principal fund out of which it is to be payable; whilst in the former, if any expressions were to be found shewing an intention that the gift of the produce should be limited as to time, such limit would be the measure of the duration of the gift; but in the absence of any such expressions, the gift of the produce of a fund, without limitation as to time, of necessity passes the whole interest; that is, the fund itself.

In the case of *Blewitt v. Roberts* (10 Sim. 491; Cr. & Ph. 274) a testator bequeathed to his wife 600*l.* per annum for her life, "and after her death directed the said annuity to be equally divided between his six children, or the survivors or survivor of them; and he also gave to his six children 100*l.* per annum during their lives, to be paid quarterly, with power to leave their said respective annuities at their deaths to any persons they might marry, or any child or children they might leave; but in case of any of them dying without exercising such power, then to the survivors or survivor;" and after giving some pecuniary legacies, the testator bequeathed the residue of his property to one of his children. The Vice-Chancellor of England held that both these bequests passed the capital of the fund producing the annuities; but Lord Cottenham reversed his decision, and made a declaration to the effect, that on the death of the testator's wife the annuity of 600*l.* became vested in equal shares in the five children who survived her, as tenants in common, for their respective lives; and that upon the death of one of the six children his annuity of 100*l.* became vested in equal shares in the others of them who survived him, as tenants in common, for their respective lives; and that upon the death of each of the surviving children, his or her annuity of 100*l.* (subject to his or her power to appoint the same to any person he or she might marry, for the life of such person, or to any child or children he or she might leave, for his, her, or their life or lives) would vest in the survivors of such last-mentioned children for

their respective lives. (See 10 Sim. 493). So, again, in *Hodges v. Harper* (9 Beav. 479) the testator "gave to each of his daughters 400*l.* per annum, to be payable half-yearly during the term of their natural lives; and after their respective decease, he gave the same to their children respectively, share and share alike, such children not to be entitled to more than their deceased parent's share; and in case any or either of his said daughters should die without issue, then he directed such annuity to cease and fall into the residue of his estate;" and Lord Langdale held, that the children of each daughter became each of them entitled for life only to an equal share of the annuity bequeathed to their mother, and that upon the death of each of such children the annuity of the same child ceased and fell into the residue.

The case, however, which must be regarded as the leading authority upon this subject is that of *Stokes v. Haron*, (12 Cl. & Fin. 161), in which a most elaborate discussion took place as to whether perpetual or only life annuities were given by a will and certain codicils. Lord Plunkett held that perpetual annuities were created. Sir Edward Sugden, on a rehearing, reversed his predecessor's decree, and held that only life annuities passed; but, on appeal, the House of Lords reversed Sir Edward Sugden's reversal, and affirmed Lord Plunkett's decree.

In *Potter v. Baker* (13 Beav. 273; 15 Jur. 1068) a discussion arose as to the duration of an annuity bequeathed in the following terms:—"I give to E. L. 50*l.* per annum, for she and her children, and after her decease the money shall be paid to each of them as they attain the age of twenty-one; but if either of them die, to be paid to the survivor." The other parts of the will did not throw any light upon the construction to be placed upon the preceding bequest; and it was held, first by Lord Langdale, and afterwards, on appeal, by the Lords Justices Sir J. L. Knight Bruce and Lord Cranworth, that the three children of E. L. (who was dead) were entitled to a perpetual annuity of 50*l.* between them, on the ground that the testator, by the word "money," meant not the annuity itself, but the corpus of the fund from which it was derived.

The last case upon this point is that of *Yates v. Maddon*, (16 Sim. 313; 3 Mac. & G. 532), in which a testator bequeathed unto his son A. an annuity of 100*l.* per annum for his life; "and should he die, a child him surviving, I continue the same annuity for such child's use and benefit, to be paid to his or her mother;" and after giving some specific legacies and other annuities, the testator bequeathed the residue of his estate to his executors, in trust to keep up his plantation; "and, in the next place, to pay, satisfy, and discharge the several legacies and annuities hereinbefore given;" and then to divide the residue between his wife and all his children except his son A.; and the question which called for the decision of the Court was, whether a daughter of A. took a perpetual or only a life annuity under the will. The Vice-Chancellor of England held that she was entitled to a perpetual annuity, because a fund was pointed out by the residuary clause for the payment of it; but, upon appeal, Lord Truro decided differently, on the ground that an annuity given indefinitely was an annuity for life only; and that though

the gift of the produce of a fund, without limit as to time, was a gift of the fund itself, yet that the testator, in the case before him, had not given the produce of a particular or residuary fund, but had merely given the annuity, and then, in a subsequent part of the will, given the residue, in trust, among other things, to pay the annuities; and that therefore the child was entitled to an annuity for her life only.

The preceding cases, which are the latest upon the subject, shew the difficulties attending the determination of these questions; the Reports furnish us with many similar ones; and any person seeking information on these points will find all the cases collected in and commented on in the last three cases before stated.

REGULA GENERALIS.

ORDER OF COURT.—May 7, 1852.

THE Right Hon. Edward Burtenshaw Lord St. Leonard's, Lord High Chancellor of Great Britain, with the assistance of the Right Hon. Sir John Romilly, Knight, Master of the Rolls, doth hereby, in pursuance of an act of Parliament passed in the tenth and eleventh year of the reign of her present Majesty, intituled "An Act for better securing Trust Funds, and for the Relief of Trustees," and in pursuance and execution of all other powers enabling him in that behalf, order and direct in manner following, that is to say:—

Where any trustee, desiring to pay money or transfer stock or securities into the name of the Accountant-General of the Court of Chancery, under the said act, is, under a General Order of the said Court dated the 10th day of June, 1848, directed to file an affidavit intituled in the matter of the act and of the trust, setting forth certain matters and things in the said Order of Court specified and declared, in future such affidavit, in every case, where the parties deem it unnecessary to have the money, or the dividends, or interest of stock or securities invested in the meantime, shall further contain a statement to that effect; and if the affidavit shall contain no such statement, the Accountant-General shall be at liberty to invest, as soon as conveniently may be, the said cash in Bank 3*l.* per Cent. Annuities, in the matter of the particular trust; or, in cases of dividends or interest on stock or securities transferred, such dividends or interest in the like stock, and all accumulations of the dividends of the stock in which such cash shall be invested, and of the dividends or interest on such stock or securities as aforesaid, from time to time, in the like matter, without any special order made by the Court in that behalf, and without any formal request for that purpose: and the Accountant-General is to declare the trust thereof when purchased, subject to the Order of this Court. And for the purposes aforesaid, the Accountant-General is to draw on the Bank, according to the form prescribed by the act of Parliament and the General Rules and Orders of this Court in that case made and provided.

Provided always, that if at any time a request in writing, by or on behalf of any party claiming to be entitled, that such investment be discontinued, shall be left with the Accountant-General, he shall be at liberty to cease making any further investment in the matter of the particular trust until the Court shall have made some order in that behalf.

(Signed)

ST. LEONARD'S, C.
JOHN ROMILLY, M. R.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Isaac Butt, Esq., for the borough of Harwich, in the room of Sir Fitzroy Kelly, Knt., who has accepted the office of Steward of her Majesty's Manor of Hempholme.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—Duncan Stewart, Esq.; Joseph W. Dobbin, Esq.; John Buck, Esq.; William John Potts, Esq.; Charles Lees, Esq.; Francis Ottiwell, Esq.; John Baptist Smith, Esq.; Augustus Arthur Vansitart, Esq.; Richard Ottaway Turner, Esq.

INNER TEMPLE.—Andrew Fairbairn, Esq., B.A.; John Henry Jenkinson, Esq., B.A.; James Sewell White, Esq., B.A.; Frederick George Adolphus Williams, Esq.; William Hardman, Esq., B.A.; Henry M'Niven, Esq.; Alfred Henry Pechell, Esq.; Thomas Francis William Walker, Esq.; Joseph Sharpe, Esq., S. C. L.; S. Baxendale, Esq., B.A.; John Donald Campbell, Esq., B.A.; Hon. George Edwin Lascelles; Rowland Jones Bateman, Esq.; Francis Morgan Nichols, Esq., B.A.; Charles Gregory Wade, Esq., B.A.; Thomas Jennings White, Esq., B.A.; Julian Pauncefote, Esq.

MIDDLE TEMPLE.—Edmund Burke Wood, Esq.; Richard Denney Urling, Esq.; Arthur Thomas Godfrey, Esq.; Henry Hall Dixon, Esq., B.A., Trin. Coll., Cam.; William Tankerville Chamberlayne, Esq., Trin. Coll., Cam.; Frederick Stattard, Esq., B.A., Trin. Coll., Cam.; E. John Meynell, Esq.; G. S. Griffiths, Esq.; E. W. Cuffe, Esq.; Horatio Lloyd, Esq.

GRAY'S INN.—Newman Ward, Esq.

London Gazettes.

FRIDAY, MAY 7.

BANKRUPTS.

JAMES MANDENO, Shoreditch, Middlesex, oil and colour man, dealer and chapman, May 18 at 1, and June 22 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Parker & Co., 17, Bedford-row.—Petition filed April 22.

JOHN THOMAS, Little Stanhope-street, Mayfair, Middlesex, builder, dealer and chapman, May 17 at half-past 12, and June 15 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Staniland, 30, Bouverie-street, Fleet-street.—Petition filed May 7.

JOHN BURLINGHAM, Worcester, milliner, draper, dealer and chapman, May 18 and June 16 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Corles, Worcester; E. & H. Wright, Birmingham.—Petition dated April 29.

ROBERT HARDING, Road, near Beckington, Somersetshire, grocer and draper, dealer and chapman, May 18 and June 8 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Cornish & Parnell, Bristol.—Petition filed April 24.

CHARLES W. WOODWORTH, Liverpool, licensed victualler, dealer and chapman, May 19 and June 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Yates, jun., Liverpool.—Petition filed April 27.

MEETINGS.

Harold Stanley, Gerrard-street, Soho, Middlesex, scrivener, May 20 at 11, Court of Bankruptcy, London, pr. d.—*Wm. Richards* the younger, Wednesbury, Staffordshire, coachsmith, May 26 at half-past 11, District Court of Bankruptcy, Birmingham, last ex.—*George Sherlock* and *Benjamin Sutterby*, Hulme, Lancashire, joiners, May 20 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thomas Patient*, Saffron Walden, Essex, cooper, May 21 at 11, Court of Bankruptcy, London, aud. ac.—*Richard H. Cuming*, Lamb's Conduit-st., Middlesex, bookseller, May 19 at 12, Court of Bankruptcy, London, aud. ac.—*Matthew Lister*, Painswick, Gloucestershire, clothier, May 20 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Samuel Gash*, Hatcham New-town, Camberwell, Surrey, builder, May 20 at 11, Court of Bankruptcy, London, aud. ac.—*Christian King*, New Bond-street, Middlesex, revalenta arabica importer, May 25 at 11, Court of Bank-

ruptcy, London, aud. ac.—*Wm. Hind*, Carlisle, carrier, May 21 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Stark*, West Rainton, Durham, grocer, May 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Taverner*, Nuneaton, Warwickshire, silk manufacturer, May 26 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Robt. Ellison Gores*, Rock Ferry, Cheshire, apothecary, May 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jas. Cooper*, Liverpool, butcher, May 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Isomonger* and *Percy Isomonger*, Littlehampton, Sussex, merchants, May 29 at 1, Court of Bankruptcy, London, fin. div.—*Chas. W. Graham*, King's Arms-yard, Coleman-street, London, merchant, May 29 at half-past 12, Court of Bankruptcy, London, div.—*James Millard*, Reading, Berkshire, coppersmith, May 31 at 1, Court of Bankruptcy, London, div.—*Edward Wickins*, Faversham, Kent, linendraper, June 1 at 11, Court of Bankruptcy, London, div.—*John Richardson*, Edgeware-road, Middlesex, ironmonger, June 1 at 11, Court of Bankruptcy, London, fin. div.—*Leon J. Nerinckx*, Great Portland-street, Marylebone, Middlesex, laceman, June 1 at 11, Court of Bankruptcy, London, div.—*Francis Ingham*, Doncaster, Yorkshire, grocer, May 29 at 10, District Court of Bankruptcy, Sheffield, div.—*Thomas Oocleshead* and *Charles Cummins*, Liverpool, commission agents, May 27 at 11, District Court of Bankruptcy, Liverpool, div.—*George Rennie*, Liverpool, merchant, May 27 at 11, District Court of Bankruptcy, Liverpool, div.—*John Howell*, Liverpool, bookseller, May 28 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

H. Holland, Eldon-road, Kensington, Middlesex, builder, May 31 at 1, Court of Bankruptcy, London.—*John Leach* and *Edward Leach*, Waterbeach, Cambridgeshire, builders, May 31 at 2, Court of Bankruptcy, London.—*J. Millard*, Reading, Berkshire, coppersmith, May 31 at 1, Court of Bankruptcy, London.—*Anne Bailes*, Sheffield, Yorkshire, licensed victualler, May 29 at 10, District Court of Bankruptcy, Sheffield.—*John Norwood*, Snaith, Yorkshire, corn factor, May 28 at 11, District Court of Bankruptcy, Leeds.—*Francis Ingham*, Doncaster, Yorkshire, grocer, May 29 at 10, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Thomas Arnold, Elmore, Gloucestershire, timber dealer.—*John Furniss*, Digley Bridge, Austonley, Almondbury, Yorkshire, woollen cloth manufacturer.

SCOTCH SEQUESTRATIONS.

James Stewart and *Robert McGregor*, Glasgow, calico printers.—*Hough & Stuart*, Glasgow, card makers.—*James Blaikie & Sons*, Canongate, Edinburgh, founders.—*Samuel Boe*, Wolfordyke, carrier.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Holloway, Swansea, Glamorganshire, May 15 at 10, County Court of Glamorganshire, at Swansea.—*Wm. Derby*, Dudley, Worcestershire, retail brewer, May 20 at 12, County Court of Worcestershire, at Dudley.—*Thos. Hought*, Brandsburton, near Beverley, Yorkshire, assistant to a grocer, May 20 at 11, County Court of Yorkshire, at Beverley.—*Henry G. Cooke*, Settle, Giggleswick, Yorkshire, tailor, May 20 at 10, County Court of Yorkshire, at Settle.—*Edward Benjamin Phillips*, Sheplatch, Shrewabury, Shropshire, wire worker, May 18 at 10, County Court of Shropshire, at Shrewabury.—*Robert Tate*, Chesterton, Cambridgeshire, publican, May 14 at 10, County Court of Cambridgeshire, at Cambridge.—*Abraham Bright*, Codsall, Staffordshire, flour dealer, May 18 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Martin*, Wolverhampton, Staffordshire, tailor, May 18 at 12, County Court of Staffordshire, at Wolverhampton.—*Benjamin Mills*, Cricklade St. Mary, Wiltshire, out of business, May 21 at 12, County Court of Wiltshire, at Swindon.—*Isaac Marsh*, Dudley, Worcestershire, plumber, May 20 at 12, County Court of Worcestershire, at Dudley.—*Sarah Williams*, Bristol, licensed victualler, May 12 at 11,

County Court of Gloucestershire, at Bristol.—*John Brooks*, Chertsey, Surrey, watchmaker, May 26 at 11, County Court of Surrey, at Chertsey.—*William Rudd*, Little Wymondley, Hertfordshire, victualler, May 14 at 10, County Court of Hertfordshire, at Hitchin.—*Richard Endall*, Newland, High Wycombe, Buckinghamshire, tailor, May 18 at 11, County Court of Buckinghamshire, at High Wycombe.—*Jane Vaughan*, widow, Hodgeston, Pembrokeshire, farmer, May 24 at 10, County Court of Pembrokeshire, at Pembroke.—*Richard Hughes*, Bodfany, Denbighshire, builder, May 26 at 10, County Court of Carnarvonshire, at Conway.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 21 at 10, before Mr. Commissioner LAW.

Theophilus Peter Fryer, St. Thomas's-road, Rhodeswell-road, Stepney, Middlesex, out of business.

May 22 at 11, before Mr. Commissioner PHILLIPS.

William Hearn, Stratford, Essex, out of business.—*Frederick Bastone*, Duke-street, Lincoln's-inn-fields, Middlesex, apothecary.—*Thomas Marchant*, Gracechurch-street, London, tailor.

May 24 at 11, before the CHIEF COMMISSIONER.

Thomas Browne, Basinghall-street, London, parasol fringer.—*Richard Browne*, Shaftesbury-street, New North-road, Hoxton, Middlesex, parasol fringer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 21 at 11, before the CHIEF COMMISSIONER.

Henry Groombridge, Grove-street, Camden-town, Middlesex, cheese-monger.—*John Johnson*, John-street, Waterloo-road, Lambeth, Surrey, lighterman.

May 22 at 11, before Mr. Commissioner PHILLIPS.

George Robinson, Bayham-street, Camden-town, Middlesex, licensed victualler.

May 24 at 11, before the CHIEF COMMISSIONER.

William Gray, Southwark-bridge-road, Surrey, out of business.—*William Blundon*, Parnham-place, Ratcliffe, Middlesex, leather seller on commission.—*Charles Edw. Bryson*, Hanway-street, Oxford-street, Middlesex, dealer in shares.

May 24 at 10, before Mr. Commissioner LAW.

Henry Blore, Stanley-street, Brompton, Middlesex, picture dealer.—*James Brodie Gordon*, Belzize-road, Finchley-road, Middlesex, cooper.—*Samuel Varley*, Great Leonard-street, Shoreditch, Middlesex, cabinet maker.

May 24 at 11, before Mr. Commissioner PHILLIPS.

Hen. Finnis, Poplar-row, New Kent-road, Surrey, banker's clerk.—*Daniel Staighi*, Rose-cottage, Blackstock-lane, High-bury-vale, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Wrigley Barton, Manchester, cotton waste dealer, No. 74,872; *George Procter*, assignee.—*John Wallace*, Leyland, near Preston, out of business, No. 74824; *Samuel Goodacre*, assignee.—*Wm. M'Kenzie*, Wigan, licensed victualler, No. 74,785; *Edward Howarth*, assignee.—*John Chaliner*, Manchester, plasterer, No. 75,015; *Matthew Craig Norbury*, assignee.—*John Turner*, Manchester, licensed victualler, No. 74,845; *George M'Gowan*, assignee.—*Joseph H. Parrand*, Liverpool, out of business, No. 74,574; *James Sheppard*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

A: the County Court of Lancashire, at LANCASTER, May 21 at 11.

Adam Dalgleish, Manchester, retired supervisor of her Majesty's Excise.—*Buckley Royle*, Hulme, Manchester, out of business.—*Parnell Booth*, widow, Chorlton-upon-Medlock,

out of business.—*James Blackett*, Manchester, out of business.—*John Nelson Clarke*, Liverpool, ship chandler.—*John Carver*, Liverpool, licensed victualler.—*Wm. Barker*, Staley-bridge, tailor.—*George Beckham Wainwright*, Wavertree, near Liverpool, out of business.—*John Clars*, Liverpool, joiner.—*John Traversae*, Hulme, joiner.—*John Wood*, Manchester, eating-house keeper.—*Thos. Kelley*, Chorlton-upon-Medlock, Manchester, painter.—*Samuel Brazendale*, Liverpool, brass founder.—*Samuel Newsham*, Southport, attorney-at-law.—*Robert Bleakley*, Hulme, Manchester, joiner.—*Bartholomew Collins*, Liverpool, out of business.—*James Pennington*, Manchester, game dealer.—*Joseph Lord*, Manchester, machine maker.—*John Kay*, Oldham, cotton waste dealer.

At the County Court of Derbyshire, at DERBY, May 22 at 10.

George Bower the elder, Whittington, farmer.

At the County Court of Yorkshire, at YORK CASTLE, May 24 at 10.

Joseph Fielding Higgins, Keighley, architect.—*Jas. Hirst Hepworth*, Alverthorpe, near Wakefield, commercial traveller.—*Robert George Moore*, York, dram-shop keeper.—*John Jessop*, Dewsbury, attorney's clerk.—*Thos. Cowgill*, Bradford, grocer.—*Samuel Elsworth*, Little Horton, near Bradford, out of business.—*John Green Bennett*, Barnsley, stage coachman.—*John Dobby*, Osmotherley, near Northallerton, out of business.—*Samuel Mitchell*, Middlesbrough, baker.—*David Hanson*, Halifax, out of business.—*James Darbyshire*, York, butcher.—*David Smith*, Ripponden, near Halifax, wool sorter.—*George Mason*, Howden, fishmonger.—*Wm. Sykes*, Dewsbury, mungo dealer.—*Josiah Helliwell*, Wooddale, common brewer.—*John Whitworth*, Hunstet, near Leeds, millwright.—*Arthur North*, Shelf, near Halifax, farmer.—*John Priestley*, Ovenden, near Halifax, cattle dealer.—*Job Ross*, Stanningley, near Bradford, out of business.—*Jos. Ramsden*, Lepton, near Huddersfield, woollen yarn spinner.—*J. Smith Darnbrough*, York, coal dealer.—*John Mellor*, Halifax, out of business.—*George Crabtree*, Burley Wood Head, near Otley, out of business.—*Richard Hayley*, Huddersfield, currier.—*James Priestley*, Ovenden, near Halifax, beer seller.—*Charles Duckit*, Halifax, commercial traveller.—*Hen. Hayley*, Huddersfield, grocer.

TUESDAY, MAY 11.

BANKRUPTS.

GEORGE MANLEY WETHERFIELD, Gresham-street, London, scrivener, May 21 at 12, and June 25 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Munday, 10, Lancaster-place, Strand.—Petition filed May 5.

RICHARD HADLAND, St. Helen's, Lancashire, glass manufacturer, May 17 and June 15 at 11, District Court of Bankruptcy, Liverpool, May 17 and June 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Hayward, Birmingham; Dodge, Liverpool.—Petition dated May 6.

JOHN HENRY COLLINS, Halifax, Yorkshire, draper, dealer and chapman, May 28 and June 25 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Brierley, Halifax.—Petition dated May 6.

MEETINGS.

William Roberts, Warren-st., Camden-town, Middlesex, builder, June 3 at 12, Court of Bankruptcy, London, last ex.—*John Barnes*, Woodfield-road, Harrow-road, Paddington, Middlesex, builder, May 21 at half-past 1, Court of Bankruptcy, London, aud. ac.—*John Fraser*, Great Suffolk-street, Southwark, Surrey, draper, May 25 at 11, Court of Bankruptcy, London, aud. ac.; June 3 at 12, div.—*Thos. Thompson*, Manchester, merchant, May 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Neil Monies*, Liverpool, wine merchant, May 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Aaron Egerton*, Over, Cheshire, builder, May 24, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Waudby King*, Liverpool, chemist, May 24 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Peter Lawton*, Liverpool, chemist, May 24 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Gregory*, Liverpool, hosier, May 21 at 11, District Court of Bankruptcy, Liver-

pool, and. ac.—*John Howell*, Liverpool, bookseller, May 21 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*R. Norris*, Beverley, Yorkshire, innkeeper, June 2 at 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac. and first and fin. div.—*Joseph Longbottom* and *Thomas Fawcett*, Leeds, Yorkshire, cloth merchants, May 21 at 11, District Court of Bankruptcy, Leeds, and. ac.—*James Robinson*, Ripon, Yorkshire, surgeon, May 21 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Francis Ingham*, Doncaster, Yorkshire, grocer, May 22 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*John Norwood*, Snaith, Yorkshire, corn factor, May 21 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Joseph Coslett* and *Thos. Lloyd Pemberton*, Sedgley, Staffordshire, cement merchants, May 22 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac.—*Thomas Arnold*, Elmore, Gloucestershire, timber dealer and miller, June 4 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Steel, Fenchurch-st., London, tailor, June 2 at half-past 1, Court of Bankruptcy, London.—*James Scott M'Callach*, Liverpool, draper, June 3 at 11, District Court of Bankruptcy, Liverpool.—*S. Wharton*, Leftwich, Hartford, Cheshire, wine merchant, June 3 at 11, District Court of Bankruptcy, Liverpool.—*James Lund Copeland*, Liverpool, merchant, June 4 at 11, District Court of Bankruptcy, Liverpool.—*John Cadman*, Derby, grocer, June 4 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Morley Beart, Upwell, Norfolk, brickmaker.—*James Ginn*, Sudbury, Suffolk, builder.—*John Ellison*, Liverpool, ironmonger.—*Wm. Whitehouse*, trader.—*John Fegan*, Lincoln, draper.

FIAT ANNULLED.

John Haworth, Burnley, Lancashire, cotton spinner.

SCOTCH SEQUESTRATIONS.

James Hutchison, Glasgow, minibus proprietor.—*David Latta*, junior, Glasgow, merchant.—*James Pettigrow*, Blantyre, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Matthew Murphy, Liverpool, eating-house keeper, May 21 at 10, County Court of Lancashire, at Liverpool.—*Michael Archer*, Liverpool, joiner, May 21 at 10, County Court of Lancashire, at Liverpool.—*William Grey*, Liverpool, joiner, May 21 at 10, County Court of Lancashire, at Liverpool.—*Wm. N. Blackwell*, Cheltenham, Gloucestershire, shopman, May 21 at 10, County Court of Lancashire, at Liverpool.—*Jeremiah Hobbs*, Liverpool, hatter, May 21 at 10, County Court of Lancashire, at Liverpool.—*Samuel Holtham*, Liverpool, hatter, May 21 at 10, County Court of Lancashire, at Liverpool.—*Sarah Lyons*, Liverpool, lodging-house keeper, May 21 at 10, County Court of Lancashire, at Liverpool.—*Samuel Hodgetts*, Birmingham, brassfounder, May 29 at 10, County Court of Warwickshire, at Birmingham.—*J. Wilcox*, Birmingham, butcher, May 29 at 10, County Court of Warwickshire, at Birmingham.—*Richard Blackwell*, Birmingham, out of employ, May 29 at 10, County Court of Warwickshire, at Birmingham.—*Lewis Hart*, Birmingham, clothier, May 29 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Marshall* the younger, Reigate, Surrey, sawyer, May 24 at 11, County Court of Surrey, at Reigate.—*Wm. Reynolds*, Stow-on-the-Wold, Gloucestershire, baker, May 15 at 10, County Court of Gloucestershire, at Stow.—*Samuel Knott*, Carlisle, physician, May 24 at 10, County Court of Cumberland, at Carlisle.—*Isaac F. Davison*, Carlisle, Cumberland, staymaker, May 24 at 10, County Court of Cumberland, at Carlisle.—*Thomas Balls* the elder, Beccles, Suffolk, brewer, May 18 at 12, County Court of Suffolk, at Beccles.—*Thomas Lake*, Laxfield, Suffolk, butcher, May 21 at 10, County Court of Suffolk, at Framlingham.—*Wm. S. Ploveright*, Methwold, Norfolk, plumber, May 27 at 11, County Court of Norfolk, at Thetford.—*Charles Maddox*, Carmarthen, maltster, May 25 at 2, County Court of Carmarthen, at Carmarthen.—*Thomas Tennant*, Leeds, Yorkshire, butcher, May 24 at 10,

County Court of Yorkshire, at Leeds.—*William Routledge*, Newcastle-upon-Tyne, licensed victualler, May 27 at 10, County Court of Northumberland, at Newcastle.—*Thomas Meadows*, Mereton, Bidston, Cheshire, out of business, May 14 at 10, County Court of Cheshire, at Birkenhead.—*Edward Oakes*, Stourbridge, Worcestershire, clothier, May 17 at 10, County Court of Worcestershire, at Stourbridge.—*Edwin Davies*, Kingston Bagpuize, Berkshire, schoolmaster, May 18 at 11, County Court of Berkshire, at Abingdon.—*J. Austin*, Datchet, Buckinghamshire, carpenter, June 16 at 10, County Court of Berkshire, at Windsor.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 25 at 11, before the CHIEF COMMISSIONER.

James Davies, Portobello-lane, Notting-hill, Middlesex, bricklayer.

May 24 at 10, before Mr. Commissioner LAW.

Thomas Chidlow, Park-place, Kennington-cross, Surrey, furnishing ironmonger.

Saturday, May 8.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Blackow, Salford, Lancashire, porter, No. 74,147 C.; *James Wilson*, assignee.—*William Lymer*, Liverpool, shoemaker, No. 74,630 C.; *William Wynne*, assignee.—*Henry Hughes Allen*, Dover, Kent, assistant clerk in the Court for the Relief of Insolvent Debtors, No. 74,902 C.; *Richard Friday Ashby*, assignee.—*Joshua Craven*, Leeds, Yorkshire, corn dealer, No. 74,908 C.; *Richard Robinson*, assignee.—*Fred. Ede*, Worthing, Sussex, cabinet maker, No. 74,963 C.; *Peter French*, assignee.—*Thomas Fearnley*, Leeds, Yorkshire, licensed victualler, No. 74,975 C.; *William Bentley*, assignee.—*Richard Dranfield*, Huddersfield, Yorkshire, woolstapler, No. 74,979 C.; *Robert Hineson*, assignee.—*Benjamin Wilson*, Leeds, Yorkshire, dealer in hay, No. 74,991 C.; *John Kelly*, assignee.—*J. Challinor*, Manchester, plasterer, No. 75,015 C.; *Matthew Craig Norbury*, assignee.—*Thos. Jennings*, Kirby Lonsdale, Westmoreland, labourer, No. 38,344 C.; *William Barrett*, new assignee, in room of John Harrison, deceased.

Saturday, May 8.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Benoni Mainon, Brook-street, Holborn, Middlesex, basket dealer: in the Debtors Prison for London and Middlesex.—*Nathaniel Levy*, Aldgate High-street, London, assistant to a carcass butcher: in the Debtors Prison for London and Middlesex.—*William Rule*, Chiswell-street, Finsbury, Middlesex, grainer: in the Debtors Prison for London and Middlesex.—*William Cross Lloyd*, Montevideo-cottages, Kentish-town, Middlesex, town traveller: in the Debtors Prison for London and Middlesex.—*Samuel King*, Frederick-street, Hampstead-road, Middlesex, upholsterer: in the Debtors Prison for London and Middlesex.—*William Durham Marks*, St. John-street, Westminster, Middlesex, clerk in the Privy Council Office, Whitehall: in the Queen's Prison.—*Richard Howling*, High-street, Poplar, Middlesex, china dealer: in the Debtors Prison for London and Middlesex.—*John Robinson*, Goswell-road, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Thomas Charles Burgon*, Burton-crescent, Middlesex, general merchant: in the Queen's Prison.—*Thomas Collins*, Curstior-street, Chancery-lane, Middlesex, out of business: in the Queen's Prison.—*Francis Swanwick*, Commercial-place, Brixton-road, Surrey, chemist: in the Gaol of Horse-monger-lane.—*Andrew Newton Steele*, Surrey-terrace, Park-road, Old Kent-road, Surrey, messenger at the Lambeth Police Court: in the Queen's Prison.—*Robert Hearn*, Eversholt-street, Oakley-square, St. Pancras, Middlesex, commercial traveller: in the Queen's Prison.—*Henry Windle*, New-street, Brompton, Middlesex, rag dealer: in the Debtors Prison for London and Middlesex.—*John Salmon*, Kingswood, near Banstead, Surrey, licensed vic-

tualler: in the Gaol of Horse-monger-lane.—*Caroline Wood-cowd*, Regent-square, Gray's-inn-road, Middlesex, in no profession: in the Queen's Prison.—*Wm. Whittaker*, Crosby-row, Walworth-road, Surrey, carpenter: in the Gaol of Horse-monger-lane.—*William W. Lucking*, Orohard-street, Portman-square, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*Rowland Yallop*, Southwick-street, Hyde-park, Middlesex, attorney and solicitor: in the Debtors Prison for London and Middlesex.—*James Knos Gildea*, King-street, St. James, Middlesex, in no profession: in the Queen's Prison.—*George Sayers*, Guildford, Surrey, farmer: in the Gaol of Horse-monger-lane.—*William Barker*, Staley-bridge, Lancashire, tailor: in the Gaol of Lancaster.—*Robert Bleakley*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*Bartholomew Collins*, Liverpool, out of business: in the Gaol of Lancaster.—*J. S. Darnbrough*, York, poulterer: in the Gaol of York.—*Richard Hayley*, Huddersfield, Yorkshire, currier: in the Gaol of York.—*Henry Hayley*, Huddersfield, Yorkshire, currier: in the Gaol of York.—*George B. Wainwright*, Wavertree, near Liverpool, ship and insurance broker: in the Gaol of Lancaster.—*Joseph Gill*, Hunslet, near Leeds, Yorkshire, joiner: in the Gaol of York.—*John Gill*, Hunslet, near Leeds, Yorkshire, joiner: in the Gaol of York.—*John Jopling*, Newcastle-upon-Tyne, surgeon: in the Gaol of Newcastle-upon-Tyne.—*Saml. Newsham*, Southport, Lancashire, attorney-at-law: in the Gaol of Lancaster.—*D. Atkinson*, Morley, near Leeds, Yorkshire, stonemason: in the Gaol of York.—*David Evans*, Merthyr Tydfil, Glamorganshire, out of business: in the Gaol of Cardiff.—*Joseph Sutton*, Wicken, near Soham, Cambridgeshire, assistant to a farmer: in the Gaol of Cambridge.—*Ralph Darling*, South Blyth, Northumberland, shipowner: in the Gaol of Morpeth.—*Thos. Hughes*, Toxteth-park, Liverpool, butcher: in the Gaol of Lancaster.—*Wm. Holden*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*Thomas Kay*, Bury, Lancashire, labourer: in the Gaol of Lancaster.—*Isaac Knowles*, Liverpool, assistant butcher: in the Gaol of Lancaster.—*Samuel Martin*, Whalley, near Blackburn, Lancashire, shoemaker: in the Gaol of Lancaster.—*David Shuttleworth*, Padiham, near Burnley, Lancashire, bookkeeper: in the Gaol of Lancaster.—*John W. T. Tasker*, Wilderspool, near Warrington, Cheshire, farmer: in the Gaol of Chester.—*Robert Coney*, Huddersfield, Yorkshire, foreman to cab proprietors: in the Gaol of York.—*John F. Smith*, Newcastle-upon-Tyne, auctioneer: in the Gaol of Newcastle-upon-Tyne.—*Jas. Walton*, Newcastle-upon-Tyne, saddler: in the Gaol of Newcastle-upon-Tyne.—*John Woodman*, Carmarthen, licensed victualler: in the Gaol of Carmarthen.—*James Meikle*, Manchester, joiner: in the Gaol of Manchester.—*James Shaw*, Blackley, Lancashire, labourer: in the Gaol of Manchester.

(On Creditor's Petition).

George Harrison, Calverton, Nottinghamshire, glove hand: in the Gaol of Nottingham.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 25 at 11, before Mr. Commissioner PHILLIPS.

David Henry Sayers, Clark's-place, Wandsworth-road, Surrey, carman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, May 24 at 10.

Joseph Sutton, Wicken, near Soham, farmer.

At the County Court of Carmarthenshire, at CARMARTHEN, May 25 at 2.

John Woodman, Carmarthen, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, May 27.

Isaac Powell, Gloucester, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, May 27 at 10.

John F. Smith, Newcastle-upon-Tyne, auctioneer.—*John Jopling*, Newcastle-upon-Tyne, surgeon.

At the County Court of Monmouthshire, at MONMOUTH, May 28 at 11.

Charles Yeates, Monmouth, printer.

At the County Court of Hampshire, at WINCHESTER, May 31 at 11.

James Miall Knight, Portsmouth, assistant wine merchant.

INSOLVENT DEBTOR'S DIVIDEND.

John Parker Sparks, Bristol, licensed victualler, at Hobbs's, Bristol: 13s. 6d. in the pound.

THE OFFICE OF LECTURER AT GRAY'S INN.—Mr. William David Lewis, the lecturer at Gray's Inn on the Law of Real Property and Conveyancing, Devises, and Bequests, having signified his intention of resigning his office after Trinity Term next, the Masters of the Bench have issued a notice requesting gentlemen desirous of becoming candidates for the office, and who must be barristers, to communicate their desire to the Treasurer of the Society at the Steward's Office, South-square, on or before the last day of Trinity Term next. Any information required upon the subject may be obtained at the Steward's Office.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed William Wilding, gent., of Montgomery, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Montgomery; also in and for the county of Salop.

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LONDON, MAY 22, 1852.

We have before us the observations of the Education Committee of the Law Amendment Society on the report made on the subject of Legal Education, by the Benchers of the Inns of Court, printed and circulated in February last. As probably many of our readers have never seen the report of the Benchers, we extract such parts as touch specially upon legal education. They are as follows:—

“That for the purpose of affording to the students the means of obtaining instruction and guidance in their legal studies, five readerships or professorships shall be established, which shall consist of three readerships already established by the societies of the Middle Temple, the Inner Temple, and Gray's Inn, viz. on Jurisprudence and the Civil Law, the Law of Real Property, and the Common Law; and also of a reader on Equity, to be named by the society of Lincoln's-inn; and of a readership on Constitutional Law and Legal History, to be founded by the four societies jointly. The reader shall be appointed for a period of three years, and the reader on Constitutional Law and Legal History shall be chosen by the standing council.

“That the duties of the readers (subject to regulation by the standing council) shall consist of the delivery of three courses of lectures in each year, of the formation of classes of students, for the purpose of giving instruction in a more detailed and personal form than can be supplied by general lectures, and of affording to students general advice and directions for the conduct of their professional studies.

“That the four Inns of Court shall form a common

fund by annual contributions, the amount of which shall be mutually agreed on, and out of which fund shall be drawn the stipends to be assigned to the readers, and such studentships as shall from time to time be conferred upon the students.

“That the lectures and classes of the readers shall be open to the students of all the societies without distinction, subject to the payment of such fees as are herein-after directed.

“That the stipend of each reader shall be 300 guineas per annum; and such stipends, and also the expense of the studentships, shall be wholly defrayed out of the common fund to be raised by the contributions of the several societies.

“That each student shall on admission pay a sum of five guineas, which shall entitle him to attend all the lectures of all the readers.

“That the funds of such last-mentioned payments shall be annually divided among the five readers equally, in addition to their stipends.

“That (subject to regulation by the council) every student shall be at liberty to attend such classes as he may think necessary, upon payment of a moderate fee to the reader, but care shall be taken by the council that such fees shall not in any year exceed the sum of three guineas.

“That, for the purpose of education, the legal year shall be considered as divided into three terms or periods, one commencing with the 1st November, and ending on the 22nd December; the second commencing on the 11th January, and ending on the 30th March; and the third commencing on the 15th April, and ending on the 31st July, subject to a deduction of the days in-

tervening between the end of Easter and the beginning of Trinity Term.

"That no student shall be eligible to be called to the Bar who shall not either have attended during one whole year the lectures of two of the readers, or have satisfactorily passed a public examination.

"That public examinations shall be instituted, to be held three times a year, for the examination of all such students as shall be desirous of being examined previously to being called to the Bar, and such examinations shall be conducted by at least two members of the council jointly with the five readers; and certificates of having honourably passed such examination shall be given to such students as shall appear to the examiners to be entitled thereto.

"That such examinations shall be held in Michaelmas Term, Hilary Term, and Trinity Term.

"That as an inducement to students to propose themselves for examination, studentships shall be founded for 50 guineas per annum, each to continue for a period of three years, and one such studentship shall be conferred on the most distinguished student at each public examination; and further, the examiners shall select and certify the names of the three other students who shall have passed the next best examination; and the Inns of Court to which such students belong may, if desired, dispense with any terms, not exceeding two, that may remain to be kept by such students previously to their being called to the Bar. Provided that the examiners shall not be obliged to confer or grant any studentship or certificates unless they shall be of opinion that the examination of the students they select has been such as entitles them thereto.

"That at every call to the Bar those students who have passed a public examination, and either obtained a studentship or a certificate of honour, shall take rank in seniority over all other students who shall be called on the same day."

On these recommendations the Committee of the Law Amendment Society is rather severe. They say—"With regard to the readerships which are to be instituted according to the plan of the report, your committee feel that their number is quite inadequate for the purposes of legal education. It is superfluous to say, that a plan of professional instruction which includes no provision for teaching the Law of Evidence, Commercial Law, the Law of Nations, or Medical Jurisprudence, is obviously defective. Moreover, your committee consider that to unite in one person the functions of a professor with those of a class-tutor is a great mistake, and one which would probably render the instruction in either department somewhat inferior in its character. The salaries of the readers are, as your committee think, much too low; and they would be inclined to deprecate the payment by fees of the higher class of teachers in the university. With regard to the rules proposed as to examination, your committee cannot but speak in terms of strong condemnation. They know of no other instance in which an entirely voluntary test has been imposed on the candidate for admission to a profession, and they are convinced that the establishment of such a system must lead to the most serious evils. In the first place, it would leave the entrance to the Bar open to any person, however

ignorant, who may have chosen to comply with the rules as to dinners and attendance (which might be merely nominal) at the readers' lectures. The existing abuses would thus be aggravated rather than otherwise, since a student might attain the rank of barrister with as little qualification for its duties as at present, while he might be able to boast of the lectures which he had attended, and the course he had gone through, with the concealment of the single fact that he had neglected to imbibe the smallest portion of knowledge during the process. In the second place, such an examination would inevitably be considered in the light of an advertisement for those who might be desirous of such a recommendation, and would, therefore, be avoided by those who had already established, either in the classical universities or elsewhere, a distinguished reputation, or, in other words, by nearly all the men who would be likely to add brilliancy to its classes; and it accordingly would rapidly sink into inferior estimation, and be sought only by second-rate men. In short, your committee believe that a merely voluntary examination would tend rather to increase existing evils, and would be worse, on the whole, than no examination at all. With regard to the scholarships proposed to be founded, your committee would briefly observe, that they are intended to be bestowed on the student at precisely that point in his career where they are least needed, viz. at its termination. Such exhibitions might be most useful if applied to maintain a spirit of competition among the students during the earlier periods of their course, when a stimulus is often needed to keep up flagging exertion, and when the inability to obtain a professional income would make any stipend of great value to those who, though perhaps destined to reach the highest pinnacle of eminence, may be now struggling with poverty. For the aid of such the foundation of these scholarships would afford not the slightest provision. In concluding their notice of the deficiencies in the Benchers' scheme, your committee would remark that they see in it no plan for the revival of collegiate education in our inns, no symptom of improvement in the administration of their large revenues, no attempt to employ the members of the Junior Bar in the instruction of classes, and no provision for exercising the slightest moral supervision over the students of the respective societies."

There may be much to be said on either side of the question, whether examinations for the Bar should be compulsory or not; but for ourselves we agree with the Benchers that they should not be so. The Bar is recruited from sources so various; the objects with which a man goes to the Bar are so various; and the period when a barrister may be called into action so uncertain, that the principles which are followed in many other professions do not necessarily apply to the Bar.

If the Bar were looked at as merely a profession by which men are to obtain a livelihood; and if the mere being a barrister entitled a man, either in form or practically, to profitable employment, it would no doubt be proper that none should be allowed to wear the wig, without, not merely attending a course of study which might qualify him for practice, but shewing fitness by the result of a compulsory examination. But bearing

in mind that many men desire to be inrolled in the ranks of the Bar, not with a view to actual legal practice, but partly as a sort of preparatory discipline, and partly for the status in society, as a qualification for employments not strictly professional, but savouring of the legal; and considering further, that by reason of the great number of men actually practising, or willing to practise at the Bar, the public is, in fact, able to select as completely as if it were in form an open profession, so that the danger of incompetent men being thrust upon clients is comparatively small; there seems much reason for coming to the conclusion that a compulsory examination, previously to being called, would be neither necessary nor advantageous. It would have this defect—either it must be severe, and then it would exclude from the Bar all who do not intend to be actually practising barristers; or it must be slack enough to admit such persons, and then its value for the very purposes for which it is recommended would be gone. It has always appeared to us, that the plan which is suggested by the report of the Benchers is the proper one, or, at any rate, in the proper direction, viz. to have examinations for honours for those who desire and choose to work for them, but to leave it open to men to enter the Profession with or without honours, as they may think fit. Whether some sort of compulsory examination, before assuming to undertake actual practice, would not be advisable, is deserving of consideration; but to require it for being called would, we conceive, be objectionable. As to the notion of the Law Amendment Society, that examinations for honours would sink into inferior estimation, because they would be looked upon in the light of an advertisement, we take that to be a piece of pure imagination. In fact, a legitimate mode of making known one's abilities is the very thing that all unpatronised young men at the Bar want and desire. Every one knows that writing a professional work is an advertisement, but so far from that mode of making known one's abilities sinking, for that reason, in estimation, the practice of doing so, as almost the only legitimate mode of announcing to the world a young man's professional capabilities, increases rather than diminishes. And why, if the heads of the Profession award honours upon a severe examination, it should be expected that young men will shrink from seeking such honours, because their attainment will make their names known, is more than we can conceive. We take the notion to be founded on intense professional prudery, if on anything at all. One thing, at any rate, there is in favour of the plan proposed by the Benchers, as compared with the more ambitious plans of the Law Amendment Society—it requires no organic changes; it requires no perceptible delay for discussion; it invites little or no opposition; and will require neither an act of Parliament, nor any State interference of any kind. It can be carried into effect, and at once, by the mere authority of the Benchers; and if found, upon trial, to be either wrong or insufficient, it can, with equal ease, be abandoned or altered, as the case may require.

The Queen has been pleased to appoint Duncan McNeill, Esq., one of the Lords of Session and of Justiciary, to be Lord Justice General and President of the Court of Session in Scotland.

Reviews.

Structures on the Practice of the Judges, &c. By A MEMBER OF THE TEMPLE. [Butterworths, 1852.]

THIS short pamphlet is principally devoted to the censure of the practice adopted at many of the quarter sessions, of not allowing any briefs for the prosecution, the magistrates taking upon themselves the duty of prosecuting counsel as well as that of judges. We should have thought that any judge would shrink from such a duty, and never undertake it unless it is absolutely forced upon him. However, it seems, from the statements made by the author of this pamphlet, to be, in many parts of the country, a regular practice; if so, the sooner it is abolished by authority the better. The writer cites an observation of Mr. Justice Coleridge, which ought certainly to be read, marked, learned, and inwardly digested by judges of inferior note and position, who can scarcely conceive themselves able well to do that which so eminent a judge declares beyond his power. "At the last Dorset Assizes, in July, 1851," says the author, "Mr. Justice Coleridge addressed the following observations to the magistrates on the grand jury:—"I find that there are a great number of cases in which no briefs have been delivered to counsel for the prosecution. If that results from the smallness of the county allowance, so small that respectable attorneys will not undertake the business, it seems to me a very false notion of economy, and a thing which I very much wish you would reconsider. True economy is, that the course of justice should be so provided for, that, in cases where the party is guilty, his guilt may be made out. If what I complain of is done under the notion that the judge may be prosecutor and counsel for the prisoner, and judge between both, I protest against such a notion. I will not act in that capacity. I do not know whether persons may find it easy to do all these things; but I find it quite enough to take reasonable care of the prisoner, and conduct the case as judge. There is, too, this inconvenience—although I have handed down the depositions, and instructed counsel to take them, that I have them not immediately before me to look at."

Another plan, adopted, it is said, in some counties, is, that the costs of the prosecution should only be allowed on the committing magistrate certifying that it is a proper case for the employment of counsel—a plan just as objectionable as the first. On this the author has some sensible remarks. "Have not," he says, "magistrates who govern at quarter sessions invested committing magistrates in this matter with a power which is not only unusual, but thoroughly un-English? The duty of the committing magistrate has hitherto been to ascertain, by evidence taken upon oath, that an offence punishable by law has been committed, and that the accused is so far implicated in the alleged infraction of the law, that a jury must determine whether he be really guilty or not. If the magistrate be of the opinion that the prisoner is so implicated, he commits him for trial; if not, he dismisses the case. But having committed the prisoner, there ends the magistrate's duty. What business has he to meddle with the trial? If a case be a proper one to send before a jury, it deserves to be properly tried. What right has the committing magistrate to regulate the proceedings at the trial, by ordering that the prisoner shall be prosecuted by counsel, or by tacitly intimating that it is a case in which the sessions judge can at the same time very well perform the anomalous double duties of counsel to prosecute and judge to try? What criterion has the committing magistrate for determining whether a prisoner ought to be prosecuted by counsel, or by the judge who tries him? Will he adopt the same rule, regardless of the

‘prosecutor’s station? If not, is the rule to be different, according as the squire or the sexton of the parish happens to be prosecutor? A comparatively small offence is very often of great consequence to the party implicated, as well as to the public. What test is to guide the committing magistrate as to the magnitude of the offence, age, station, or character of the prisoner? How is he to draw the line of distinction between cases? Is chance, or caprice, or prejudice, or whim to direct him? Is an offender in one case to have a counsel to prosecute and a judge to try him, and another criminal in a similar case to have his trial narrowed down to the judge performing the whole ceremony of judging and prosecuting, and that this unseemly difference shall be occasioned by the committing magistrates? Is it decorous, is it constitutional—in a word, is it English, that a committing magistrate shall have the power, in effect, to order the judge at quarter sessions to be prosecuting counsel against the prisoner at the same time that, as the judge who tries him, he is the prisoner’s counsel?’

The truth is, the judge never should be anything but judge; it is quite enough of strain upon the best intellect to weigh carefully the statements made on either side, to keep an even mind between the conflict of allegations, and to preserve, above all, that utter coolness of temper and indifference, without which no judge can do his duty, and which scarcely any human being can preserve, if he is to be dragged into the duty of either prosecuting or defending.

Court Papers.

EQUITY SITTINGS, TRINITY TERM, 1852.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

Saturday.... May 22	Appeal Motions.
Wednesday..... 26	} Appeals.
Monday..... 31	
Tuesday.... June 1	
Wednesday..... 2	Lunatic and Appeal Petitions.
Thursday..... 3	} Appeals.
Friday..... 4	
Wednesday..... 9	

Before the LORDS JUSTICES, at Westminster.

Saturday.... May 22	Appeal Motions.
Monday..... 24	} Appeals.
Tuesday..... 25	
Wednesday..... 26	
Thursday..... 27	Appeal Motions and Appeals.
Friday..... 28	} (Petition-day).—Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Saturday..... 29	
Monday..... 31	} Appeals.
Tuesday.... June 1	
Wednesday..... 2	
Thursday..... 3	Appeal Motions and Appeals.
Friday..... 4	} (Petition-day).—Petitions in Lunacy, Bankrupt and Appeal Petitions.
Saturday..... 5	
Monday..... 7	} Appeals.
Tuesday..... 8	
Wednesday..... 9	
Thursday..... 10	} (Petition-day).—Petitions in Lunacy, Bankrupt and Appeal Petitions.
Friday..... 11	
Saturday..... 12	Appeal Motions and Ditto.

Before Vice-Chancellor Sir G. J. TURNER, at Westminster.

Saturday.... May 22	Motions.
Monday..... 24	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday..... 25	
Wednesday..... 26	

Thursday..... 27	Motions and Claims.
Friday..... 28	} Unopposed Petitions, Short Causes, Short Claims, and Claims.
Saturday..... 29	
Monday..... 31	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday.... June 1	
Wednesday..... 2	} Motions and Claims.
Thursday..... 3	
Friday..... 4	} Unopposed Petitions, Short Causes, Short Claims, and Claims.
Saturday..... 5	
Monday..... 7	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday..... 8	
Wednesday..... 9	
Thursday..... 10	} Short Causes, Short Claims, Claims, and Causes.
Friday..... 11	
Saturday..... 12	General Petitions.

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Westminster.

Saturday.... May 22	Motions.
Monday..... 24	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday..... 25	
Wednesday..... 26	
Thursday..... 27	Motions.
Friday..... 28	} (Petition-day).—Cause Petitions (unopposed first).
Saturday..... 29	
Monday..... 31	} Short Causes, Short Claims, & Claims.
Tuesday.... June 1	
Wednesday..... 2	
Thursday..... 3	Motions.
Friday..... 4	} (Petition-day).—Cause Petitions (unopposed first).
Saturday..... 5	
Monday..... 7	} Short Causes, Short Claims, & Claims.
Tuesday..... 8	
Wednesday..... 9	
Thursday..... 10	} Short Causes, Short Claims, Claims, and Causes.
Friday..... 11	
Saturday..... 12	(Petition-day).—Cause Petitions (unopposed first).

Notice.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

Before Vice-Chancellor Sir JAMES PARKER, at Westminster.

Saturday.... May 22	Motions.
Monday..... 24	Adjourned Petitions.
Tuesday..... 25	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday..... 26	
Thursday..... 27	Short Causes, Short Claims, Claims, and Causes.
Friday..... 28	Motions.
Saturday..... 29	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday..... 31	
Tuesday.... June 1	} Petitions (unopposed first).
Wednesday..... 2	
Thursday..... 3	
Friday..... 4	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday..... 5	
Monday..... 7	} Short Causes, Short Claims, Claims, and Causes.
Tuesday..... 8	
Wednesday..... 9	
Thursday..... 10	} Short Causes, Short Claims, Claims, and Causes.
Friday..... 11	
Saturday..... 12	Pleas, Demurrers, Exceptions, Causes, and Further Directions.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at Westminster.

Saturday May 22	Motions.
Monday 24	Petitions in the General Paper.
Tuesday 25	} Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Wednesday	..... 26
Thursday 27	Motions.
Friday 28	} Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Saturday	..... 29
Monday	..... 31
Tuesday	.... June 1
Wednesday	..... 2
Thursday 3	Motions.
Friday 4	} Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Saturday	..... 5
Monday	..... 7
Tuesday	..... 8
Wednesday	..... 9
Thursday 10	} Petitions in the General Paper.
Friday	..... 11
Saturday 12		Motions.

Short Causes, Short Claims, Consent Causes, Unopposed Petitions, and Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

COMMON-LAW SITTINGS, IN AND AFTER TRINITY TERM, 1852.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting, (at 10 o'clock),	} Any common jury cause may be taken at these sittings.
Tuesday May 25	
2nd sitting, (at 10 o'clock),	
Thursday June 3	
3rd sitting, (at 10 o'clock),	} For undefended causes only.
Thursday 10	

After Term.—Monday, June 14.

LONDON.—*In Term.*

1st sitting (at 10 o'clock)....	Tuesday	..... June 1
2nd sitting (at 10 o'clock) ..	Tuesday	..... 8

[Any common jury cause may be taken in term.]

After Term.—Tuesday, June 15, to adjourn only.

The Court will sit at half-past nine o'clock on every day after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

N. B.—The Office of the Marshal and Associate is in Rolls-garden, Chancery-lane. Hours of attendance, 11 to 5 during term and sittings after term; 11 to 2 during the rest of the year.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Friday May 28	Tuesday June 1
Friday June 4	Tuesday 8

After Term.

Monday June 14	Tuesday June 15
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The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Tuesday, the 15th June, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associates is at the Lord Chief Justice's Chambers, Rolls-garden, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Tuesday, May 25	1st sitting, Tuesday .. June 1
2nd sitting, Wednesday, June 2	2nd sitting, Tuesday 8
3rd sitting, Wednesday.... 9	

After Term.

Monday June 14	Tuesday June 15
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(To adjourn only).

The Court will sit, during and after term, at ten o'clock. The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

COMMON-LAW CAUSE LIST, TRINITY TERM, 1852.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER EASTER TERM, 1852.

FOR JUDGMENT.	
Midd.—Stewart v. Anglo-Californian Gold Mining Co.	Devon—Vaughan v. Stevens
London.—Arnott v. Holden	„ Reg. v. Avery
FOR ARGUMENT.	
Midd.—Mardall v. Thellusson	Cornwall—Doe d. Trevannion v. Lambe
„ Same v. Same	Derby—Lowe v. London and North-western Railway Co.
Kent—Mallalieu v. Anglo-Californian Gold Mining Co.	Durham—Barron v. Robinson
Surrey—Blackall v. Bremer	Liverp.—Crowthwaite v. Gardner
„ Burlington v. Richardson	„ Reg. v. Inhabitants of Denton
Stafford—Timmins & Wife v. Gibbons	Denbigh—Jones v. Evans
„ Reg. v. Whitehouse	Chester—Robinson v. Jones
Monmouth—Keyse v. Powell	„ Reg. v. Lloyd & ors.
Dorset—Meech v. Daws	<i>Tried during Easter Term, 1852.</i>
Devon—Palk v. Shinner	Midd.—Bateman v. Bluck
	„ Lord Canning v. Raper.

SPECIAL CASES AND DEMURRERS

FOR TRINITY TERM, 1852.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR ARGUMENT.	
Hargreaves v. Lancashire and Yorkshire Railway Co.	Mackenzie v. Sligo and Shannon Railway Co.
Tallis v. Tallis	Lowndes v. Earl of Stamford and Warrington
Cobbett (a pauper) v. Hudson	Wilkinson v. Anglo-Californian Gold Mining Co.
Martyn v. Clue	Kernot v. Pittis
*Hooke v. Lealett	*Doe d. Winstone v. Morgan
Mason v. Wilkinson	*Earl of Lindsey v. Great Northern Railway Co.
Weston v. Weston	Curzon v. Spencer.
Partridge v. Badham	
Westley v. Everett	

ENLARGED RULES

FOR TRINITY TERM, 1852.

<i>First Day.</i>	<i>Second Day.</i>
In re Phillpotts	Reg. v. Great Western Railway Co.
Glynn & ors. v. Wilson & an.	Same v. Same June 1
Same v. Same	Same v. The late Sheriff of Chester and the Birkenhead, Lancashire, and Cheshire Railway Co. (For the last day but one).
Same v. Elliott & an.	
Reg. v. Manchester, Sheffield, and Lincoln Railway Co.	
Same v. Justices of Middlesex	

CROWN PAPER, TRINITY TERM, 1852.

Merionethshire	Reg. v. Lloyd.
Hants.....	Street.
Lancashire....	Overseers of the Poor of Salford.

Middlesex Reg. v. Temple.
 Same Inhabitants of St. James, Clerkenwell.
 Yorkshire York and North Midland Railway Co.
 Anglessey Owen.

Court of Common Pleas.

NEW TRIALS.

MICH. TERM, 1851.	HILARY TERM, 1852.
Surr.—Hamilton v. Cochrane (To stand over for arrangement)	Midd.—Dalby v. East India & London Life Assurance Co. (Pt. hd.)

DEMURRER PAPER.

Friday, May 28.
 Edwards v. Champion | Boden v. Wright

ENLARGED RULES.

To first Day.
 Holmes v. Sparkes | Generally.
 Gregory v. Duke of Brunswick
 In re Sharp v. All (In prohib.)

CUR. ADV. VULT.

Bolshaw v. Bush | Fisher v. Bell.

Court of Exchequer.

SITTINGS—TRINITY TERM, 1852.

<i>Days in Term.</i>	<i>Base.</i>
Saturday May 22	Motions and Peremptory Paper.
Monday 24	Peremptory Paper and Motions.
Tuesday 25	.....
Wednesday 26	.....
Thursday 27	Circuits chosen.
Friday 28	.....
Saturday 29	Crown Cases.
Monday 31	Special Paper.
Tuesday June 1	Errors.
Wednesday 2	Special Paper.
Thursday 3	.....
Friday 4	.....
Saturday 5	.....
Monday 7	Special Paper.
Tuesday 8	.....
Wednesday 9	.....
Thursday 10	.....
Friday 11	.....
Saturday 12	.....

<i>Days in Term.</i>	<i>Nisi Prius.</i>
Tuesday May 25	Middlesex first Sitting.
Tuesday June 1	London first Sitting.
Wednesday 2	Middlesex second Sitting.
Tuesday 8	London second Sitting.
Wednesday 9	Middlesex third Sitting.

NEW TRIALS.

FOR JUDGMENT.	Midd.—Hill v. Philp
Land.—Wallington v. Dale	Land.—South-eastern Railway Co. v. London and South-western Railway Co.
Midd.—Bluck v. Gompertz	Chelmsford—Gant v. Patrick
Land.—De Rothschild v. Royal Mail Steam-packet Co.	" Gant v. Groom
" Galvanized Iron Co. v. Westoby	Appleby—Gray v. Lewthwaite
" Coururier v. Hastie	Liverpool—Jackson v. Chichester
FOR ARGUMENT.	" Holmes v. Sixsmith
<i>Moved Hilary Term, 1852.</i>	" Coe v. Platt
" Vincent v. Shropshire Union Railway Co.	Reading—Shoyts v. Hobbs
" Mitcheson v. Nichol	Stafford—Jolly v. Hancock
<i>Moved Easter Term, 1852.</i>	Cardigan—Evans v. Attwood
Midd.—Pelichet v. Loaden	" Saunders v. Davies
" Haddon v. Lancaster	Carmarthen—M'Kinnon v. Petison
" Hartley v. Hadland	

Norwich—Bradstreet v. Hammond	Bodmin—Roakurge v. Caddy
" Same v. Same	Taunton—Ponting v. Watson
Derby—Colquhoun v. Sylvester	Carmarthen—Doe d. Jones v. Hughes
" Ward v. Ward	Chester—Pearson v. Beck
Winchester—Doe d. Benham v. Benham	<i>Moved after the 4th Day of Easter Term, 1852.</i>
Salieb.—Froeguard v. Barnes	London.—Butler v. Aldon
" Foquet v. Moor	Bristol—Fowles v. Great Western Railway Co.
Exeter—Perry v. Doidge	

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before the Motions.

Hartley v. Hadland	Horton v. Westminster Improvement Commissioners
Whitaker v. Wisbey	" Grimham v. Card
In re Jennings	" In re Heald
Montagu v. Kater	" Ex parte Lever
Escrirt v. Mason	
Baron v. Roscow	

SPECIAL PAPER.

FOR ARGUMENT.	In re an Appeal between the Governors of the Bedford General Infirmary v. Commissioners of the Bedford Improvement.
Staff v. Morrison (D) (To stand over)	
Padwick v. Knight	

London Gazette.

FRIDAY, MAY 14.

BANKRUPTS.

ROBERT WHITE, Gloucester-street, Curtain-road, and JOHN BOWLER, Wilkes-street, Spitalfields, Middlesex, scale-board cutters and fancy box makers, (carrying on business under the style or firm of White & Bowler), May 22 and June 26 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Norton & Son, New-street, Bishopgate.—Petition filed May 12.

THOMAS THAME, Buckingham, innkeeper and cattle dealer, May 28 at half-past 12, and June 26 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Risley, 20, Mecklenburgh-square.—Petition filed May 4.

JAMES ABSELL, Cambridge-place, Hackney-road, Middlesex, upholsterer and cabinet maker, May 22 at half-past 1, and June 26 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Norton & Son, New-street, Bishopgate.—Petition dated May 8.

JOSEPH OSBORNE, Leigh, Essex, butcher, dealer and chapman, May 21 at half-past 12, and July 3 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Woodard, Billericay, Essex; J. & J. H. Linklater, 17, Sise-lane, Bucklersbury, London.—Petition dated May 14.

EDWARD DUBBINS, Colchester, Essex, common brewer, May 21 and June 22 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Barnes & Neck, Colchester, Essex; Wire & Child, 9, Swithin's-lane.—Petition filed May 10.

FREDERICK GEALE MONSARRAT, Duke-street, Grosvenor-square, Middlesex, wine merchant, dealer and chapman, May 21 at 1, and June 25 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed May 12.

STEPHENS TRIPP, Serjeant's-inn, Fleet-street, late of Adelaide-place, King William-street, London, money scrivener, bill broker, commission agent, dealer and chapman, May 25 at half-past 12, and June 14 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Lawrance & Co., Old Jewry-chambers.—Petition filed May 10.

HENRY BANKS, Bethnal-green-road, Middlesex, carpenter and builder, May 25 at half-past 2, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Jones & Clarke, 30, Bury-street, St. James's.—Petition filed May 12.

WILLIAM HOBLYN, Cambridge, surgeon and apothecary, dealer and chapman, (lately trading in partnership with Francis Parker Hoblyn), May 25 at 2, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed May 11.

FRANCIS PARKER HOBLYN, Cambridge, surgeon and apothecary, dealer and chapman, (lately trading in partnership with William Hoblyn), May 25 at 2, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed May 11.

THOMAS HEAD, Hanley, Staffordshire, apothecary, dealer and chapman, May 24 and June 14 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sol. Cowdell, jun., Hinckley.—Petition dated April 29.

WILLIAM COLLINS, Marlborough, Wiltshire, draper, May 27 and June 24 at half-past 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Sole & Co., London.—Petition filed April 27.

WILLIAM BARNARD FRANKISH, Kingston-upon-Hull, linendraper, dealer and chapman, June 2 and 23 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Bell, Hull.—Petition dated May 12.

HIRAM BROADBENT, Dakinfield, Cheshire, grocer, draper, and provision dealer, May 27 and June 17 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Darnton, Ashton-under-Lyne; Sale & Co., Manchester.—Petition filed April 24.

MEETINGS.

William Pais Beesham, Hawkhurst, Kent, banker, June 4 at 11, Court of Bankruptcy, London, pr. d.—*John Deane*, Liverpool, chemist, May 24 at 12, District Court of Bankruptcy, Liverpool, pr. d.—*John Gorman*, Bitterne, South Stoneham, Southampton, builder, May 25 at 1, Court of Bankruptcy, London, ch. ass.—*Charles Hudson Simons*, Bishopsgate-street, London, provision dealer, June 3 at 11, Court of Bankruptcy, London, last ex.—*Thomas Dyson*, Bradford, Yorkshire, linendraper, May 27 at 12, District Court of Bankruptcy, Manchester, last ex.—*Joshua Shaw*, Manchester, warehouseman, May 24 at 12, District Court of Bankruptcy, Manchester, last ex.—*W. Mulliband*, Great Claybrook, Leicestershire, fullmonger, June 8 at half-past 11, District Court of Bankruptcy, Birmingham, last ex.—*John Rymer*, Gateshead, Durham, paper manufacturer, June 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*William Ridge*, *Charles Ridge*, and *William Newland*, Chichester, Sussex, bankers, May 28 at half-past 1, Court of Bankruptcy, London, sud. ac.; June 5 at half-past 11, div.—*George Hart* and *Thomas Hart*, Union-street, Southwark, Surrey, trimming manufacturers, May 28 at half-past 1, Court of Bankruptcy, London, sud. ac.; June 4 at half-past 1, div.—*John Hall*, Croydon, Surrey, confectioner, June 2 at 2, Court of Bankruptcy, London, sud. ac.—*Daniel Keith* and *Thomas Shoobridge*, Wood-street, Cheapside, London, warehousemen, June 2 at 2, Court of Bankruptcy, London, sud. ac.—*Moses Lockwood*, Wandsworth, Surrey, grocer, June 2 at 2, Court of Bankruptcy, London, sud. ac.—*Milbourne Clark*, Paddington-lane, London, commission agent, May 25 at 12, Court of Bankruptcy, London, sud. ac.—*Elizabeth Harris Ryder*, Birmingham, jeweller, May 27 at half-past 11, District Court of Bankruptcy, Birmingham, sud. ac.; June 8 at half-past 11, div.—*Ephraim Elsworth*, Leeds, Yorkshire, worsted spinner, May 27 at 1, District Court of Bankruptcy, Leeds, sud. ac.—*John Hollowell*, Newcastle-upon-Tyne, malster, May 27 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*John Woodhouse*, Darlington, Durham, butcher, May 27 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*Martin Brown Bell*, Newcastle-upon-Tyne, victualler, May 28 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*Walter Bates*, South Shields, Durham, builder, June 8 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*Conrad Greenhow* the younger, Newcastle-upon-Tyne, timber merchant, May 28 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*Elizabeth Aydon* and *Thomas William Ferguson*, Newcastle-upon-Tyne, grocers, May 28 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*Joseph Nicholson*, Kendal, Westmoreland, drover, June 8 at 11, District Court of Bankruptcy, New-

castle-upon-Tyne, and. ac.; June 11 at 1, div.—*Robert Wall Ogilvie*, Newcastle-upon-Tyne, shipbroker, June 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*James Ogle Holmes*, Sunderland, and *Young Lawson Marshall*, Roker, Sunderland, Durham, timber merchants, June 10 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac. joint est.; at half-past 1, sud. ac. sep. est. of *James Ogle Holmes*; June 11 at 11, fin. div. joint est.—*Thomas Coates*, Sunderland, Durham, wine merchant, May 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.; June 8 at half-past 1, fin. div.—*Thomas Fox*, *Geo. Rippon*, *Christopher Attenhead Wason*, and *William Latham*, West Cornforth, and Threlkington, near West Cornforth, Durham, lime burners, May 27 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, sud. ac.—*John George Fuller*, St. James's-street, Middlesex, and *Streatham*, Surrey, wine merchant, June 4 at 12, Court of Bankruptcy, London, div.—*Richard Billing* the elder and *Richard Billing* the younger, Reading, Berkshire, brick makers, June 4 at 11, Court of Bankruptcy, London, div.—*John Miller*, Conduit-street West, Paddington, Middlesex, corn dealer, June 10 at 2, Court of Bankruptcy, London, div.—*John Watson Dawson* and *Thomas Edward Williams*, Crescent-place, New Bridge-street, Blackfriars, London, wine and spirit merchants, June 10 at 11, Court of Bankruptcy, London, div.—*Joseph Cudall*, Old Bond-st., Middlesex, publisher, June 4 at 1, Court of Bankruptcy, London, div.—*Philip Phillips*, Crowland, Holland, Lincolnshire, common brewer, June 4 at half-past 11, Court of Bankruptcy, London, div.—*W. Walker* and *Stephen Webb*, Oxford-st., St. Marylebone, Middlesex, India rubber warehousemen, June 4 at 11, Court of Bankruptcy, London, div.—*Thomas Patterson* and *John Codrington*, Gateshead Fell, Durham, earthenware manufacturers, June 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. sep. est. of *Thomas Patterson*.—*John Young Smith*, Newcastle-upon-Tyne, ship broker, June 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*D. Shaw* and *Joshua Shaw*, Almondbury, Yorkshire, manufacturers, June 11 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Branch, High-st., Camberwell, Surrey, corn dealer, June 4 at 1, Court of Bankruptcy, London.—*Jas. Dormer*, Charles-street, St. John's-wood, Portland-town, Middlesex, grocer, June 5 at 11, Court of Bankruptcy, London.—*Chas. Henry White*, Southampton, dealer in china, June 5 at half-past 11, Court of Bankruptcy, London.—*George Stamer* the younger, Margate, Kent, baker, June 8 at 11, Court of Bankruptcy, London.—*Frederick Long*, Vere-st., Oxford-street, Middlesex, importer of foreign lace, June 15 at 12, Court of Bankruptcy, London.—*Stephen Couchman*, Strood, Kent, grocer, June 10 at 1, Court of Bankruptcy, London.—*Rich. Peacock*, Gateshead, Durham, carpenter, June 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Robert Wall Ogilvie*, Newcastle-upon-Tyne, ship broker, June 8 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Richard Hansell Bell* and *Errington Bell*, South Shields, Durham, paper manufacturers, June 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Philip Hitchmough*, Liverpool, corn dealer, June 7 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Richard Billing the elder, Reading, Berkshire, brick maker.—*John Yates*, Prescott, Lancashire, builder.—*David Magrath*, George's-row, City-road, Middlesex, colour manufacturer.—*Geo. Smith*, Wariter's-buildings, Old Kent-road, Surrey, corn merchant.

PETITION ANNULLED.

Thomas Youngman, Old-street-road, Middlesex, draper.

PARTNERSHIP DISSOLVED.

Mark L. Jobling and *John Fleming*, Newcastle-upon-Tyne, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

James M'Kenzie & Son, Edinburgh, working jewellers.—*Daniel Tough & Son*, Glasgow, sail makers.—*George Inwie*, Perth, spirit dealer.

INSOLVENT.

James Charles Gregory, Holt, Bradford, Wiltshire, clerk in holy orders, May 20 at 11, County Court of Wiltshire, at Bradford.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Robinson, Liverpool, blacksmith, May 21 at 10, County Court of Lancashire, at Liverpool.—*Joseph Buckley*, Liverpool, out of business, May 21 at 10, County Court of Lancashire, at Liverpool.—*Paul Parr*, Liverpool, grocer, May 21 at 10, County Court of Lancashire, at Liverpool.—*Richard Bentley*, Liverpool, bookkeeper, May 21 at 10, County Court of Lancashire, at Liverpool.—*Thomas Jones*, Liverpool, butcher, May 21 at 10, County Court of Lancashire, at Liverpool.—*Hill Johnson*, Greatham, Lincolnshire, blacksmith, June 11 at 11, County Court of Lincolnshire, at Horncastle.—*John Stephenson*, Nafferton, near Great Driffield, Yorkshire, tailor, May 24 at 10, County Court of Yorkshire, at Great Driffield.—*Wm. G. Chapman*, Knowle, Bedminster, Bristol, out of business, June 23 at 11, County Court of Gloucestershire, at Bristol.—*John Northcott*, Bristol, retailer of beer, June 23 at 11, County Court of Gloucestershire, at Bristol.—*Henry A. Rumley*, Bristol, architect, May 19 at 11, County Court of Gloucestershire, at Bristol.—*James P. Michan*, Brighton, Sussex, dancing master, May 21 at 10, County Court of Sussex, at Brighton.—*Matthew Armstrong*, King's Lynn, Norfolk, travelling draper, May 26 at 4, County Court of Norfolk, at King's Lynn.—*Abraham Coates*, Chalgrove, Oxfordshire, grocer, May 27 at 11, County Court of Oxfordshire, at Thame.—*John Stephens*, Aylesbury, Buckinghamshire, grocer, May 26 at 12, County Court of Buckinghamshire, at Aylesbury.—*Joseph King*, Stoke Mandeville, Buckinghamshire, licensed victualler, May 26 at 12, County Court of Buckinghamshire, at Aylesbury.—*Henry Thompson*, Sutton, Cheshire, commission agent, June 3 at 11, County Court of Cheshire, at Macclesfield.—*David Fisk*, Swinesfoot, Whitgift, Yorkshire, plumber, June 8 at 12, County Court of Yorkshire, at Goole.—*Francis Nicholson*, Lincoln, out of employment, June 8 at 12, County Court of Lincolnshire, at Lincoln.—*Charles Corthorn*, Lincoln, carrier, June 8 at 12, County Court of Lincolnshire, at Lincoln.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 24 at 10, before Mr. Commissioner LAW.

Adjourned Case.

Robert Black, St. John-st., Smithfield, Middlesex, beer-shop keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at WARWICK, May 31 at 10.

James George, Coventry, road surveyor.

At the County Court of Kent, at DOVER, June 3 at 10.

Adjourned Hearing.

George Laver, Lyminge, near Elham, attorney-at-law.

At the County Court of Lincolnshire, at LINCOLN, June 8 at 12.

John Forman, Heckington Fen, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

John Marshall, clerk in the Navy-office, Miller's, 15, Clifford's-inn: 4s. 2d. in the pound, (in addition to former dividends of 12s. 7d.)

MEETING.

Richard Bird, Hopesay, near Bishop's Castle, Shropshire, farmer, June 7 at 12, Court-house, Portugal-st., Lincoln's-inn-fields, sp. aff.

TUESDAY, MAY 18.

BANKRUPTS.

CHARLES WENTWORTH WASS, Bond-street, Middlesex, picture dealer, dealer and chapman, June 3 at 2, and June 29 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Hughes, 10, Chapel-street, Bedford-row.—Petition filed May 15.

WILLIAM RUSSELL, Bethnal-green-road, Middlesex, draper, dealer and chapman, May 21 at half-past 1, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed May 7.

HENRY CALVERT, Petersfield, Southampton, woollen-draper and tailor, May 29 at 12, and July 3 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Low, 65, Chancery-lane.—Petition dated May 5.

JAMES BANISTER, Birmingham, brass founder and general tube maker, dealer and chapman, May 29 and June 19 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. James, Birmingham.—Petition dated May 15.

JOHN PASSMAN, Stockton-upon-Tees, Durham, carrier, dealer and chapman, May 27 at half-past 12, and July 2 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Allison, Darlington; Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Petition filed May 8.

MEETINGS.

Robert James, Lenton, Nottinghamshire, lacemaker, June 11 at half-past 10, District Court of Bankruptcy, Nottingham, last ex.—*James Wright*, Chesham, Buckinghamshire, grocer, May 29 at 11, Court of Bankruptcy, London, aud. ac.; June 7 at 1, div.—*Charles Henry White*, Southampton, dealer in china, May 29 at 11, Court of Bankruptcy, London, aud. ac.; June 7 at 12, div.—*Thomas George Coningham*, Limehouse-causeway, Limehouse, Middlesex, baker, May 29 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Alexander Woods*, Great Yarmouth, Norfolk, money scrivener, June 10 at 1, Court of Bankruptcy, London, div.—*Alfred Lyon*, Saffron Walden, Essex, draper, June 7 at 12, Court of Bankruptcy, London, div.—*Sarah Wilson*, Nottingham, hotel-keeper, June 11 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Gracie*, Bristol, and Dudley, Worcestershire, woollendrapery, June 10 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Constant Champion, Fenchurch-street, London, merchant, June 14 at 12, Court of Bankruptcy, London.—*John George Marsh*, Church-street, Minories, London, carpenter, June 9 at 12, Court of Bankruptcy, London.—*Moses Lockwood*, Wandsworth, Surrey, grocer, June 9 at 12, Court of Bankruptcy, London.—*John Hall*, Croydon, Surrey, confectioner, June 9 at 1, Court of Bankruptcy, London.—*Henry Hayman*, Ottery St. Mary, Devonshire, apothecary, June 15 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

George Bennett and *Alexander Booth*, Long-acre, Middlesex, dealers in Scotch whisky.—*Thomas Freeman*, Northampton, innkeeper.—*John Burle*, Hampstead-road, Middlesex, brewer.—*John Heywood*, Liverpool, provision merchant.—*James Norris*, Watford, Hertfordshire, grocer.—*W. Harding*, Acton, Middlesex, miller.—*John Knight* the younger, Waltham-green, Middlesex, butcher.—*John James*, Netherton, Worcestershire, tailor.—*Edward Brian Smith Hoff*, Holbeach, Lincolnshire, dealer in chicory.—*John Rogers*, Leicester, grocer.—*Isaac Morris*, Ashborne-road, Derbyshire, innkeeper.

SCOTCH SEQUESTRATIONS.

Matthew Walker, deceased, Glasgow, warper.—*J. Cromar*, Montrose, goldsmith.—*Robert Latta*, Glasgow, merchant.—*Marshall & Co.*, Coney Park, near Kilsyth, Stirlingshire, coal masters.—*Alexander Miller & Co.*, Glasgow, wholesale tea importers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Clarkson, Liverpool, out of business, May 21 at 10, County Court of Lancashire, at Liverpool.—*Richard Tate*, Birmingham, out of business, June 12 at 10, County Court of Warwickshire, at Birmingham.—*Richard Blick Pulford*, St. Claines, near Worcester, out of business, June 12 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Robert Barber*, Great Yarmouth, Norfolk, in no business, June 3 at 10, County Court of Norfolk, at Great Yarmouth.—*Geo. Manners*, Leamington Priors, Warwickshire, licensed victualler, May 31 at 2, County Court of Warwickshire, at Warwick.—*Wace Philo*, Mattishall, Norfolk, butcher, June 4 at 10, County Court of Norfolk, at East Dereham.—*William Lambert*, Redmarley D'Abitot, Worcestershire, dealer in horses, June 10 at 11, County Court of Gloucestershire, at Newent.—*Thomas Bromley*, Colchester, Essex, smack owner, June 11 at 12, County Court of Essex, at Colchester.—*Rebecca King*, Ballingdon, Essex, saddler, June 7 at 12, County Court of Suffolk, at Sudbury.—*Jos. Jordan*, Bilston, Staffordshire, butcher, May 22 at 12, County Court of Staffordshire, at Wolverhampton.—*William Owen*, Manchester, draper's assistant, May 28 at 2, County Court of Lancashire, at Manchester.

Saturday, May 15.

An Assignee has been appointed in the following Case. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Richard Howling, High-street, Poplar, Middlesex, glass dealer, No. 62,981 T.; James Green, assignee.

Saturday, May 15.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. I. Rawlings, Williams-terrace, Lower-road, Rotherhithe, Surrey, auctioneer: in the Gaol of Horsemonger-lane.—*Wm. Hattersley*, St. George's-street, St. George's-in-the-East, Middlesex, botanist: in the Debtors Prison for London and Middlesex.—*Edmund Burke*, Seymour-place, Bryanstone-square, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Wm. W. Dove*, Poland-street, Oxford-street, Middlesex, concertina manufacturer: in the Debtors Prison for London and Middlesex.—*Henry Davis*, Esther-place, Upper Holloway, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Jack Kempster*, Queen's-road, Bayswater, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*James Balchin*, High-street, Godalming, Surrey, fishmonger: in the Gaol of Horsemonger-lane.—*John Firminger*, Sun-street, East-lane, Walworth, Surrey, charcoal dealer: in the Gaol of Horsemonger-lane.—*John Brinkworth*, Stanley-street, Paddington, and Upper Seymour-street West, Connaught-square, Middlesex, auctioneer: in the Queen's Prison.—*John J. Hickson*, Hawkins-street, Sydney-street, Mile-end-road, Middlesex, beer retailer: in the Debtors Prison for London and Middlesex.—*Helen Hammill*, widow, Gillingham-street, Eccleston-square, Pimlico, Middlesex, out of business: in the Queen's Prison.—*H. Stocker*, High-street, Wapping, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Fred. Gadsden*, Upper Carlisle-street, St. Marylebone, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*R. Poynter*, Dorchester, Dorsetshire, butter factor: in the Gaol of Dorchester.—*Thomas Perkin*, Derby, writing clerk: in the Gaol of Derby.—*James Saunders*, Ipswich, Suffolk, grocer: in the Gaol of Ipswich.—*J. Winter*, Newcastle-upon-Tyne, licensed victualler: in the Gaol of Newcastle-upon-Tyne.—*F. Thornton*, Birmingham, builder: in the Gaol of Coventry.—*E. H. Graveley*, Southampton, out of business: in the Gaol of Southampton.—*J. Fitchell*, Birmingham, casting pot maker: in the Gaol of Coventry.—*James Russell*, Sheffield, Yorkshire, bone scale cutter: in the Gaol of Sheffield.—*John B. Cash*, Elizabeth-terrace, New Cross-road, Deptford, Kent, builder: in the Gaol of Maidstone.—*James Green Gibson*, Chorlton-upon-Medlock, Manchester, mechanic: in the Gaol of Lancaster.—*Charles Wm. Green*, Shrewsbury, Shropshire, out of business: in the Gaol of Shrewsbury.—*James Parry*, Llan-

disilligogo, Cardiganshire, labourer: in the Gaol of Cardigan.—*A. Spanier*, Woolwich, Kent, glazier: in the Gaol of Maidstone.—*John Walsh*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*Wm. Akeroyd*, Wakefield, Yorkshire, waterman: in the Gaol of York.—*Henry Hanson*, Birmingham, butcher: in the Gaol of Coventry.—*E. S. Harley*, Birmingham, commercial traveller: in the Gaol of Coventry.—*John Bates*, Salford, Lancashire, boiler maker: in the Gaol of Lancaster.—*James Bradley*, Bolton-le-Moors, Lancashire, provision dealer: in the Gaol of Lancaster.—*James Kirkman*, Ainsworth, near Bolton-le-Moors, Lancashire, beerseller: in the Gaol of Lancaster.—*Cyrus Bwott*, Chorlton-upon-Medlock, Manchester, commercial traveller: in the Gaol of Lancaster.—*John Caldecutt*, Heaton Norris, Lancashire, licensed victualler: in the Gaol of Lancaster.—*James Elliott*, Derby, carrier: in the Gaol of Derby.—*Thomas Holme*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*J. Johnson*, Manchester, bookseller: in the Gaol of Lancaster.—*Edward C. Locke*, Manchester, pianoforte maker: in the Gaol of Lancaster.—*James Newton*, Oldham, Lancashire, waste dealer: in the Gaol of Lancaster.—*Nathan Sefton*, Styd, Ribchester, near Blackburn, Lancashire, labourer: in the Gaol of Lancaster.—*Edward Sharman*, Gorton, Manchester, bricklayer: in the Gaol of Lancaster.—*Joseph Seaman*, Brighton, Sussex, inspector on the London, Brighton, and South-coast Railway: in the Gaol of Lewes.—*Robert Wright*, Battle, Sussex, tea dealer: in the Gaol of Lewes.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at SOUTHAMPTON, June 1.

Edward H. Graveley, Southampton, out of business.

At the County Court of Warwickshire, at COVENTRY, June 1 at 10.

Peter Bishop, Birmingham, licensed victualler.—*William Moberley*, Stourbridge, Worcestershire, brickmaker.—*Thos. Grimmit*, Coventry, malster.—*John Fitchell*, Birmingham, casting-pot maker.—*Henry Bourne*, Birmingham, out of business.—*Wm. Kingston*, Birmingham, builder.—*Charles Jarvis* the elder, Birmingham, out of business.—*Henry Hanson*, Birmingham, licensed victualler.—*Francis Thornton*, Birmingham, builder.

INSOLVENT DEBTORS' DIVIDENDS.

John Evans, Gresham-street, London, attorney at law: 2s. 0½d. in the pound.—*John Copland*, Great Dunham, Norfolk, miller: 20s. in the pound.—*Amos Smith*, Addingham, near Skipton, Yorkshire, grocer: 2½d. in the pound.—*Wm. King*, Great Yarmouth, Norfolk, fisherman: 1s. 5½d. in the pound.—*Charles Marsh*, Yarm, near Stokesale, Yorkshire, carrier: 2s. 6½d. in the pound.—*Mary Smith*, widow, Commercial-place, Commercial-road, Middlesex: 20s. in the pound.—*John Webber*, Salisbury-st., Portman-market, Middlesex, baker: 2s. 8½d. in the pound.—*Wm. Hobbs*, East Malling, Kent, farmer: 1s. 1½d. in the pound.—*Joseph Hardy*, Sutton St. James, near Long Satton, Lincolnshire, farmer: 1½d. in the pound.—*James Hooker*, York-st., Commercial-road East, Middlesex, provision merchant: 7s. 7d. in the pound.—*Benjamin E. Denham*, Regent-st., City-road, Middlesex, smith: 6½d. in the pound.—*John Allen*, Union-st., Borough, Surrey, captain in the Navy on half-pay: 2s. 3d. in the pound.—*H. Wells*, Leeds, Yorkshire, fruiterer: 10½d. in the pound.—*John S. Glover*, Mount-place, Peckham Rye, Surrey, grocer: 1s. 1d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

John Korridge, Cheltenham, of no profession, June 5 at 11, Goggerdan Arms Inn and Lion Hotel, Aberystwyth, Cardiganshire, sp. aff.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—David Jones, Esq., for the county of Carmarthen, in the room of the Hon. George Rice Trevor, now Lord Dinevor, called up to the House of Peers; the Hon. Arthur Fitzgerald Kinnaird, for the town of Perth, in the room of the Right Hon. Fox Maule, now Lord Panmure, called up to the House of Peers.

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LONDON, MAY 29, 1852.

QUESTIONS relating to the effect of restrictions imposed on the liability of partners are of general interest at the present day, when so many ingenious devices are resorted to for the purpose of evading the common-law responsibility and danger incurred by those who associate with others for the promotion of a common object. These efforts, sometimes introducing clauses inconsonant into instruments of partnership, at other times raising new points upon old forms, have led of late to much discussion in our courts, where a laudable desire has been shewn to afford relief against the serious consequences of unlimited liability. Amongst this class of cases we call attention to the decision in the Exchequer Chamber in *Hallett and Others v. Dowdall*, (which will be reported in our next number). That was an action upon a policy of marine insurance, brought by the assured for a total loss against five shareholders of the General Maritime Assurance Company. The declaration set forth the policy, in which it was stipulated that the capital stock and funds of the company should alone be liable to make good all claims under it, and that no proprietor of the company should be liable beyond the amount of his shares; it then averred, that, in consideration of the premium, the defendants promised that they would be insurers to the plaintiff of the sum of 1100*l.* upon the ship, and stated that the funds of the company were sufficient to satisfy the claim. It appeared at the trial, before Lord Campbell, C. J., that the company was formed by deed of settlement, and had thereby agreed to raise a capital

of 1,000,000*l.*, divided into 10,000 shares of 100*l.* each, but that not more than 7500 shares had been subscribed for; that calls had been made upon the shares only to the extent of 25*l.* for each share, and that the last call had not been paid. By the deed each policy was to be signed by three directors, who were to cause it to be stated therein that the funds should alone be liable to demands against the company, and that no proprietor should be liable beyond the amount of his shares. The policy in question was signed by three directors, who were three of the five defendants.

It was proved also that the company had not any actual funds in their hands wherewith they could have paid the plaintiff's claim. It was then objected, on behalf of the defendants, first, that no action at law would lie upon the policy; secondly, that the defendants were not jointly liable upon the policy, but, if liable at all, were only liable severally to the extent of the shares held by them individually; thirdly, that there was a misjoinder of defendants, as two of them had not signed the policy; fourthly, that the promise alleged in the declaration was not proved, as, if any promise was to be collected from the policy, it was to pay out of the funds if they were sufficient; and, fifthly, that the policy was illegal under the 35 Geo. 3, c. 63, as the names of the defendants were not expressed therein. The Lord Chief Justice directed a verdict for the plaintiff, and expressed his opinion that the company, in point of law, had available funds whilst a portion of the said capital sufficient to pay the plaintiff remained uncalled for. To this ruling there was a bill of excep-

tions, and the Court of Error* thereupon held, (Cresswell and Williams, J.J., dissenting), that the defendants were not liable as joint contractors upon the policy, but, as it seems, either that the directors who actually signed the policy were liable to the extent of the funds, or that the shareholders were separately and individually liable to the extent of so much of their shares as remained unpaid at the time of the accruing of the plaintiff's cause of action. To hold otherwise, it was said, would be to violate the express condition that the liability of each shareholder should be restricted to the amount of his own share, and that he should not be responsible for his co-shareholders, as it would be to render them all liable to any extent, and each for the other.

Williams, J., considered that the stipulation in the policy as to the charge upon the funds would afford a defence to the company if they had no assets to meet the claim, upon the ground that *they had spent the whole of their capital stock*, but that the policy was a joint contract of insurance by all the insurers, and that the stipulation restricting their liability should be rejected as impracticable in law, as was done in *Furnival v. Coombes*, (5 Man. & G. 736). Cresswell, J., in delivering his judgment, said that the stipulation as to the charge on the funds had been construed as a proviso upon a general contract to indemnify, which must, therefore, be read, that the company undertake to indemnify against the risks enumerated provided the funds are sufficient; and that the stipulation, that no proprietor should be liable beyond the amount of his shares, might be considered in one of two ways—either upon the assumption that the company were in possession of the whole of the capital which they professed to have, or, in other words, that the whole had been paid up, in which case, any individual shareholder making payment would have a fund to resort to for indemnity; the other, that the assured should be compelled to sue each separately for his share of the loss, in which case it would be repugnant to the original joint contract to pay if the funds sufficed, and would be therefore void. His Lordship also agreed with Lord Campbell, C. J., in thinking that the company had available capital as long as any portion of it remained uncalled for. Parke, B., said that there might be difficulties in ascertaining how much each was to pay where the assurer had contributed to other losses; but it was quite clear that the individual proprietors never meant to be responsible for any others than themselves. His Lordship added—"I think it unnecessary to decide whether the subscribing directors were responsible on this policy, by reason of their signatures, as contracting parties, or not. . . . It may be that there is no contract at all, but, at all events, I think there is no joint contract by the proprietors who are not directors with the plaintiff." With reference to the direction of Lord Campbell, C. J., as to the meaning of "capital stock and funds," Parke, B., said it was unnecessary to discuss that question, but that he did not mean to intimate that that ruling was wrong, though it was not the same that the judges of the Queen's Bench appeared to put on those terms in the court below. (*Dowdall v. Hallett and Others*, 14 Jur., part 1, p. 309).

The results of this important case may be thus summed up:—The "capital stock and funds" of a company, under a stipulation of this nature, mean, as it seems, not only the actual funds in hand, but the entire capital which the shareholders have undertaken to subscribe, whether called for or not. (Per Lord Campbell, C. J., Cresswell, J., Talfourd, J., and Martin, B.; dubitante Parke, B.) The other judges in the Court of

Error expressed no opinion on this point. (See the judgment in *Dowdall v. Hallett and Others*, 14 Jur., part 1, p. 309).

The contract to pay the sum insured was not a joint contract. Cresswell and Williams, J.J., however, were of opinion that it was joint.

The judges who held that the policy did not constitute a joint liability do not appear to have agreed as to the remedy upon it. Parke, B., seemed to doubt whether it amounted to any contract at all, so as to support an action at law. In *Hassell v. The Merchant Traders Association* (4 Exch. 525) and *Hallett v. The Merchant Traders Association* (14 Jur., part 1, p. 222) it was held, by the Courts of Queen's Bench and Exchequer, that not any of the members of a company were liable to be proceeded against upon a similar policy. Martin, B., said that he did not approve of these cases; and there is a late decision, which was not cited before the Court of Error, (*The Sunderland Marine Insurance Company v. Kearney*, 15 Jur., part 1, p. 1006), in which it was held, by the Court of Queen's Bench, that a similar policy constituted an absolute covenant, on the part of the assurers, (a company which was incorporated), to pay the sum insured when the loss should happen; and that it was not necessary to aver in the declaration that the funds were sufficient, the want of funds, if a defence at all, being a matter to be pleaded on the part of the company. The judgment in that case, however, proceeded mainly upon the ground that the company were incorporated. (See also *Pilbrow v. Pilbrow's Atmospheric Railway Company*, 5 C. B. 540).

Some of the judges in the principal case thought that the remedy on the policy would be against the directors who signed it, upon their contract to pay out of the funds, and that they would be liable to the extent of such funds. Such was the action in *Dawson v. Wrench*, (3 Exch. 359); *Gurney v. Rawlins*, (2 M. & W. 87); and *Andrews v. Ellison*, (6 J. B. Moo. 199).

It was also considered by several of the judges that actions would lie against the shareholders individually, whether they had signed the policy or not, and that they would be liable to the extent of the unpaid amount of their shares; and the case was likened to that provided for by the 8 & 9 Vict. c. 16, s. 36, (the Companies Clauses Consolidation Act), whereby, after fruitless execution against a company, another execution may be issued, by leave of the Court, against any of the shareholders, to the extent of their unpaid subscriptions; and also to that of underwriters, who, upon a common marine policy, incur a separate liability, and to a limited amount. This action was adopted in *Reid v. Allen*, (4 Exch. 326).

A question was raised, but not decided, whether the directors had pursued the authority of the deed of settlement.

The Court unanimously held that the other objections raised in the case were untenable.

In the course of the argument it was said by counsel that there was no difference between a joint-stock company and an ordinary partnership; and *Smith v. The Hull Glass Company* (8 C. B. 668) and *Fox v. Clifton* (6 Bing. 776) were cited. But Parke, B., said, "There is every difference between a joint-stock company and an ordinary partnership. It has been decided over and over again, that where there are directors, the common-law power of one partner in a joint-stock company to bind the others ceases." And Alderson, B., said, "Notice that there are directors is notice to a party that he is not dealing with an ordinary partnership. When once you shew that there is a limited authority, the question is, whether the party who relies on the act of the directors, to bind the rest, must not shew the extent of the authority given to them. Is not the onus of proof shifted?"

* Parke, B., Alderson, B., Cresswell, J., Platt, B., Williams, J., Talfourd, J., and Martin, B.

EQUITY CAUSE LISTS, TRINITY TERM, 1852.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjournd—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C. Co.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Pica—*Pts.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*SA.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

APPEALS.

Saunders v. Hamilton (Ap)	M'Calmont v. Rankin } (3
M'Intosh v. Great Western Railway Co. (Ap)	Same v. Turner } Aps)
Jones v. Price	Same v. Bird
Price v. Maclean } (Ap)	Strong v. Strong (Ap)
Brown v. Cross (Ap)	Mayor of Rochester v. Lee (Ap)
Same v. Same (Cause by or.)	Navalshaw v. Brownrigg (Ap)
Scrivenor v. Smith (Ap)	Adey v. Arnold (Ap)
Monypenny v. Dering } (Ap)	Abbott v. Sworder (Ap)
Same v. Monypenny	Dyke v. Rendall (Ap)
Same v. Same (Ap)	Powell v. Dodson } (Ap and
Pollard v. Doyle } (Ap)	Dodson v. Powell } Cause)
Hearn v. Same } (Ap)	Clowes v. Beck (Aps).

Before the LORDS JUSTICES, at Westminster.

Foley v. Smith (Ap)	Hughes v. Morris } (Ap)
Kynaston v. Lancashire and Yorkshire Railway Co. (2 Aps)	Same v. Evans
Dean and Chapter of Ely v. Bliss (Equity reserved) S O	Whitworth v. Brogden } (Ap)
Newman v. Hutton (Ap, M)	Same v. Same
Price v. Macanley (Ap on 2 claims)	Phelps v. Stone (Ap on claim)
Holliday v. Overton (Ap on cl)	Southby v. Great Western Railway Co. (Ap on cl)
	Walker v. Tipping (Ap on cl)
	Smith v. Mules (Ap)
	Bell v. Barchard.

Before Vice-Chancellor Sir G. J. TURNER, at Westminster.

Luntley v. Hoby M. Term	Middleton v. Yondon (F D)
Fordham v. Wallis (2 causes) Mich. Term	Bracey v. Earl of Scarborough (F D)
Williams v. Roper (Cl)	Bracey v. Lewis (2 sup. causes)
Blaxland v. Blaxland } Last C	Aaron v. Aaron (F D)
Same v. Same } D Term	Emery v. Phillips (F D)
Davies v. Holmes	Hinton v. Johnson (F D)
Grice v. Shaw (Cl)	Rollins v. Groom (F D)
Crosse v. Logan (Cl) M. T.	Allen v. Thames Haven Co. (F D)
Greenway v. Bromfield (F D) Mich. Term	Collett v. Morrison (F D, C)
Thornbery v. Great Northern Railway Co. (Cl) M. Term	Ward v. Campbell (F D, C)
Murray v. Jones (Cl) M. Term	Brunton v. Bleaden (Cl) SA
Watson v. Watson (Cl) M. T.	Moore v. Collis (Cl)
Wing v. Diggle (Cl) M. Term	South-eastern Railway Co. v. Mann (2 causes)
Bushner v. Needell (Cl) M. T.	Greville v. Spooner (Cl)
Reeve v. Hodson After Term	Midland Railway Co. v. Brown (Cause, M)
Searle v. Quinlan	Child v. Elsworth (Cl)
Bullin v. Griffin (Cl)	Nye v. Duncan (Cl)
Gilbard v. Gill (Cl) M. Term	Devey v. Devey
Stapleton v. Cartwright (Cl)	Moore v. Welham (F D, C) SA
Williamson v. Jefferys (4 cau.) Last day of Terms	Westall v. Mawley (F D, C)
Harvey v. Brooke (Part hd.)	Webster v. Webster (F D, C)
Marshall v. Hutchinson (Cl) Last day of Claims	Page v. Lawson (Special case)
Jones v. Jones (Cl)	Rogers v. Hill (Cl)
Bath v. Hippealey (F D)	Whittington v. Gooding (Cl)
Hunt v. Roberts (6 caus., F D)	Boodle v. Partington (Sp. ca.)
Crosse v. Webb } (F D)	Dearle v. Selby (Cl)
Norris v. Same } (F D)	Sharshaw v. Gibbs
Harborne v. Nasborne (F D)	Harwood v. Harwood (Cl)
Senior v. Dickenson (F D)	Newman v. Newman SA
Penny v. Riky (3 causes, F D)	Cropley v. Thorne (Sp. case)
Johnstone v. Shaw (F D)	Lee v. Lee (Cl)
Cambray v. Draper (F D)	Morgan v. Milman
Glover v. East (F D) 2nd Seal	Taverner v. Calvert
	Leake v. Marriage (Cl).

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Westminster.

Longstaff v. Rennison (F D)	Graves v. Graves (Cl)
Wright v. Vernon (D)	Brunwin v. Guy } (F D, C)
Green v. Green (E to answer)	Smith v. Guy
Campbell v. Hewlett (E)	Bunny v. Beckett (F D, C)
Colvin v. Lord (E)	Darnley v. Senior (F D, C)
Winthorp v. Elderton (E)	Stiles v. Guy (E)
Bartley v. Bartley (E)	Same v. Same (E)
Howard v. Griffiths (Old E)	Same v. Same (F D)
Clifton v. Rickards (E)	Inglis v. Campbell
Stansfield v. May (D)	Evans v. Sanders (Sp. case)
Hardingham v. Thomas (Old E)	Livesey v. Batley (F D, C)
Penney v. Goode (E)	Fletcher v. Fletcher (F D, C)
Llewellyn v. Pace (E)	Perkins v. Ede (E)
Brown v. Paul	Duncan v. Ross
Fletcher v. Ramsden	Same v. Burnside } (E, 2 sets)
Same v. Gerrard } (3 cau.)	Marshall v. Scott (F D, C)
Same v. Same	Moorley v. Jenkins
Waldron v. Sloper (Cl)	Gaubert v. Watson
Goodale v. Goodale	Meux v. Jarvis (Cl)
Emans v. Greenhill	Batty v. Jones (Cl)
Stephens v. Same	Lwellen v. Pace (3 causes)
Wood v. Dench	Clark v. May
Morrison v. Richardson	Barratt v. M'Dermott
Swainson v. Muncaster (F D, C)	Hiones v. Houlton
Fotheringham v. Smale (F D, C)	Beale v. Symonds (E)
Parsons v. Benn (F D, C)	Knight v. Grantham (Cl)
Gauntlett v. Gauntlett (F D, C)	Langton v. Wood (Cl)
Taylor v. Same (2 causes)	Bunting v. Ellis (F D, C)
Brown v. Heath (Cl)	Pegg v. Wisden
Harvey v. Stracey (F D, C)	Becke v. Wilmot (Cl)
Turner v. Lang (F D, C)	Yeats v. Yeats (E, 2 sets)
Bell v. Bell (F D, C, Ptn)	Same v. Morgan (F D, C, Ptn)
Ord v. Schneider	Sellick v. Badman
Bodenham v. Hoskins (2 cau.)	Hanslip v. Cross (Cl)
Coleman v. Howard	Brougham v. Lemam
Vanzeller v. Parrott	Fortnam v. Holtom
Blake v. Phibbs (F D, C)	Frankford v. Ward (Cl)
Robson v. Lord Brougham and Vaux	Fazey v. Pinnell (F D, C)
Petre v. Petre	Pinnell v. Pinnell (F D, C)
Att.-Gen. v. Cother	Oxenham v. Ellis
Jones v. Walker (F D, C)	Pinkney v. Cusack
Clowes v. Waters (E)	Willis v. Black
Mayor, &c. of Berwick-upon-Tweed v. Murray	Formby v. Black (5 causes, F D, C)
Pinkerton v. Andrew	Welsh v. Rigg (Cl)
Same v. Ensor	Bell v. Carter (3 causes)
Ashton v. Jones (F D, C)	Amplett v. Painter
Barnard v. Roberts (F D, C)	Walter v. Mower (2 causes)
Fruster v. Bull (Cl)	Hays v. Harrison (F D, C)
Freeman v. Freeman (Cl)	Yescombe v. Baldwin (2 cau.)
Harroway v. Wright (Cl)	Jones v. Beach (Cl)
Jackson v. Swinburn (Cl)	Langdon v. Woods (F D, C)
Thomas v. Knight (Cl)	Francis v. Broughton (Cl)
Colyer v. Colyer (Cl)	Blore v. Blore (Cl)
Groves v. Lane (Cl)	Thompson v. Daniel
Frusher v. Frusher (Cl)	Cremor v. Costerton
Bennett v. Cooke (Cl)	Palmer v. Sewrey
Smith v. Compton (Cl)	Att.-Gen. v. Rivas (F D, C)
Lake v. O'Hara (F D, C)	Dixon v. Jackson (F D, C)
Hanson v. Hartley (Cl)	Foakes v. Bordenave
Taylor v. Nixon (Cl)	Baxter v. Wales
Elkington v. Applin (F D, C)	Midland Railway Co. v. Brown
Major v. Major } (E, F D)	Wood v. Sutcliffe
Same v. Same	Rochdale Canal Co. v. King
Wood v. Smith } (F D, C)	Penny v. Penny (F D, C)
Caton v. Caton	Drake v. Drake (4 ca., F D, C)
Attorney-Gen. v. Twelve Governors of Crediton (F D, C)	Alston v. Piddocks (F D, C)
Pinkerton v. Ensor	Birchall v. Birchall
Ellis Fletcher v. Windsor	Ingle v. Sprong (F D, C)
Turner v. Nicholls (F D, C)	Wyatt v. Bennett (F D, C)
Turner v. Nicholls (2 causes)	Ford v. Dolphin
Horner v. Billam (F D, C)	Mowells v. Tinker (F D, C)
Bower v. Johnston (F D, C)	Ord v. Partington (Cl)
	Knowles v. Oliver
	Trail v. Colebrooke (F D, C)
	Attorney-Gen. v. Blackburn
	Langford v. Gillman
	Patrick v. Walker (P C)

Ellison v. Hector
Shore v. Shore (F D, C)
Widdicombe v. Muller (Cl)
French v. Harrison (F D, C)

Before Vice-Chancellor Sir JAMES PARKER, at Westminster.

Frith v. Frith (E, part hd.)
M'Intosh v. Great Western
Railway Co. (E)
White v. Barker (E)
S O to fix a day
Paterson v. Galvanised Iron
Co. (D)
Smith v. Ricardo
Potts v. Thames Haven Dock
and Railway Co. (Cl) T. T.
Blann v. Bell
Robinson v. Bell
Ridley v. Ridley
Wood v. Ridgway
Same v. Jackson
Ridgway v. Wood
Att.-Gen. v. Barker (F D, C)
Coleridge v. Colleton (F D, C)
Law v. Horsfall
Daniel v. Davies
Trail v. Bull (E, 2 sets)
Davey v. Bailey
Same v. Acraman
Hales v. Plowden
Clay v. Rufford (R)
Gee v. Mayor, &c. of Man-
chester (F D, Eq. reserved)
Attorney-Gen. v. Asker
Gore v. Bowser
Gore v. Bowed
Same v. Harris
Seymour v. Elwin
Elsworth v. Allan
Gee v. Jones
Mackenzie v. Hope
Haig v. Gray
Price v. Lawson
Milsom v. Harvey (Cl)
Raper v. Taylor (E, F D)
Shaw v. Dyson (F D, C)
Harrison v. Humpage (F D, C)
Vincent v. Fane SA
Smith v. Edwards
Alcock v. Alcock
Colombine v. Penhall (2 caus.)
Hancock v. Beavan (F D)
Stocks v. Dobson
Quarterman v. Cuff (Sp. case)
Woodhead v. Hickling (F D,
C)
Middleton v. Middleton (F D,
C)
Goodman v. Drury (Sp. case)
Hancock v. Spittle (F D, C)
Stronge v. Hawkes (E, F D)
Stronge v. Hawkes (E, 3 sets)
Evans v. Andrews (Cl)
Martin v. Pycroft (Cl)
Hanlip v. Cross (Cl)
Thomas v. Dunning (Cl)
Turner v. Turner (Cl)
Pedder v. Burton (Cl)
Edwards v. Grove
Same v. Bush
Same v. Same (Suppl.)
Martin v. Reed (Cl)
Henning v. Mayo (F D, C)
Loader v. Loader
Thompson v. Morris (Cl)
Harrison v. Bulmer (Cl)
Playford v. Playford
Hill v. Edmonds (Cl)
Prentis v. Fley (Cl)
Trail v. Ellis

Balguy v. Broadhurst SA
Gardner v. Williams (F D, C)
Edmunds v. Powell (F D, C)
Quested v. Coast (2 causes).
Moate v. Moate (Cl)
Atkinson v. Parker } (F D,
Brenan v. Brenan } Ptn
Threlfall v. Winstanley (Cl)
Tippins v. Coates (F D, C)
Compton v. Bevan (Cl) SA
Jodrell v. Beckwith
Lyde v. Lipscombe (F D, C)
Grainge v. Warner (Cl)
Armstrong v. Armstrong (F D,
C)
Lake v. Brutton
Chapman v. Cannon (F D, C)
Soarles v. Rodman (Cl)
Ly. Sparrow v. Hilton (E)
Tompssett v. Wickens (E, F
D)
Same v. Same (E)
Morris v. Morris
Adams v. White (3 sup. caus.)
Murray v. Parker (F D, C)
Biggs v. Gibbs (Cl)
James v. Lord Wynford (F D,
C) After Term
Watson v. Browne (Cl)
White v. Bird
Penhall v. Miller
Dashwood v. Lowder
Eaton v. Hazel
Rufford v. Adams (Cl)
Barry v. Bleaden (Cl)
Briant v. Mann
Congreave v. Palmer
Le Blanc v. Oliver
Same v. Same
Waite v. Combes (Cl)
Wardroper v. White-
head } (F D,
C)
Hamer v. Jobson
Pring v. Goslin (Cl)
Moore v. Brooks (Cl)
Waters v. Wood (Special case)
Dendy v. Greenhill (Cl)
Holdsworth v. Bayldon (Cl)
Gray v. Austin
Willson v. Chirm (Cl)
Jones v. Ablett (Cl)
Manning v. Cass (4 causes, F
D, C) SA
Walker v. Taylor (Cl)
Watts v. Williams
Bright v. Bright (Cl)
Kortright v. Macqueen (F D,
C)
Jordan v. Jordan (Cl)
Smith v. Williams (Cl)
Childs v. Balham (Cl)
Halstead v. Slater (F D, C)
Norris v. Stuart
Birch v. Jenkins (Cl)
Eld v. Durant (F D, C)
Cary v. Leonard (Cl)
Ford v. Batley
Ormerod v. Parkinson (F D, C)
Ellice v. Atkinson (Cl)
Clifton v. Bruce, Bart. (F D,
C)
Wintersgill v. Wintersgill (Cl)
Fletcher v. Fletcher (F D, C)
White v. Collier (F D, C)
Cooper v. Cooper (Cl)
James v. James
Cleghorn v. Horn (Cl)
Hurst v. Hurst (6 causes)

Bateman v. Margerison (E)
Drewett v. Drewett (Cl)
Attorney-Gen. v. Geary
Page v. Dewdney (F D, C)
Pemberton v. Read (Cl)
Attorney-Gen. v. Hall
Meyer v. Simmensen (Sp. ca.)
Oldfield v. May (Cl)
Harvey v. Bishop (Cl)
Salocite v. Lord Denman (Cl)
Marington v. Durnford (Cl)
Foster v. Parkes (F D, equity
reserved)
Meadows v. Meadows
Dixon v. Gayfere (2 causes)
Bourne v. Kenyon
Peekmore v. Bissell (Cl) SA
Schiller v. Simson (F D, C)
Francis v. Francis (Sp. case)
Elliott v. Lyne (F D, Ptn)
Same v. Liscombe (Cause)
Baker v. Read
Same v. Clement
Robinson v. Woodward (F D,
C)
Staveley v. Hutchinson (F D,
C)
Penhall v. Miller
Same v. Elwin
Stocker v. Dean (Cl)
Wheeler v. Claydon (3 causes,
F D, C)
Lyll v. Wright (F D, C)

Court v. Clarke (Special case)
Coleman v. Scott (Cl)
Tanner v. Barton
Williams v. Salter
Williams v. Mostyn (Cl)
Philpott v. Kerr
Osborn v. Milford
Allman v. Keane (Cl)
Southern v. Wollaston (4 cau.,
F D, C)
Hodgkinson v. Musters (Spe-
cial case)
Doody v. Higgins (Cl)
Malden v. Coles (Cl) SA
Densem v. Elworthy
Langton v. Were (F D, C) SA
M'Culloch v. Gregory
Same v. Wrigley
Cole v. Miles
Cole v. Muddle
Chandler v. Mate (Cl)
Chellingworth v. Winnall (F
D, C)
Rimell v. Wheatley (F D, C)
Fane v. Cockburn (Cl)
Coates v. Coates
Grievs v. Rawley (E)
Kilby v. Kilby (F D, C)
France v. Nelme (Cl)
Goldsmid v. Stonebrower (Cl)
Newling v. Cuming (Cl)
Smith v. Tite (Cl)
Young v. Hodges.

Rolls Court.

JUDGMENTS RESERVED.
Montagu v. Montagu } (Ca.)
Montagu v. England
Bryan v. Collins (Cause)
Smith v. Parkes (Cause)
Parkin v. Thorold (Cause)
CAUSES.
Bull v. Brooke (Cause) M. T.
Ainsworth v. Alman (Sp. ca.)
Burgess v. Sturgis (Cl)
Stansfield v. Hobson (Cl)
Shrewsbury and Birmingham
Railway Co. v. London and
North-western Railway Co.
(Cause)
Hitchcock v. Beauclerk (Cl)
Hounsfeld v. Hounsfeld (Cl)
Blakeney v. Dufaur (Cause)
Cheslyn v. Price (4 titles, F D,
C, part heard)
St. John v. Phelps (Cause)
Warde v. Warde (Cause)
Whitehead v. Thompson (Ca.,
part heard)
Newland v. Newland } (Ca.)
Lees v. Newland
Spear v. Spear (Cause)
Bridge v. Bridge (Cause)
Clegg v. Fishwick } (Cause)
Clegg v. Massey }
Gray v. Haig (Cause)
Haig v. Gray (Cause)
Brown v. Gordon (Cause, part
heard)
Heaton v. Dearden (4 tit., ca.)
Gladding v. Nevill (Cause)
Gladding v. Gladding (Cause)
Mitchell v. Beaumont (Cause)
Abrey v. Newman (Cause)
Cocking v. Kennerly (Cause)
Cocking v. Hitchin (Cause)
Pritchard v. Smith (3 tit., ca.)
Szlamper v. Lynn (3 tit., ca.)
Worthington v. Wiginton (Ca.)
Berryman v. Lamb (Cause)
Ford v. White } (Cause)
Ford v. White } (Cause)
Thornton v. Court (Cause)
Crouch v. Hooper (E)
Nicholls v. Birdseye (Cause)
Pariente v. Lubbock (Cause)
Jodrell v. Turner (Cause)
Raven v. Canning } (Cause)
Same v. Same
Whitmore v. Smith (Cause)
Anderson v. Kemshead (Ca.)
Ellis v. Clough (Cause)
Bridger v. Bridger (Cause)
Hilton v. Blake (Special case)
Bates v. Hilcoat (Cause)
Ward v. Ward (Special case)
Fielding v. Nutting (Cause)
Baker v. Baker } (Cause)
Baker v. Groom }
Macnamara v. Dawe (Cause)
Pleanty v. West (4 tit., F D, C)
Reynolds v. Martin (Cl)
Matthews v. Bagshaw } (F D,
Matthews v. Leyburn } C) SA
Blake v. Grand Surrey Canal
Co. (E)
Attorney-Gen. v. Lord Bagot
(Cause)
Fletcher v. Steel (Cl)
Att.-Gen. v. Chap-
lains, &c. of Eve-
line Almshouses } (Ca.)
Att.-Gen. v. Napier
Hart v. Tribe (Cl)
Dowling v. Hudson (Cause)
Gorbell v. Davison (Cl)
Lewis v. Lewis } (F D, C)
Lewis v. Duggin }
Everitt v. Gisborne (Cl) SA
Att.-Gen. v. Brentwood School
(Cause)
Hewison v. Negus (Cause)
Dawson v. Bourne (Cl)
Masterman v. Solomon (Cl)
Beresford v. Driver (Cause)

Gurney v. Goggs } (F D, C)
 Clarke v. Goggs }
 Pownall v. Broadhurst (Cl)
 Hayley v. Maddocks (Cl)
 Paxton v. Payne (Cl)
 MacLaren v. Stainton (Ca.) SA
 Gibson v. Lane } (F D, C)
 Gibson v. Naden }
 Gibson v. Ashwin }

Dakeyne v. Flint (Cause)
 Boxer v. Bradfield (Cl)
 Ellis v. Elliot (Cl)
 Kenlock v. Graham (Cause)
 Thornton v. Newton (Sp. ca.)
 Macleod v. Lane (Cause) SA
 Sparrow v. Josselyn (Cause)
 Heath v. Clunes (Cl)
 Melsom v. Kemp (F D, C).

London Gazettes.

FRIDAY, MAY 21.

BANKRUPTS.

THOMAS CROCKER, Wisbeach, Isle of Ely, Cambridgeshire, sailmaker and shipchandler, dealer and chapman, June 1 at 12, and June 29 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Bennett & Paul, 1, Sise-lane, Bucklersbury.—Petition filed May 11.

WILLIAM ROYDE FEARN, Birmingham, draper, dealer and chapman, June 2 and 29 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Hodgson, Birmingham.—Petition dated May 10.

JOSEPH ROBERTS, Aberystwith, Cardiganshire, draper, dealer and chapman, June 2 and 30 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Sale & Co., Manchester; Leman & Humphrys, Bristol.—Petition filed May 12.

THOMAS BATES, SCHOFIELD SHEARD, and JOHN SHEARD, Halifax, Yorkshire, engineers and millwrights, (under the style or firm of Bates, Sheard, & Brother), June 7 and 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Wewell & Co., Halifax.—Petition dated May 11.

JOHN MATTHEW HEALEY, Dewsbury, Yorkshire, draper, June 10 and 25 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Scholes, Dewsbury; Courtenay & Compton, Leeds.—Petition dated May 15.

JOHN CUFF, Manchester, hotel and tavern keeper, dealer and chapman, June 1 and 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sangster, Leeds; Higson & Robinson, Manchester.—Petition filed May 18.

MEETINGS.

John Ritson Irving and William Irving, Liverpool, shipwrights, June 4 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*Chas. Stuart Voules*, New Windsor, Berkshire, scrivener, June 17 at half-past 12, Court of Bankruptcy, London, last ex.—*John Vevers*, Ironmonger-lane, London, woollen warehouseman, June 17 at half-past 1, Court of Bankruptcy, London, last ex.—*Constant Champion*, Fenchurch-street, London, merchant, June 14 at 12, Court of Bankruptcy, London, aud. ac.—*Robert Wood*, Wardour-street, Soho, Middlesex, upholsterer, June 9 at 12, Court of Bankruptcy, London, aud. ac.—*Arthur Hills*, Woodside, near Croydon, Surrey, and Isle of Dogs, Poplar, Middlesex, oil of vitriol manufacturer, June 9 at 12, Court of Bankruptcy, London, aud. ac.—*George Stamer* the younger, Margate, Kent, baker, June 8 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Williams*, Sandiway, Weaverham, Cheshire, innkeeper, June 3 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*David Shaw and Joshua Shaw*, Royd Edge, Meltham, Almondbury, Yorkshire, manufacturers, June 10 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Henry Woolf and Isaac Lyons*, Cripplegate-buildings, London, umbrellas manufacturers, June 11 at 2, Court of Bankruptcy, London, div. sep. est. of *Isaac Lyons*.—*Daniel Keith and Thomas Shoo-bridge*, Wood-street, Cheapside, London, warehousemen, June 11 at 1, Court of Bankruptcy, London, div.—*John Fuller*, Ely, Isle of Ely, Cambridgeshire, stonemason, June 11 at 11, Court of Bankruptcy, London, div.—*Thomas Williams*, Epsom, Surrey, draper, June 11 at 11, Court of Bankruptcy, London, div.—*William Dalton*, Charlotte-street, Fimlico, Middlesex, grocer, June 11 at 1, Court of Bankruptcy, London, div.—*George Wheeler*, Richmond, Surrey, grocer, June 11 at 2, Court of Bankruptcy, London, div.—*Anthony Lee*, Guildford, Surrey, banker, June 11 at 2, Court of Bankruptcy, London, fin. div.—*Thomas Keating*, St. Paul's-churchyard, London, druggist, June 15 at 11, Court of Bankruptcy, London, div.—*George Cheetham and George William Gill*, Strood and Frinsbury, Kent, shipwrights, June

14 at 12, Court of Bankruptcy, London, div.—*Frederick King*, Oxford, auctioneer, June 14 at 11, Court of Bankruptcy, London, div.—*Joseph Battye Lewis Buckland*, Threadneedle-street, London, and Regent-villas, Avenue-road, Regent's-park, [Middlesex, insurance agent, June 17 at 11, Court of Bankruptcy, London, div.—*Henry Girdlestone*, North Audley-street, Middlesex, apothecary, June 14 at 2, Court of Bankruptcy, London, div.—*John Fitchett*, Birmingham, casting-pot maker, June 12 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Samuel Watkinson, Writtle, Essex, innkeeper, June 17 at 11, Court of Bankruptcy, London.—*John Wilkins*, Brighton, Sussex, builder, June 12 at 11, Court of Bankruptcy, London.—*James Franklin*, Great Marlow, Buckinghamshire, innkeeper, June 12 at 12, Court of Bankruptcy, London.—*H. Worms*, Blackfriars-road, Surrey, boot maker, June 11 at half-past 11, Court of Bankruptcy, London.—*P. Newman*, Winchcomb, Gloucestershire, tea dealer, June 16 at 11, District Court of Bankruptcy, Bristol.—*David Henry Thomas*, Tyntwr, Carnarvonshire, draper, June 14 at 11, District Court of Bankruptcy, Liverpool.—*James Hall*, Denton, near Ashton-under-Lyne, Lancashire, hat manufacturer, June 14 at 12, District Court of Bankruptcy, Manchester.—*Isaac Norwington*, Bradford, Yorkshire, stuff manufacturer, June 25 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Emanuel S. Howard and Thomas Stone, Norwich, blind makers.—*James M. McKenzie*, Pancras-lane, London, warehouseman.—*Ralph Titcomb*, Highgate, Middlesex, butcher.—*Robert Dodd*, Sheerness, Kent, builder.—*A. Dean*, Brighton, Sussex, clothier.—*George Wakeling*, Chelmsford, Essex, auctioneer.—*Richard N. Reeve*, Newgate-st., London, woollen-draper.—*Arthur Hills*, Woodside, near Croydon, Surrey, and Isle of Dogs, Poplar, Middlesex, oil of vitriol manufacturer.—*Charles Howard*, Kingston, Surrey, and Great Tower-street, London, wine merchant.—*Wm. Caldwell*, Shevington, Lancashire, coal proprietor.—*George Senior*, Fordingbridge, Surrey, apothecary.—*Wm. Pritchard*, Liverpool, tea merchant.—*H. Bleackley*, Chorlton-upon-Medlock, Lancashire, ironmonger.—*John B. Taylor*, Liverpool, commission agent.—*William Sharp*, Birkenhead, Cheshire, and Liverpool, merchant.

SCOTCH SEQUESTRATIONS.

John Burnett, Edinburgh, straw bonnet manufacturer.—*Wm. Steel*, Edinburgh, dealer in horses.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph B. Morphew, Great Yarmouth, Norfolk, bricklayer, June 2 at 10, County Court of Norfolk, at Great Yarmouth.—*George Rippon*, Exeter, tailor, June 5 at 10, County Court of Devonshire, at Exeter.—*George Hines* the younger, Southampton, surveyor, June 1 at 10, County Court of Hampshire, at Southampton.—*Robert Russell*, Acle, Norfolk, blacksmith, June 4 at 10, County Court of Norfolk, at Norwich.—*Henry Yates*, Sevenoaks, Kent, grocer, June 16 at 10, County Court of Kent, at Sevenoaks.—*George Groutage*, Birmingham, spade and shovel maker, June 12 at 10, County Court of Warwickshire, at Birmingham.—*John Hawkins*, Birmingham, wire worker, June 12 at 10, County Court of Warwickshire, at Birmingham.—*John Sowerby*, Measingham, Lincolnshire, game-keeper, June 18 at 11, County Court of Lincolnshire, at Brigg.—*Wm. Saunders*, Coxheath, East Farleigh, Kent, miller, June 8 at 12, County Court of Kent, at Maidstone.—*James E. Oliver*, Maidstone, Kent, butcher, June 8 at 12, County Court of Kent, at Maidstone.—*John Reynalls*, Brynmawr, Brecknockshire, innkeeper, June 5 at 10, County Court of Brecknockshire, at Crickhowell.—*Henry Maswaring*, Worcester, tailor, June 9 at 10, County Court of Worcestershire, at Worcester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 4 at 11, before the CHIEF COMMISSIONER.

Wm. P. Grey, Upper Ranelagh-street, Fimlico, Middlesex,

assistant in the silver pantry of her Majesty's household.—*T. Bellis*, Northampton-street, Old Kent-road, Surrey, horse keeper to the South-eastern Railway Company.—*Matthew Elliott*, Warburton-place, Mare-street, Hackney, Middlesex, baker.—*Henry R. Quinlan*, Leather-lane, Holborn, Middlesex, butcher.—*Thomas Cook*, Gerrard-street, River-terrace, Islington, Middlesex, hairdresser.

June 5 at 11, before the CHIEF COMMISSIONER.

James Wilson, Lower-terrace, Lower-street, Islington, Middlesex, retailer of ale.

June 7 at 10, before Mr. Commissioner LAW.

R. W. Wilkinson, South Villa, Wandsworth-road, Surrey, out of business.—*Thomas Patrick*, Quickset-row, New-road, Middlesex, dealer in fancy goods.—*George Sparrell*, Crown-court, Dean-street, Soho, Middlesex, plumber.—*C. Brown*, Gibraltar-walk, Bethnal-green, Middlesex, gingerbread baker.—*W. Y. Brand*, York-st., Westminster, Middlesex, saddler.—*Jas. Huggins*, Queen-street, Church-street, Mile-end Newtown, Middlesex, vegetable lamp black manufacturer.—*James A. Gregory*, Newport, Isle of Wight, Hampshire, licensed victualler.—*James Wighton*, Mathew-cottage, Ravensbourne-hill, Greenwich, Kent, lieutenant on half-pay in her Majesty's 9th regiment of foot.

June 7 at 11, before Mr. Commissioner PHILLIPS.

Richard Pullen, Basinghall-street, London, commission agent.—*Richard Richards*, High-street, Peckham, Surrey, plumber.—*John Scorrak*, Bowling-green-buildings, Marylebone, Middlesex, china dealer.—*Wm. Drabwell*, High Holborn, Middlesex, dealer in Baylis's Oriental Farina.—*George Posler*, Cook's Grounds, King's-road, Chelsea, Middlesex, painter.—*W. Wright*, Surrey-cottage, Bowling-green-street, Kennington, Surrey, managing the business of a ginger beer manufacturer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 4 at 11, before the CHIEF COMMISSIONER.

James Walker, Upper Symond's-st., Chelsea, Middlesex, fishmonger.—*Wm. Todd*, Cromer-street, Gray's-inn-road, St. Pancras, Middlesex, out of business.—*Thomas Chas. Burgon*, Burton-crescent, Middlesex, general merchant.—*Andrew N. Steele*, Surrey-terrace, Park-road, Old Kent-road, Surrey, messenger at the Lambeth Police Court, Kennington-lane, Lambeth, Surrey.

June 4 at 10, before Mr. Commissioner LAW.

Richard Howling, High-street, Poplar, Middlesex, dealer in china.—*John Hawke*, St. John's-wood-terrace, Middlesex, clerk to the Australian Auriferous Ore Crushing Gold Mining Company.—*Richard Thomas Hart*, Plumstead, Kent, carpenter.—*Chas. Baker*, Albion-terrace, Dalston, Middlesex, baker.—*James Edmonds*, Brewer-street, Somers-town, Middlesex, cheesemonger.—*Wm. C. Lloyd*, Moterideo-cottages, Kentish-town, Middlesex, town traveller.—*Thomas Lowe*, Frenschool-street, Southwark, Surrey, watchmaker.

June 4 at 11, before Mr. Commissioner PHILLIPS.

William Norton, Chadwell-st., St. John-st.-road, Clerkenwell, Middlesex, wine merchant.—*Frans John Bernard*, St. Mary-axe, London, commission agent.—*Samuel King*, Frederick-st., Hampstead-road, Middlesex, working upholsterer.—*Nathaniel Levy*, Aldgate High-st., London, assistant to a carcase butcher.—*George Grace*, Epsom-common, Surrey, dealer in malt.—*Wm. Whittaker*, Crosby-row, Walworth-road, Surrey, carpenter.

June 5 at 11, before the CHIEF COMMISSIONER.

Wm. Durham Marks, Victoria-cottage, Brunswick-road, Camberwell, Surrey, clerk in the Privy Council Office, Whitehall.

June 5 at 10, before Mr. Commissioner LAW.

Thomas Murray, Princes-square, Kennington, Surrey, and Litchfield-street, Soho, Middlesex, printer.—*Joseph Glover*, Crawford-st., Cold Harbour-lane, Camberwell, Surrey, accountant.—*Caroline Woodward*, Regent-square, Gray's-inn-road, Middlesex, single woman, in no profession.—*Thomas Collins*, Curator-st., Chancery-lane, Middlesex, out of business.—*Benoni Meison*, Brook-st., Holborn, Middlesex, out of business.—*Joseph Ferris*, Grove-place, Tottenham, Middlesex, out of business.

June 7 at 10, before Mr. Commissioner LAW.

Robert Hearn, Everaholt-st., Oakley-square, St. Pancras,

Middlesex, commercial traveller.—*W. Waring Dove*, Poland-st., Oxford-st., Middlesex, concertina manufacturer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at NORWICH, June 4.

Wm. Parmenter, Norwich, out of business.

At the County Court of Lancashire, at LANCASTER, June 4 at 11.

John Pollitt, Over Darwen, near Blackburn, licensed victualler.—*Thurston Simpson*, Blackpool, grocer.—*Edw. Sharman*, Manchester, bricklayer.—*Edward Charles Locke*, Manchester, out of business.—*James Ormerod*, Blackburn, out of business.—*Thomas Churton Goodall*, Salford, cattle dealer.—*John Caldecutt*, Heaton Norris, out of business.—*Thomas Holme*, Liverpool, out of business.—*Jos. Johnson*, Manchester, out of business.—*James Newton*, Oldham, cotton waste dealer.—*Thos. Hughes*, Liverpool, butcher.—*Thomas Kay*, Bury, labourer.—*Wm. Holden*, Blackburn, grocer.—*Samuel Martin*, Whalley, near Blackburn, shoemaker.—*James Green Gibson*, Chorlton-upon-Medlock, Manchester, out of business.—*Nathan Sefton*, Ribchester, near Preston, labourer.—*David Leather*, Great Sankey, near Warrington, licensed victualler.—*Cyrus Buott*, Chorlton-upon-Medlock, Manchester, commercial traveller.—*Joseph Warburton*, Hulme, Manchester, out of business.—*James Kirkman*, Ainsworth, out of business.—*James Bradley*, Bolton-le-Moors, out of business.—*M. Hutchinson*, Sizergh, near Milnthorpe, licensed victualler.—*J. Heap*, Heaton Norris, butcher.—*John Bigg*, Salford, coach builder.—*William Dickinson*, Pendleton, near Salford, twine manufacturer.

At the County Court of Dorsetshire, at DORCHESTER, June 8 at 12.

Richard Poynter, Dorchester, better factor.

MEETING.

John Horridge, (and not Korridge, as before advertised), Cheltenham, Gloucestershire, in no profession, June 5 at 11, Davies's, Aberystwyth, sp. aff.

TUESDAY, MAY 25.

BANKRUPTS.

JOHN BAILEY CAPPER, Montpelier Vale, Blackheath, Kent, chemist and druggist, June 5 at 1, and June 29 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Atkinson, Quality-court, Chancery-lane.—Petition filed May 21.

JOHN DAVIS RANDALL and **GEORGE THOMAS DICKS**, Greek-street, Soho, Middlesex, leather sellers, June 4 at 11, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Fraser, 78, Dean-street, Soho.—Petition filed May 20.

CHARLES STANLEY, Hastings, Sussex, tailor, June 4 at 12, and June 29 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Fraser, 78, Dean-street, Soho.—Petition filed May 20.

ELIZA BABE, Grosvenor-street West, Eaton-square, Middlesex, dressmaker, dealer and chapwoman, June 8 at 2, and July 5 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Coombe & Nickoll, 3, Bridge-street, Westminster.—Petition filed May 18.

ALBERT PINNEBERG, Hertford, builder, dealer and chapman, May 29 at half-past 1, and July 3 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Pircey & Hawks, 15, Three-crown-court, Southwark.—Petition dated May 14.

HENRY BRETT, Portsea, Southampton, grocer, ale and porter merchant, dealer and chapman, June 4 at half-past 12, and July 9 at 12, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Low & Son, Portsea; Low, 65, Chancery-lane, London.—Petition filed May 22.

FRANCIS SADLER, Fore-street, London, furnishing undertaker, June 5 at 1, and July 9 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Lloyd, Milk-street, Cheap-side.—Petition filed May 24.

HENRY BRIDGES, Canterbury, licensed victualler, June 5 at half-past 12, and July 9 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Furleys & Mercer, Canterbury; Venour, Gray's-inn.—Petition filed May 21.

JOSIAH BOWBIN, Walsall, Staffordshire, currier and leather dealer, June 8 and 30 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Brittain, Bristol; Moore, Walsall; James, Birmingham.—Petition dated May 20.

WILLIAM VEALE MATTHEWS, Yeovil, Somersetshire, druggist and grocer, June 3 at 1, and June 29 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Slade & Vining, Yeovil; Terrell, Exeter.—Petition filed May 15.

JOHN BURNLEY, Batley, Yorkshire, cloth manufacturer, dealer and chapman, June 10 and July 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sol. Blackburn, Leeds.—Petition dated and filed May 20.

JOHN HICK, Wakefield, Yorkshire, corn merchant, dealer and chapman, June 8 and 29 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds.—Petition dated May 17.

MEETINGS.

Wm. Bromley, Gray's-inn-square, Gray's-inn, Middlesex, scrivener, June 4 at 11, Court of Bankruptcy, London, pr. d.—*John Wood*, Putney, Surrey, brewer, June 8, Court of Bankruptcy, London, last ex.—*Thomas Moore* the younger, South Hylton, Durham, merchant, June 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*W. Walker*, Preston, Lancashire, chemist, June 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Whitehouse*, trader, June 4 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*David Little*, Liverpool, merchant, June 4 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Marshall Bass*, Louth and Horncastle, Lincolnshire, grocer, June 16 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Robert Wood*, Wardour-street, Soho, Middlesex, upholsterer, June 15 at half-past 11, Court of Bankruptcy, London, div.—*Joseph Beaumont*, Leman-street, Whitechapel, Middlesex, engineer, June 15 at 12, Court of Bankruptcy, London, div.—*Thomas Stephen Curties*, York-street, Westminster, Middlesex, cheesemonger, June 17 at 12, Court of Bankruptcy, London, div.—*Abraham Solomons*, Basinghall-street, London, merchant, June 17 at 11, Court of Bankruptcy, London, div.—*William Pile* and *John Pile*, Monkwearmouth, Durham, shipbuilders, June 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Alpheus Harris*, Dursley, Gloucestershire, wool broker, June 17 at 11, District Court of Bankruptcy, Bristol, div.—*John Broome*, Bristol, dealer and chapman, June 17 at 11, District Court of Bankruptcy, Bristol, div.—*Matthew Lister*, Painswick, Gloucestershire, clothier, June 24 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Lillywhite, sen., Cumberland-place, Brixton-rise, Surrey, farrier, June 17 at 12, Court of Bankruptcy, London.—*Thomas Heard*, Woodbridge, Suffolk, brewer, June 16 at half-past 12, Court of Bankruptcy, London.—*Samuel Haynes*, London-street, Paddington, Middlesex, wheelwright, June 16 at 2, Court of Bankruptcy, London.—*Simon Abraham Kirsh*, Bedford-street, Covent-garden, Middlesex, tailor, June 16 at 12, Court of Bankruptcy, London.—*Thomas Lord*, Ashton-under-Lyne, Lancashire, shoemaker, June 15 at 12, District Court of Bankruptcy, Manchester.—*John Ford* and *Joseph Alfred Hadfield*, Glossop, Derbyshire, paper manufacturers, June 17 at 12, District Court of Bankruptcy, Manchester.—*Williams Byrom*, *Henry Taylor*, and *Thomas Byrom*, Manchester, Liverpool, and Wigan, Lancashire, coal proprietors, June 18 at 11, District Court of Bankruptcy, Manchester.—*Christopher Steadman* and *Charles Siddall Bakewell*, Manchester, joiners, June 17 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Owen Sparrow, Aldgate High-street, Aldgate, London, grocer.—*Richard Gudgein*, Cople, Bedfordshire, licensed victualler.—*George Twenson*, Church, Whalley, Lancashire, plumber.

SCOTCH SEQUESTRATIONS.

James Harper, deceased, Ayr, writer.—*John Birse*, Dundee, merchant.—*Robert M'Gown*, Glasgow, tavern keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Mier Livingstone, Liverpool, Dutch shipping master, June 12 at 10, County Court of Lancashire, at Liverpool.—*Arthur Ashley* the younger, Bootle, near Liverpool, bookkeeper, June 12 at 10, County Court of Lancashire, at Liverpool.—*Thomas Smedley*, Liverpool, labourer, June 12 at 10, County Court of Lancashire, at Liverpool.—*Sibbald Hewitt*, widow, Liverpool, out of business, June 12 at 10, County Court of Lancashire, at Liverpool.—*John Cox*, Clevedon, Somersetshire, farm labourer, June 9 at 11, County Court of Gloucestershire, at Bristol.—*William Pidgeon*, Bristol, plumber, June 30 at 11, County Court of Gloucestershire, at Bristol.—*George Willey*, Bristol, milk seller, June 30 at 11, County Court of Gloucestershire, at Bristol.—*Horatio Nelson Hurley*, Stapleton, Gloucestershire, in no business, June 23 at 11, County Court of Gloucestershire, at Bristol.—*Thos. Henry Jefferies*, Bridge Yate, Gloucestershire, wheelwright, June 25 at 11, County Court of Gloucestershire, at Bristol.—*James Ruek Morgas*, Bristol, retailer of beer, June 9 at 11, County Court of Gloucestershire, at Bristol.—*Henry Fuller Stokes*, Bristol, pawnbroker's assistant, June 9 at 11, County Court of Gloucestershire, at Bristol.—*Charles Clarke*, Nottingham, out of business, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Abraham Dunaway*, Gosport, Alverstoke, Hampshire, licensed victualler, June 16 at 10, County Court of Hampshire, at Portsmouth.—*Robert Henry Howard*, Landport, Portsea, Southampton, painter, June 16 at 10, County Court of Hampshire, at Portsmouth.—*James Oldfield*, Landport, Portsea, Southampton, general dealer, June 16 at 10, County Court of Hampshire, at Portsmouth.—*Gowen Wilson*, Kingston-upon-Hull, out of business, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Alexander Ferguson*, Maidstone, Kent, saddler, June 8 at 12, County Court of Kent, at Maidstone.—*Wm. Wright*, Milton next Gravesend, Kent, lodging-house keeper, June 12 at 10, County Court of Kent, at Gravesend.—*Wm. Edkins*, Broom, Bidford, Warwickshire, grocer, May 28 at 10, County Court of Warwickshire, at Alcester.—*Thomas Standwell*, Casterton, Rutland, farmer, June 7 at 11, County Court of Lincolnshire, at Stamford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 9 at 11, before the CHIEF COMMISSIONER.

Charles Camfield, Carlisle-place, Richmond-st., Maida-hill, Middlesex, plumber.—*Fleeta Boyd*, Nichol's-square, Hackney-road, Shoreditch, Middlesex, spinster.—*Kenneth Harris*, Balicourt-place, St. John-st.-road, Clerkenwell, Middlesex, trimming agent's assistant.

June 9 at 10, before Mr. Commissioner LAW.

Godfrey Levy, Poplar-rov, New Kent-road, Surrey, out of business.—*Wm. Bloom*, Brook-st., Upper Clapton, Hackney, Middlesex, beer-shop keeper.—*Wm. Jeffrey Watson*, Ellerthorpe-st., Grundy-st., New-town, Poplar, Middlesex, dealer in metal.

Saturday, May 22.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Hex, Northumberland-court, Strand, Middlesex, carpenter, No. 62,714 T.; *Alfred Butler*, assignee.—*Thos. Benj. Litchford Hall*, Cobourg-place, Kennington-lane, Surrey, clerk, No. 62,901 T.; *Wm. Wesley*, assignee.—*Hen. Francis Wollaston*, Union-grove, Wandsworth-road, Surrey, secretary to the Hall of Commerce, No. 62,825 T.—*George Corbitt*, Sheffield, Yorkshire, builder, No. 74,971 C.; *John Crowther Metcalf Harrison*, assignee.—*Thos. Rawlins*, Liverpool, surgeon, No. 73,371 C.; *Thomas Johnson*, assignee.—*Thomas Powell*, Balth, Brecknockshire, surgeon, No. 73,706 C.; *C. Weaver Price*, assignee.

Saturday, May 22.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—
(On their own Petitions).

Wm. Chapman, Plumstead, near Woolwich, Kent, out of business: in the Queen's Prison.—*John Wretton*, North-st., Moorfields, London, builder: in the Debtors Prison for London and Middlesex.—*Wm. Richards*, Witchampton-street, New North-road, Hoxton, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*George Winter Holmes*, Regent-quadrant, Regent-street, Middlesex, clerk in the General Post-office: in the Debtors Prison for London and Middlesex.—*Wm. Taylor*, Charles-street, Manchester-square, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Jos. Thos. Beck*, York-street, Kingland-road, Middlesex, general dealer: in the Debtors Prison for London and Middlesex.—*Benjamin Ford*, Deptford, Kent, potter: in the Queen's Prison.—*Robert Elliot*, Rupert-street, Haymarket, Middlesex, in no business: in the Queen's Prison.—*Frederick Chapman*, Alfred-st., Bow-road, Middlesex, commission agent: in the Queen's Prison.—*Edw. Cawser*, Hawley-crescent, Camden-town, Middlesex, omnibus proprietor: in the Debtors Prison for London and Middlesex.—*Henry Wallis*, Warner-road, Camberwell-green, Surrey, baker: in the Gaol of Surrey.—*Wm. Jewell*, Albany, Burlington-gardens, Piccadilly, Middlesex, gentleman's servant: in the Debtors Prison for London and Middlesex.—*Frederick Russell*, Clarence-gardens, Regent's-park, Middlesex, zinc worker: in the Debtors Prison for London and Middlesex.—*Peter Booker*, Chesterfield, Derbyshire, mason: in the Gaol of Derby.—*William Blakey*, Hillhouse, near Huddersfield, Yorkshire, cloth finisher: in the Gaol of York.—*John Bigg*, Salford, Lancashire, coachbuilder: in the Gaol of Lancaster.—*Christopher Dixon*, Birkenhead, Cheshire, cooper: in the Gaol of Lancaster.—*Wm. Dickinson*, Brindle Heath, Pendleton, Salford, Lancashire, rope manufacturer: in the Gaol of Lancaster.—*Thomas Emery*, Darlaston, Stone, Staffordshire, farmer: in the Gaol of Stafford.—*John Elliot*, Chesterfield, Derbyshire, mason: in the Gaol of Derby.—*M. Hutchinson*, Sizer, near Milnthorpe, Westmoreland, licensed victualler: in the Gaol of Lancaster.—*Wm. Parmenter*, Ladenham, Norwich, Norfolk, corn and coal merchant: in the Gaol of Norwich.—*John Pitt Pladdy*, Cartmel, Lancashire, plumber, glazier, and painter: in the Gaol of Lancaster.—*Thomas Tireman*, Hailgate, Howden, Yorkshire, innkeeper: in the Gaol of York.—*Joseph Warburton*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*William Crampton Colebrook*, Maidstone, Kent, butcher: in the Gaol of Maidstone.—*David Eley*, Abersychan, Treveithin, Monmouthshire, butcher: in the Gaol of Monmouth.—*Henry Rogers*, Bedminster, Bristol, timber dealer: in the Gaol of Bristol.—*S. Serie*, Weston-super-Mare, Somersetshire, perfumer: in the Gaol of Bristol.—*Jesse Teal*, Folly Hall, near Huddersfield, Yorkshire, beer seller: in the Gaol of York.—*T. Wallace*, Abersychan, Treveithin, Monmouthshire, common carrier: in the Gaol of Monmouth.—*Roger Wilkinson*, Blackburn, Lancashire, baker: in the Gaol of Lancaster.—*Edward Allen*, Great Alne, Warwickshire, farmer: in the Gaol of Coventry.—*Edmund S. Craske*, Wickham Skeith, Suffolk, farmer: in the Gaol of Ipswich.—*William Harrison*, Woodhouse, near Leeds, Yorkshire, dyer: in the Gaol of York.—*W. Holroyd*, Stone Fitzby, near Huddersfield, Yorkshire, cloth dresser: in the Gaol of York.—*Richard Parker*, Spalding, Lincolnshire, ironmonger: in the Gaol of Lincoln.—*Joseph Bradbury*, Market Bosworth, Leicestershire, tailor: in the Gaol of Leicester.—*Job Fidler*, Witney, Oxfordshire, blanket weaver: in the Gaol of Oxford.—*Wm. B. Holdsworth*, Birstall, near Leeds, Yorkshire, shoemaker: in the Gaol of York.—*John Hall*, Blackgate, Durham, earthenware manufacturer: in the Gaol of Durham.—*John Gamble*, Leeds, Yorkshire, plumber: in the Gaol of York.—*Edward Miles*, Caedraw, Merthyr Tydvil, Glamorganshire, coal worker: in the Gaol of Cardiff.—*Godfrey Wood* the younger, Leeds, Yorkshire, cook: in the Gaol of York.

(On Creditor's Petition).

John Farrant, Oxford, auctioneer: in the Gaol of Oxford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 8 at 11, before the CHIEF COMMISSIONER.

George Tyson, Castle-street, Falcon-sq., London, in no

business.—*John Salmon*, Kingswood, near Banstead, Surrey, licensed victualler.—*John Brinkworth*, Stanley-st., Paddington, and Upper Seymour-st. West, Connaught-sq., auctioneer.

June 9 at 10, before Mr. Commissioner LAW.

Daniel Alder, Weston-street, Southwark, Surrey, in no business.—*Rowland Yallop*, Southwick-street, Hyde-park, attorney-at-law.—*Henry Stocken*, High-street, Wapping, baker.

June 10 at 11, before Mr. Commissioner PHILLIPS.

Thomas Bukeley, Watford, Hertfordshire, gentleman.—*Edward Hall*, Peter's-hill, Doctors'-commons, London, commission agent.—*Henry Windle*, New-st., Brompton, Middlesex, rag dealer.—*J. Firminger*, Sun-st., East-lane, Walworth, Surrey, charcoal dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, June 8 at 12.

John B. Cash, Elizabeth-terrace, New Cross-road, Deptford, builder.—*Wm. C. Coplebrook*, Maidstone, out of business.—*Warner Joy*, Chatham, corn factor.—*Adolph Spang*, Margate, glazier.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, June 9.

Josiah S. Wood, Kingston-upon-Hull, dealer in oil.

At the County Court of Northumberland, at MORPETH, June 11 at 10.

Ralph Darling, South Blyth, shipowner.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. Hunter, Upper-st., St. Mary, Islington, Middlesex, cheese-monger: 1s. 6 $\frac{1}{2}$ d. in the pound.—*Edward F. Gendell*, Grape-cottage, Church-st., Chelsea, Middlesex, civil engineer: 5 $\frac{1}{2}$ d. in the pound.—*Edward Farrow*, Brentwood, Essex, plumber: 5 $\frac{1}{2}$ d. in the pound.—*Humphrey Tompkins*, Tring, Hertfordshire, farmer: 1s. 2 $\frac{1}{2}$ d. in the pound.—*Benj. Food* the younger, Leeds, Yorkshire, spirit merchant: 11 $\frac{1}{2}$ d. in the pound.—*Wm. Mant*, Chichester, Sussex, baker: 1s. 0 $\frac{1}{2}$ d. in the pound.—*Ebenezer Davies*, Merthyr Tydvil, Glamorganshire, builder: 4d. in the pound.—*Hen. Byron*, Graham-st., Pimlico, Middlesex, contributor to newspapers: 2s. 8 $\frac{1}{2}$ d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Robert Brackenbury, Richmond-green, Richmond, Surrey, in no trade, June 10 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, sp. aff.

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This day is published, in 8vo., price 1s. stitched, LEGAL IAMBICS in Prose, suggested by the present Chancery Crisis. By a CHANCERY BARRISTER. Stevens & Norton, Law Booksellers and Publishers, 26, Bell-yard, Lincoln's-inn.

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4. Savings Banks and Deposit Life Assurance.
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JUNE 5, 1852.

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LONDON, JUNE 5, 1852.

THE decision of Lord St. Leonard's in *Lumley v. Wagner* has now fully and finally set at rest all questions about the doctrine, that where there is a contract containing a *positive agreement* to do something, accompanied by a *negative agreement* not to do any other thing, the Court will restrain breach of the negative agreement, although it may not be able to enforce specific performance of the positive agreement. We had conceived, in common, we believe, with the majority of the Profession, that this doctrine was already settled by the more recent authorities. But even if it had not been, it seems so thoroughly reasonable and equitable, that it would have been surprising, if at this day, when subtle distinctions are barely tolerated, and certainly not encouraged, and when the object of courts of justice seems to be understood to be the administration of justice, so far as is practicable, rather than the withholding it upon fantastic notions of dignity, the Court of Chancery should have reverted to the distinctions acted upon in *Kemble v. Kean*, and the cases of that class. Our object, however, in this paper, is not so much to discuss a question which is now happily set at rest by decision, as to discuss the principle of that particular disclaimer of jurisdiction, out of which originally grew, as an incident, the refusal to interfere against breach of the negative part of a contract, when the Court is unable, or holds itself unable, to enforce the positive part. The Court of Chancery has always disclaimed, and still disclaims, jurisdiction to enforce specific performance of certain kinds of positive contracts, because it says that it has not power actually to compel their performance, and it is inconsistent with its dignity to make an order

which it cannot enforce. That is the principle for refusing to interfere in such cases as *Kemble v. Kean*, *Clarke v. Price*, and all that class of cases in which something is agreed to be done, the doing of which depends, or has been at least judicially considered to depend, on the special personal volition of the individual agreeing. It is said that the Court may order, but has no means of compelling, a man to build a house, to act, to sing, to write a book, or the like. Strictly speaking, this may be true; for, strictly speaking, the Court has in no case whatever power to compel a man to do anything; and in every case whatever where it orders and compels specific performance, it does so only through its power over *the person*, by means of which it exercises such a pressure as will drive the party to elect rather to obey than to endure the consequences of disobedience. The Court had originally no more power actually to compel specific performance of a contract to sell land, or to grant a lease, than of a contract to sing. All that it did, all that it could do, was to order the party to convey, or to execute a lease, and to commit him for contempt if he disobeyed, and hold him in prison till he did convey. The Court could not convey or make a lease itself*. The case of a contract to deliver a particular chattel shews, perhaps, still more strongly, the way, and the only way, in which the Court acts: in such a case it will decree specific performance; but how does it enforce it? Not by seizing the chattel, and itself delivering it up. It has no such power, nor any other power

* The power of the Court in this matter is now extended by the Trustee Act, 1850; but the very circumstance of that act being necessary shews that the Court has no such inherent jurisdiction as that which it now has by virtue of the act.

of direct compulsion. All that it can do is to order the party to deliver up the chattel, and if he refuses, to commit him to prison, and there keep him; but beyond that indirect power of compulsion it has none. In truth, the whole doctrine of the action of the Court of Chancery is, that it acts, not on the thing, but on the person; and this principle, though constantly referred to on the bench, appears to have been entirely overlooked in the series of decisions which have assumed, rather than established, that the Court cannot enforce specific performance of a contract to do acts of certain specified classes. Having regard, then, to the principles on which the jurisdiction of the Court is based, we submit, that, in reference to its power of compelling performance of contracts, there is no real distinction between contracts to act, to sing, to write a book, or to do any other act of the classes in which the Court refuses to interfere, and those contracts in which it does interfere; that it has as much and as little power in the one as in the other kind of case.

Further, when it is said that the Court cannot actually compel performance of a contract to act or sing, &c., the assertion is practically not true—that is, if the Court were, in such a case, to exercise its actual power, and commit the party breaking his agreement, and refusing to obey the order of the Court, does any human being doubt, that in nine hundred and ninety-nine cases out of a thousand the agreement would be specifically performed? If, instead of restraining the defendant, in *Lumley v. Wagner*, from singing anywhere without Mr. Lumley's permission—an order which is capable of being practically rendered valueless to the plaintiff—the Court could exercise jurisdiction to order the lady to sing, pursuant to her positive contract, and on contempt of that order to intrust her to the care of the Serjeant-at-Arms, and place her, during the only portion of an English year when the climate of the outward air is attractive to foreigners, in the apartments allotted to contumacious Chancery defendants, it is difficult to imagine any practical arrangement by which she would be induced to continue disobedience to the order. In reality, one knows that the orders of the Court of Chancery are universally obeyed, because of its power of committing for contempt. It is every day's experience that powerful companies pull down works, and even erect works, under mandatory injunctions; and that hundreds of things are done daily in obedience to the orders of the Court of Chancery, which it has no power of compelling except by offering the alternative of a prison, but which the knowledge of its possessing that power causes to be done with a most vigorous alacrity. In truth, it would be idle to suppose that any person practising any profession, or having any means of subsistence depending upon the exercise of a talent worth being the subject of a contract for its exercise, would go to prison, and there remain, to the destruction of his occupation, rather than perform his contract. The idea of Mr. Kean or Mademoiselle Wagner, while only under the operation of an injunction, being induced, by rival managers, to continue to refuse performance of their positive contract, and to abide the consequence in damages, is, to the mind of a man of business, not absolutely ridiculous; he may conceive the probability of such a thing;

but the idea of either of these artistes going to prison, and there remaining for a whole summer or more, paying damages to one manager, and earning nothing from the other, is of course absolutely preposterous; nor is the idea much less preposterous, that any arrangement could be practicable, by which, under such circumstances, the incarceration could be made sufficiently profitable to an artiste, to be satisfactory.

We think that, in these cursory observations, we have shewn—first, that on the true principles of equity jurisdiction, the Court has as much power to compel the performance of a positive contract of one kind as of another, that power depending wholly on its power to commit for disobedience; and, secondly, that the exercise of that power would practically be followed by obedience, as well in the class of cases referred to, as in cases in which the Court does now exercise the jurisdiction.

Of course, we are too old lawyers to suppose that even if this reasoning is perfectly correct, and even if the judges of the court were also persuaded of its correctness, they would feel themselves at liberty to assume the exercise of a jurisdiction repudiated by a long course of practice; and therefore these observations would, at any other time than the present, comprise a purely speculative inquiry, which, however interesting, would be useless. But as at present the whole course of Chancery procedure is undergoing legislative revision, any observations which may call the attention of members of the Legislature to defects in its procedure, susceptible of an easy remedy, will not be without use.

It will be very important to the railway interest to learn that the law relating to railway companies has recently received a development greatly in their favour. It has been decided, that if a company be under an obligation, by their special act, to construct their line of railway on a certain gauge, nothing being said about the number of rails, they may make a single line of mixed gauge rails, and may commence in the first instance that gauge which they are not under an obligation to construct. It was further decided, that in such a case the company may open the line so made, piece by piece, as it is constructed, provided they do not open it throughout until the rails on the other gauge are added. The authority for these propositions is the case of *The Great Western Railway Company v. The Oxford, Worcester, and Wolverhampton Railway Company and Others*, (16 Jur., part 1, p. 443). The decision was upon a motion for an injunction, but the case seems to have been elaborately argued, and the judgment of the Vice-Chancellor was long and careful. The two main points involved in this decision are of great importance, not only to railway companies, but also to the general public. These are, first, that unless their special acts provide otherwise, railway companies may construct their railways with one or two lines of rails, at their pleasure; and, secondly, that a railway company, being bound to make a line on the broad gauge, so as to be worked continuously with another broad gauge railway, may construct a narrow gauge line as well, and may, if they please, commence, and all but finish, the narrow gauge first. The first of these propositions is the one in which the public have the largest interest, because it is obvious that their convenience and safety are better provided for by having the railway constructed with two lines of rails than with one only. It is not now to be denied, that there is a contract in these cases between railway companies and the public. What, then, is the

nature of that contract with regard to this question? Surely it must be taken most strongly against the company, and in favour of the public; and if there be no specific direction, the public must have a right to require that the railway should be constructed, *ceteris paribus*, in the mode most convenient to themselves. But, in the absence of any indicium of intention on the part of the company, or of obligation upon them in the statute which gives them their powers, it may well be argued that the most general meaning of the word "railway" is a road with two lines of rails. If the line is to pass through a populous district, where much traffic in passengers and goods may be expected, that is a circumstance which strengthens such a construction. But if there be the additional fact that the capital authorised to be raised is sufficient for the expenses of making a double line, and the estimates of the company are prepared on that supposition, the conclusion seems to be irresistible. These circumstances concurred in the case to which we refer. Indeed, if further indicia had been required in that case, they were not wanting, for the line was to connect three other railways, which were all double lines. But we wish to deal rather with the general proposition, supposing all special circumstances to be absent. Now, it certainly appears to our understanding that a railway for this purpose means *prima facie* a road with a double line of rails. Suppose a company were authorised to make a street, they must surely construct it in the most ordinary mode, and it could scarcely be contended that they might at their pleasure omit to make it with footways; and many similar illustrations might be given. The rule in such cases must be, that *prima facie*, if a company or an individual contract to perform some specified undertaking, that contract must be taken most strongly against the contractor in the definition of the thing to be made, which ought to be, in good faith, that which is most commonly understood by the word employed. Now, for one railway with a single line of rails there are a hundred with double lines, so that there cannot be much question what the word "railway" most commonly means. And the circumstance which seems to us completely and effectually to clinch the argument is, that the special acts of railway companies do not habitually, if ever, define whether a railway is to be with one or two lines of rails; and it is utterly inconceivable that they should omit to do so if it were not the general opinion that the meaning of the word "railway" is *prima facie* such as we have stated.

As to the second point, it was well argued that the powers given to a railway company define not only the nature, but the measure of their authority. Originally—if we can suppose the company to have been formed first, and the powers afterwards given to them—the company were under complete disability to do anything. Parliament then authorised them to make a broad gauge railway. They immediately set to work to construct a narrow gauge line. But to enable them to make a narrow gauge line at all, they must have had the authority of Parliament; and the only authority actually conferred upon them was to make a broad gauge line. How is it possible, when the gauge is specified, to infer from such an authority power to make a line on a different gauge? The Vice-Chancellor was satisfied from the evidence, that the company in the case before him intended to make a single line of broad gauge as well, and therefore he considered that they might construct the narrow gauge first.

Therefore, when a married woman is authorised to appoint a fund by will, she may sustain an appointment by deed by shewing that she intends to make an appointment by will as well. If this proposition involve a non sequitur, so, according to the argument, does the other. The reason why a married woman

cannot appoint by deed is, because the power to do so was never given to her; and, for the same reason, it seems to us that neither could the railway company in the case mentioned make a narrow gauge line, because no power was ever conferred upon them for that purpose; and the implication of such a power is expressly excluded by a careful definition of the gauge on which the line was to be constructed.

Here, again, the circumstances of the case seem to furnish an argument *à fortiori*. So careful was the actual definition, that power was given to the company to lay down on one part of the line additional narrow gauge rails, which shewed a positive intention and understanding on the part of the Legislature and the company that narrow gauge rails were not to be laid down elsewhere on the line, and was a tacit recognition of the incapacity of the company to do anything for which they had not express authority by their act.

As to the latter part of the second proposition, the right of the company to open the narrow gauge line piecemeal, that follows naturally enough from the former part of the decision, but yet its expediency might be questioned. Considering the infirmities of human nature, which railway companies possess in rather an exaggerated degree, when duty and interest are in opposition to one another, we may reasonably suppose that, in the particular case, it would be very long, or at least longer than otherwise, before the line would be finished throughout, upon which event, and not till then, the making of the additional broad gauge line would become necessary, according to the judgment of the Vice-Chancellor.

For obvious reasons, it is a matter of public interest, as far as may be possible without unduly fettering the limbs of the giant enterprise, to restrain his unwieldy energy within carefully defined bounds. Any powers whatever to which a railway company can make a just claim may be obtained from Parliament, and therefore it is that the Courts of equity and law should be cautious not to construe too liberally the privileges which Parliament has conferred. If this decision be law, acts of Parliament must specify much more carefully than has hitherto been customary, the limit of the powers which are given to railway companies. It will not do in future to authorise a company to make a railway generally; the number of rails which are to be laid down must be mentioned; and even though the gauge be prescribed, if it is intended that none other shall be constructed, the statute must contain a negative clause to that effect. If it may be said, without too much presumption, we cannot think that a wise decision which leads to such a result.

THE THELLUSSON ACT.—LIFE INSURANCE.

In the case of *Bassil v. Lister* (9 Hare, 177; 15 Jur., part 1, p. 964) it was held that a trust to pay the premiums upon policies of assurance for lives out of the income of a testator's estate was not a direction for the accumulation of income within the meaning of the Thellusson Act, 39 & 40 Geo. 3, c. 98. In that case the testator had by his will directed that the premiums upon certain policies effected upon the lives of his two sons should be paid out of the income of his property, and that each of his said two sons should receive out of the income of his property an annuity of sixty guineas for life. The testator gave the residue of his property, including the sum secured by the policies, to his wife and daughters, and the survivor of them, for life, and the capital to his two sons absolutely, with a gift over, in the event of failure of issue of his sons, to the testator's wife and daughter, and the survivor of them, absolutely; and he directed, that in the event of the marriage of either of his sons, his

share should be settled on his wife and children. The testator died in 1803, and the estate was administered in Chancery, and a receiver was appointed. It was held, in 1852, that a direction to the receiver to pay the premiums on the policies was right. Sir G. Turner, V. C., said, that "at common law no doubt the direction in question would have been valid, and that was a circumstance not to be disregarded in construing the act." Surely it was wholly to be disregarded, for the act was passed expressly to render that invalid which was previously valid; and a direction invalid at common law is not within the act at all. His Honor, after adverting to the circumstances which occasioned the passing of the act, and to the terms of the enactment, proceeded to say, that he could not see how payment of income on premiums to an insurance office could be said to be an accumulation of income within the meaning of the statute. The premiums, when paid to the company, became part of the general funds, and, as such, liable to the expenses and liabilities of the company. Though funds in the hands of the company might be accumulated, it was impossible to say what part of such accumulated funds arose from any particular premiums. It was said, however, that such payments in respect of premiums were accumulations within the statute, because the estate of the testator would receive back a portion thereof at the death of the party insured. What would be so paid back to the estate would not, however, be an accumulation of income, but a sum payable by the company by virtue of the contract made between it and the testator. That such accumulations were not accumulations within the statute the history of the act went far to shew, and the language of the enactment of the statute confirmed that view. The statute enacted that no person should settle or dispose of his property so as to accumulate beyond the prescribed period. The language admitted of a clear common-sense interpretation, as referring to accumulation of rents, profits, and income, quæ rents, profits, and income. If the objection were supported, what, on the other hand, would become of the partnership agreements for long terms of years, by which certain sums were to be drawn out of the concern annually, and to be accumulated and be divided at the end of the partnership term? And what of settlements of policies, with trusts to keep them on foot by payment of the premiums?

It seems to us that this decision is contrary as well to the letter as to the spirit of the Thellusson Act. That it is contrary to the spirit of the act is obvious, inasmuch as the act was intended to prevent the withdrawal of the income of property from immediate enjoyment, for the benefit of remote claimants, beyond the limits mentioned in the act; and if an accumulation of income by investments, absolutely securing the full amount of the sums laid by, was within the act, à fortiori an accumulation which might in the event prove less beneficial to the ultimate taker, would be within its intent. The learned Vice-Chancellor seems to have considered that a life insurance could not properly be considered as an accumulation of income, but that, at most, it was only a quasi accumulation, and quite different from an investment in the funds or in the purchase of land. But it is obvious that an insurance is as literally an accumulation of income as is the investment of income in the funds or in land. It is, in the first place, a withdrawal of the income from present enjoyment for the sake of a prospective benefit; and that was the substance of the evil intended to be prevented by the Thellusson Act. It is a laying out of income in order that a gross sum may ultimately be received in lieu of it. But, the Court said, "You do not receive back collectively the sums which you periodically invested; you cannot trace them—they have no earmark." The answer is, that the same observation

applies to investments in the funds, on mortgage, in land, or in a business. When you invest income in the funds, you purchase a right to an annuity—to income; that right is ultimately converted into money by a sale; but what you receive back is not the aggregate of the sums invested, but the price or value of the several annuities which you purchased with them. If there be a difference between the case of investments in the funds and a life insurance, the latter may with the greatest accuracy be called an accumulation, for the insurance society agrees to receive the several instalments, and to pay back what, according to the average duration of life, they would amount to at the expiration of the insurance, deducting the costs of management and profits. And the observation, that it is impossible to say what portion of the society's funds arose from the particular premiums, is equally applicable to investments on mortgages. The mortgagor does not lay by and pay back the specific sum he borrowed; he may trade with it, and lose it, and pay out of other funds. Again: accumulation by investment in land, or in personal property, or in trade, is clearly within the act; why not accumulation by investment in policies?—they are as much a kind of property as land, or goods and chattels.

We are at a loss to understand what partnership contracts his Honor intended to refer to; the only partnership stipulations for accumulation which we ever heard of have been provisions for an accumulation or indemnity fund, which are not within the act, because they are at all times subject to the disposition of the respective partners, and do not tie up the beneficial enjoyment of the partnership property; nor do they extend beyond the lives of the respective partners; not to mention that such provisions would be within the exemption in the 2nd section of the act, being provisions for payment of debts. As to the other case suggested by the Court, of settlements of policies of insurance, it is to be observed, first, that no such settlements as would be invalidated by the act on the suggested construction occur in practice; and, secondly, that if such settlements were usual, the usage could not repeal an act of Parliament. The only settlements of policies which occur in practice are settlements of policies on the lives of the grantors; and accumulations during such lives are not prohibited.

London Gazette.

FRIDAY, MAY 28.

BANKRUPTS.

ROBERT HARLAND WHITEMAN, High-street, Putney, Surrey, apothecary, dealer and chapman, June 5 and July 3 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Co., 14, Old Jewry-chambers, City.—Petition dated May 26.

ROBERT BUCK, Church-street, Hackney, Middlesex, builder, June 4 at 1, and June 16 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Peddell, 142, Cheapside, London.—Petition filed May 26.

WILLIAM ROWLAND HILL, Birmingham, silversmith and jeweller, June 7 and July 3 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Standbridge, Birmingham.—Petition dated May 26.

JOHN SIMPSON LEAKE, Wheelock, Sandbach, Cheshire, salt merchant, dealer and chapman, June 10 and July 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Keary & Sheppard, Stoke-upon-Trent, Staffordshire.—Petition filed May 20.

THOMAS MARSDEN and JOHN CLAYTON, Water-grove-mill, Wardle, Rochdale, Lancashire, cotton manufacturers, (carrying on business under the firm of Marsden & Clayton), June 11 and July 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Harris, Rochdale; Sutton, Manchester.—Petition filed May 18.

THOMAS FRANCIS MILLAR, Bath, Somersetshire, publisher, music seller, dealer and chapman, June 10 and July 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Hellings, Bath.—Petition filed May 26.

WILLIAM HOWARD HEGINBOTTOM, Manchester, hosier, salesman, dealer and chapman, June 11 and July 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Sale & Co., Manchester.—Petition filed May 19.

HENRY EVANS, Ilchester, Somersetshire, carpenter, wheelwright, and shopkeeper, dealer and chapman, June 8 at 11, and July 2 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Garland & Fear, Sherborn; Terrell, Exeter.—Petition filed May 22.

MEETINGS.

William Arthur Watson, Whitacre, Warwickshire, builder, June 15 at half-past 11, District Court of Bankruptcy, Birmingham, ch. ass.—*Henry Hayman*, Ottery St. Mary, Devonshire, apothecary, June 8 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 22 at 11, div.—*C. Phipps Hewille*, Chideock, Dorsetshire, miller, June 8 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 2 at 11, div.—*Joseph Whidden*, Plymouth, Devonshire, cement manufacturer, June 9 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*William Hamley*, Crockernwell, Devonshire, victualler, June 9 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 22 at 11, div.—*Thomas Lewis*, St. Sidwell, Exeter, shoemaker, June 9 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Carter*, Liverpool, merchant, June 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. M'Can*, Liverpool, merchant, June 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Sharp*, Birkenhead, Cheshire, merchant, June 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Isaac Gardiner*, Bristol, saddler, June 17 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Womersley* the younger, Huddersfield, Yorkshire, ironmonger, June 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.; June 28 at 12, first and fin. div.—*Thos. Barnjum*, Pall-mall East, and Willesden, Middlesex, wine merchant, June 24 at 12, Court of Bankruptcy, London, div.—*Joseph Cerrito*, Mincing-lane, London, merchant, June 24 at 11, Court of Bankruptcy, London, div.—*James Morrison Wilson*, Eton, Buckinghamshire, bookseller, June 24 at 11, Court of Bankruptcy, London, div.—*Henry Worms*, Blackfriars-road, Surrey, boot maker, June 18 at half-past 11, Court of Bankruptcy, London, div.—*George Law*, West Drayton, Middlesex, hatter, June 18 at half-past 1, Court of Bankruptcy, London, div.—*James Norris*, Watford, Hertfordshire, grocer, June 18 at half-past 1, Court of Bankruptcy, London, div.—*Wm. Abram Cogar*, Newgate-st., London, and Quadrant, Regent-st., Middlesex, commission agent, June 19 at half-past 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Abram Cogar, Newgate-st., London, and Quadrant, Regent-st., Middlesex, commission agent, June 19 at 12, Court of Bankruptcy, London.—*Henry Norman Barnes*, Margatting, Essex, milkman, June 19 at half-past 11, Court of Bankruptcy, London.—*John Iveson*, Stokesley, Yorkshire, builder, June 21 at 12, District Court of Bankruptcy, Leeds.—*James Colquhoun*, Woolwich, Kent, money scrivener, June 18 at 12, Court of Bankruptcy, London.—*Wm. Todd* and *Jas. Todd*, Liverpool, provision merchants, June 21 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Thompson Adcock*, Manchester, hotel keeper, June 18 at 11, District Court of Bankruptcy, Manchester.—*Henry Bates* and *Henry Williamson*, Warley, Halifax, Yorkshire, common brewers, June 28 at half-past 11, District Court of Bankruptcy, Leeds.—*John Womersley* the younger, Huddersfield, Yorkshire, ironmonger, June 28 at 12, District Court of Bankruptcy, Leeds.—*George Chadwick*, Leeds, Yorkshire, grocer, June 29 at 12, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Milbourne Clark, Padding-lane, London, commission agent.—*Robert Youngman*, Waterbeach, Cambridgeshire, miller.—*Thomas Patient*, Saffron Walden, Essex, cooper.—*Samuel Churchill*, Crisp-st., Poplar, and *Thos. Clayden*, St. Thomas-road, Mile-end Old-town, Stepney, Middlesex, builders.—*Wm. Noblet*, Blackpool, Lancashire, post-horse keeper.—

Robert Green Watson, Gateshead, Durham, wine merchant.—*John Cogle*, Limington, Somersetshire, miller.—*Wm. Hough* the younger, Rochdale, Lancashire, joiner.—*George Foster*, Chorlton-upon-Medlock, Lancashire, joiner.—*Eden Clark*, Chorlton-upon-Medlock, Lancashire, ironmonger.—*Stavros J. Negroponte*, Manchester, merchant.—*Isaac Hodgkinson*, Bolton-le-Moors, Lancashire, ironfounder.—*George Gillett*, Castleford, Yorkshire, grocer.—*W. Savage*, Bradford, Yorkshire, dispensing druggist.—*Job Clark*, Willenhall, Staffordshire, bolt manufacturer.

PETITIONS ANNULLED.

Edmund Curties, Blackfriars-road, Surrey, cheesemonger.—*Alfred Eiborough*, Crescent-road, Millbank, Westminster, Middlesex, coal merchant.

SCOTCH SEQUESTRATIONS.

S. Y. M'ulloch, Dailly, Ayrshire, farmer.—*Thos. Hyslop*, Cumnock, Ayrshire, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Frogley, Totnes, farrier, June 17 at 11, County Court of Devonshire, at Totnes.—*W. Sacre*, Brighton, Sussex, plumber, June 4 at 12, County Court of Sussex, at Brighton.—*Chas. Kingston*, Northowram, near Halifax, Yorkshire, draper, June 11 at 10, County Court of Yorkshire, at Halifax.—*Charles Lancaster*, Bradford, Yorkshire, machine maker, June 11 at 10, County Court of Yorkshire, at Halifax.—*Robert Fox*, Ipswich, Suffolk, upholsterer, June 11 at 10, County Court of Suffolk, at Ipswich.—*John Atkins*, Corbridge, Northumberland, blacksmith, June 14 at half-past 11, County Court of Northumberland, at Hexham.—*W. Studdy*, Cowpen Quay, Northumberland, beer-house keeper, June 18 at half-past 10, County Court of Northumberland, at North Shields.—*Thomas Sangster*, Tynemouth, Northumberland, builder, June 18 at half-past 10, County Court of Northumberland, at North Shields.—*H. Slade*, Millbrook, Southampton, coachmaker, June 12 at 10, County Court of Hampshire, at Basingstoke.—*Charles Hooker*, Basingstoke, Southampton, coachmaker, June 12 at 10, County Court of Hampshire, at Basingstoke.—*Robt. Suckley*, Exey, Great Ness, Shropshire, farming bailiff, June 15 at 10, County Court of Shropshire, at Shrewsbury.—*Edward Whiteley*, Huddersfield, Yorkshire, carver, June 17 at 10, County Court of Yorkshire, at Huddersfield.—*Thos. C. Squire*, Iping, Sussex, foreman in a paper manufactory, June 10 at 12, County Court of Sussex, at Midhurst.—*Wm. Booth*, Trevethin, Monmouthshire, retailer of beer, June 10 at 10, County Court of Monmouthshire, at Pontypool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 11 at 11, before the CHIEF COMMISSIONER.

C. D. Meyrick, Gloucester-gate, Regent's-park, Middlesex, lodging-house keeper.

June 12 at 11, before Mr. Commissioner PHILLIPS.

Henry B. Hughes, York-street West, Commercial-road East, Middlesex, lighterman.—*Richard Holland*, Union-st., Middlesex Hospital, Middlesex, shoemaker.—*John Regnard*, King-street, Soho, Middlesex, out of employ.—*John Reddell*, Turner-street, Commercial-road, Stepney, Middlesex, gun manufacturer.—*John Poultney*, Bedford-place, Alfred-place, Old Kent-road, Surrey, hatter.

June 14 at 10, before Mr. Commissioner LAW.

Richard Greenfield, Thurman's-place, Kennington, Surrey, traveller for a patent medicine.—*James Henry Corston*, Ponsonby-place, Vauxhall-bridge-road, Middlesex, chandler-shop keeper.—*Charles Griesbach*, Bolton-terrace, Edward-st., Penton-place, Walworth, Surrey, musician.

June 14 at 11, before Mr. Commissioner PHILLIPS.

John Haxton, Cross-street, Mason-st., Old Kent-road, St. George-the-Martyr, Southwark, Surrey, baker.—*Henry J. Daker*, Judd-st., Brunswick-sq., Middlesex, out of employ.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 11 at 11, before the CHIEF COMMISSIONER.

Samuel Badgery, Bedfordbury, St. Martin's-in-the-Fields, Middlesex, out of business.

June 11 at 10, before Mr. Commissioner LAW.

James Balchin, Godalming, Surrey, fishmonger.

June 14 at 10, before Mr. Commissioner LAW.

John J. Hickson, Hawkins-st., Sydney-st., Mile-end-road, Middlesex, out of business.—*Wm. Jewell*, Albany, Burlington-gardens, Middlesex, valet to a gentleman.—*F. Russell*, Clarence-gardens, Regent's-park, Middlesex, out of business.—*Gilbert Smith*, Church-street, Deptford, Kent, potato salesman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, June 10.

Morgan Humphrey, Dowlais, near Merthyr Tydvil, miner.—*David Evans*, Merthyr Tydvil, out of business.—*Edward Miles*, Waun-yr-Erw, Cwm Rhonda, out of business.

At the County Court of Lancashire, at MANCHESTER, June 11 at 2.

James Shaw, Blackley, labourer.—*James Meikle*, Manchester, joiner.

At the County Court of Sussex, at LEWES, June 15.

Robert Wright, Battle, tea dealer.—*J. Seaman*, Brighton, traffic and station inspector on the London, Brighton, and South-coast Railway.

At the County Court of Shropshire, at SHREWSBURY, June 15 at 10.

Charles Wm. Green, Shrewsbury, out of business.

MARRIAGES.

Thomas Rawlins, Liverpool, surgeon, June 15 at 12, Norris's, Liverpool, sp. aff.—*Ann Turner*, widow, Great Hucklow, Hope, Derbyshire, farmer, June 12 at 12, Castle Inn, Castleton, Derbyshire, sp. aff.

TUESDAY, JUNE 1.

BANKRUPTS.

GEORGE BAKER and **GEORGE BAKER** the younger, Threadneedle-st., London, stock and share brokers, dealers and chapmen, June 11 at half-past 1, and July 13 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Howard & Dollman, 141, Fenchurch-street.—Petition filed May 31.

WILLIAM PARSONS, Merton, Surrey, retailer of beer, June 8 and July 13 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Upward, 3, Copthall-court, Throgmorton-street.—Petition filed May 17.

JOHN JUTSUM, Trafalgar-road, Greenwich, Kent, licensed victualler, June 17 at 2, and July 13 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Martineau & Reid, 2, Raymond-buildings, Gray's-inn.—Petition filed May 29.

EMIL KRETZSCHMAR, King-square, Middlesex, manufacturing jeweller, dealer and chapman, June 17 at 1, and July 5 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Levenson, 12, St. Helen's-place.—Petition filed May 25.

GEORGE DOVER, Cheltenham, Gloucestershire, builder and coal agent, dealer and chapman, June 16 and July 14 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Accaman; Sols. Price & Stuart, Wolverhampton; Bevan, Bristol.—Petition filed May 25.

JOSEPH JONES, Macken, Monmouthshire, coal owner, banker, dealer and chapman, and one of the shareholders and partners in the Monmouthshire and Glamorganhire Banking Company, June 16 and July 14 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Abbot & Lucas, Bristol; Birch & Davies, Newport.—Petition filed May 27.

MARRIAGES.

Jacob Jenkins Nicholas, Newport, Monmouthshire, timber merchant, June 14 at 12, District Court of Bankruptcy, Bristol, sp. aff.—*Hewry Worms*, Blackfriars-road, Surrey,

boot maker, June 11 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Law*, West Drayton, Middlesex, hatter, June 11 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Abram Cogar*, Newgate-st., London, and Quadrant, Regent-street, Middlesex, commission agent, June 11 at 2, Court of Bankruptcy, London, aud. ac.—*James Norris*, Watford, Hertfordshire, grocer, June 11 at half-past 1, Court of Bankruptcy, London, aud. ac.—*George Collier*, Landport, near Portsea, Southampton, draper, June 11 at half-past 1, Court of Bankruptcy, London, aud. ac.—*James Franklin*, Great Marlow, Buckinghamshire, innkeeper, June 12 at 12, Court of Bankruptcy, London, aud. ac.—*David French* and *Archibald Sands*, Coal Exchange, London, and Chatham, Kent, coal factors, June 11 at half-past 11, Court of Bankruptcy, London, aud. ac.; June 18 at 11, div.—*Thos. Hall*, Romsey Extra, Southampton, common brewer, June 22 at 11, Court of Bankruptcy, London, div.—*John Berryhill Cross*, Cornhill, London, watchmaker, June 22 at half-past 11, Court of Bankruptcy, London, div.—*Christian Kley*, New Bond-street, Middlesex, valentia arabica manufacturer, June 24 at 11, Court of Bankruptcy, London, div.—*William Townshend* and *William Brown*, Cheapside, London, warehousemen, June 19 at half-past 12, Court of Bankruptcy, London, div.—*Joseph Seelie*, Freeschool-street, Horleydown, Southwark, Surrey, rectifier, June 22 at 2, Court of Bankruptcy, London, div.—*Wm. Chadwick*, Manchester, paper manufacturer, June 23 at 12, District Court of Bankruptcy, Manchester, div.—*Charles Lucas*, *Richard Wilkinson*, and *Edward Bond*, Manchester, and Hayfield, Derbyshire, calico printers, June 24 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. T. Adcock*, Manchester, hotel keeper, June 24 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Rock, Surrey-place, Surrey, printer, June 24 at 12, Court of Bankruptcy, London.—*Daniel Pugsley*, Bread-st., Cheapside, London, warehouseman, June 24 at half-past 1, Court of Bankruptcy, London.—*Georgy Wyatt*, Princess-st., Lambeth, Surrey, rectifier, June 24 at 1, Court of Bankruptcy, London.—*Joseph Williams* and *William Williams*, Golyms and Varteg, Monmouthshire, shopkeepers, June 23 at 11, District Court of Bankruptcy, Bristol.—*Timothy Ross*, Strangeways, Manchester, furniture dealer, June 24 at 11, District Court of Bankruptcy, Manchester.—*Wm. Hewitt*, Great Driffield, East Riding of Yorkshire, brewer, June 23 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

William Lougher, *Thomas Lougher*, and *David Lougher*, Plymouth, Devonshire, ironfounders.—*Wm. Baynes*, Leeds, Yorkshire, flax spinner.—*G. Moon*, Borrowby, near Thirsk, North Riding of Yorkshire, corn miller.—*John Norwood*, Snaith, Yorkshire, corn miller.—*David Shaw* and *Josh. Shaw*, Royd Edge, Meltham, Almondbury, Yorkshire, manufacturers.

PARTNERSHIP DISSOLVED.

Charles H. Edmonds and *John Jones*, Eldon-chambers, Devereux-court, Temple, London, attorneys and solicitors.

SCOTCH SEQUESTRATION.

James Bannatyne, Lamslah, Isle of Arran, Butehire, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph J. Milnes, Hulme, Manchester, bookkeeper, June 11 at 2, County Court of Lancashire, at Manchester.—*James Byrom*, Manchester, labourer, June 11 at 2, County Court of Lancashire, at Manchester.—*John James*, St. Woollos, Monmouthshire, grocer, June 8 at 12, County Court of Monmouthshire, at Newport.—*William Bisco*, Newport, Monmouthshire, wheelwright, June 8 at 12, County Court of Monmouthshire, at Newport.—*John Henry D. Jackson*, Sheerness, Kent, out of business, June 21 at 10, County Court of Kent, at Sheerness.—*Charles Green*, Henley-upon-Thames, Oxfordshire, dealer in coals, June 24 at 10, County Court of Berkshire, at Henley-upon-Thames.—*John Bate*, Charlton Kings, Gloucestershire, market gardener, June 29 at 10, County Court of Gloucestershire, at Cheltenham.—*William Benjamin Atkinson*, Long Eaton, Derbyshire, baker and flour

seller, June 19 at 11, County Court of Derbyshire, at Derby.—*William Henshaw Wright*, Dukinfield, Cheshire, chemist, June 10 at 12, County Court of Lancashire, at Ashton-under-Lyne.—*William Francis*, Tredegar, Monmouthshire, carpenter, June 11 at 10, County Court of Monmouthshire, at Tredegar.—*William Hughes*, Carnarvon, victualler, June 28 at 10, County Court of Carnarvonshire, at Carnarvon.—*William Brocklesby*, Oxford, turner, June 18 at 10, County Court of Oxfordshire, at Oxford.—*James Tomlinson*, Upper Canada, Belper, Derbyshire, framesmith, June 17 at 10, County Court of Derbyshire, at Belper.—*Richard Tucker*, Carmarthen, retailer of spirits, June 15 at 2, County Court of Carmarthen-shire, at Carmarthen.—*Edw. Bush*, Deal, Kent, wheelwright, June 11 at 11, County Court of Kent, at Deal.—*John Appleton*, Hutton Cranswick, Yorkshire, farmer's labourer, June 14 at 10, County Court of Yorkshire, at Great Driffield.—*Thomas Coles*, Bristol, carpenter, June 9 at 11, County Court of Gloucestershire, at Bristol.—*Edgar Bodle* the elder, Alfred-town, Ashford, Kent, dealer in coals, June 7 at 10, County Court of Kent, at Ashford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 16 at 11, before the CHIEF COMMISSIONER.

Joseph Preston, Kempes-row, Pimlico, St. George, Hanover-square, Middlesex, carman.—*James Absalom*, Victory-place, Green-lanes, Stoke Newington, Middlesex, attorney's clerk.—*Thomas Joseph Bailey*, Catherine-street, Charlotte-street, Caledonian-road, King's-cross, Middlesex, tailor.—*James Mattock Read*, Lark-row, Cambridge-road, Bethnal-green, Middlesex, bricklayer.

Saturday, May 29.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Frederick Atkinson, Upper Berkeley-street, Connaught-square, Middlesex, fishmonger, No. 61,329 T.; *William Harris*, assignee.—*James Welch* the younger, Pratt-street, Camden-town, Middlesex, builder, No. 62,622 T.; *John Softley*, assignee.—*John Fuller*, Uxbridge-moor, Hellingdon, Middlesex, licensed beer retailer, No. 62,889 T.; *George Colton Moore*, assignee.—*Thomas Lett*, Stoke Prior, near Broms-grove, Worcestershire, victualler, No. 74,925 C.; *Josiah Stalland*, assignee.—*Robert Raine*, Ferry-hill, Durham, farm bailiff, No. 74,978 C.; *Robert Healop*, assignee.—*David Coe*, Ipswich, Suffolk, haberdasher, No. 75,009 C.; *George Mes-sent*, assignee.—*Ambrose Whiteman*, Feltwell, Norfolk, wheelwright, No. 75,089 C.; *Francis King*, assignee.—*William Norcross*, Church Brow, Clitheroe, Lancashire, plasterer, No. 74,942 C.; *William Moon*, assignee.

Saturday, May 29.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Daniel James Young, Upper Weymouth-street, Portland-place, Middlesex, surgeon: in the Queen's Prison.—*John White*, Little Cadogan-place, Park-street, Belgrave-square, Middlesex, livery-stable keeper: in the Debtors Prison for London and Middlesex.—*Thos. Moore*, Great College-street, Camden-town, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Richard Hutchens*, Park-road, Clapham-road, Surrey, saddler: in the Gaol of Horse-monger-lane.—*John Burt*, Northampton-row, Holloway-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*William Ash*, Henry-street, Hampstead-road, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Jos. Williams*, Ebenezer-terrace, Turner-street, Commercial-road East, Middlesex, ale and stout merchant: in the Debtors Prison for London and Middlesex.—*James Fisker*, Winchester-street, Pentonville-hill, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Charles Rouse*, Crawford-street, Marylebone, Middlesex, coffee-house keeper: in the Debtors Prison for London and Middlesex.—*Samuel Sparshott Shore*, Queen's-road, Bayswater, Middlesex, lieutenant in the Royal Navy: in the Debtors Prison for

London and Middlesex.—*Robt. Baxter*, Sussex-place, South-gate-road, Kingsland, Middlesex, secretary to the Devon United Copper Mining Company: in the Debtors Prison for London and Middlesex.—*John O'Meara*, Norfolk-crescent, Hyde-park, Middlesex, in no trade: in the Queen's Prison.—*Alexander John Wallace*, Queen-street, Golden-square, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*John Henry Crosswell Russell*, Water-lane, Tower-street, London, out of business: in the Queen's Prison.—*Thomas M. Peacock*, Bishop's-court, Old Bailey, London, shoe manufacturer: in the Queen's Prison.—*Charles Sewell*, Belgrave-terrace, Pimlico, Middlesex, builder: in the Queen's Prison.—*Wm. Metcalf*, Halifax, Yorkshire, butcher: in the Gaol of York.—*Wm. Wood*, Leamington-priors, Warwickshire, manager of the Victoria Baths: in the Gaol of Warwick.—*W. H. Argall*, Wade-bridge, Egloshayle, Cornwall, wheelwright: in the Gaol of Bodmin.—*Richard Kabry* the younger, Bedworth, Warwickshire, ribbon manufacturer: in the Gaol of Coventry.—*J. W. Hunt*, Landport, Portsea, Hampshire, cattle dealer: in the Gaol of Portsmouth.—*John Woodridge*, Stonehouse, Devonshire, builder: in the Gaol of St. Thomas the Apostle.—*R. B. Willecks*, St. Stephen's by Saltaah, Cornwall, farmer: in the Gaol of Bodmin.—*Samuel Wood*, Liverpool, commercial traveller: in the Gaol of Lancaster.—*John Farrer*, Tadcaster, near York, butcher: in the Gaol of York.—*Joseph Johnson*, Lichfield, stonemason: in the Gaol of Coventry.—*Thomas Harwood*, Swansea, Glamorganshire, attorney: in the Gaol of Cardiff.—*John W. Hires*, Leeds, Yorkshire, mechanic: in the Gaol of York.—*Thos. Hillary*, Bingley, Yorkshire, stone dealer: in the Gaol of York.—*Jeese Wade*, Thornton, near Bradford, Yorkshire, corn miller: in the Gaol of York.—*Henry Walker*, Wolverhampton, Staffordshire, tailor: in the Gaol of Worcester.—*Wm. Dyeon*, Golcar, near Huddersfield, Yorkshire, cloth manufacturer: in the Gaol of York.—*Anthony Brunt*, Chorlton-upon-Medlock, Manchester, milk seller: in the Gaol of Lancaster.—*William Wright*, Toxteth-park, Liverpool, butcher: in the Gaol of Lancaster.—*Chas. Whitworth*, Rochdale, Lancashire, carter: in the Gaol of Lancaster.—*J. M'Conery*, Liverpool, printer: in the Gaol of Lancaster.—*John Buttersworth*, Hulme, Manchester, waste dealer: in the Gaol of Lancaster.—*George M. Wilson*, Liverpool, painter: in the Gaol of Lancaster.—*John Carr*, Leeds, Yorkshire, licensed beer-seller: in the Gaol of York.—*Wm. C. Robinson*, York, attorney at law: in the Gaol of York.—*Ann News*, Ipswich, Suffolk, not in any business: in the Gaol of Ipswich.—*David Nathan*, Pontmorlais, Merthyr Tydvil, Glamorganshire, haulier: in the Gaol of Cardiff.—*J. Richards*, Backwell, Somersetshire, farmer: in the Gaol of Wilton.—*George Hillary*, Haworth, near Keighley, Yorkshire, stone dealer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 15 at 11, before the CHIEF COMMISSIONER.

Wm. W. Lucking, Orchard-street, Portman-square, Middlesex, auctioneer.—*John L. White*, St. Mary's Cray, Kent, baker.—*F. Gadsden*, Upper Carlisle-street, Portman-market, Marylebone, Middlesex, baker.—*Wm. Taylor*, Charles-street, Manchester-square, Middlesex, out of business.—*Jack Kempster*, Queen's-road, Bayswater, Paddington, Middlesex, out of business.

June 16 at 10, before Mr. Commissioner LAW.

Adjourned Hearing.

James B. Gordon, Belsize-road, Finchley-road, Middlesex, cooper.

June 17 at 11, before Mr. Commissioner PHILLIPS.

James K. Gidea, King-street, St. James's, Middlesex, gentleman farmer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at WARWICK,
June 16 at 10.

Wm. Wood, Leamington-priors, bath keeper.—*John FRU*, Chester, in no business.

At the County Court of Monmouthshire, at MONMOUTH,
June 18 at 10.

David Eley, Abernethy, Trevethin, butcher.—*Thos. Wallace*, Abernethy, Trevethin, common carrier.

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JUNE 12, 1852.

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LONDON, JUNE 12, 1852.

We have now before us the Bill for amending the Practice and Course of Proceeding in the Court of Chancery. The 1st clause proposes to dispense with the ingrossing on parchment and filing of bills and claims, and to substitute a printed bill or claim. The bill only refers to the printing of bills and claims; but it seems probable that if the plaintiff's pleading is printed, everything else will be printed; for it would be exceedingly inconvenient that a bill should be printed, and that the answer to the bill, the evidence in support of the bill, and the evidence in support of the answer, should be written on sheets of brief paper, as they now are.

The 10th clause of the bill is as follows:—"Every bill of complaint to be filed in the said court after the time hereinafter appointed for the commencement of this act, shall contain, as concisely as may be, a narrative of the material facts, matters, and circumstances on which the plaintiff relies, such narrative being divided into paragraphs numbered consecutively, and each paragraph containing, as nearly as may be, a separate and distinct statement or allegation, and shall pray specifically for the relief which the plaintiff may conceive himself entitled to, and also for general relief; but such bill of complaint shall not contain any interrogatories for the examination of the defendant."

The 18th clause is most material; it provides, that "the practice of excepting to bills, answers, and other proceedings in the said court, for impertinence, shall be and the same is hereby abolished: provided always, that it shall be lawful for the Court to direct the costs, occasioned by any impertinent matter introduced into any proceeding in the said court, to be paid by the

party introducing the same, upon application being made to the Court for that purpose." The Court will thus be relieved from such cases as one which lately occurred, in which a very considerable portion of time was engaged in discussing, on a bill being filed by an insurer in one of the oldest and most respectable insurance companies against the office, whether the answer was impertinent, because, in answer to a very stringent interrogatory as to books and papers, instead of referring to certain books belonging to the company, and offering to produce them, it selected the passages from those books which the defendant believed were material, and set out those passages. Under the proposed act such technical and captious objections will be impossible.

The most material part of the bill, as altering the course and practice of the Court of Chancery, is contained in the 27th, 28th, 29th, and 30th clauses. By those clauses it is enacted—

"27. When any suit commenced by bill shall be at issue, the plaintiff shall, within such time thereafter as shall be prescribed in that behalf by any General Order of the Lord Chancellor, give notice to the defendant that he desires that the evidence to be adduced in the cause shall be taken orally or upon affidavit, as the case may be; and if the plaintiff shall desire the evidence to be adduced upon affidavit, and the defendant, or some or one of the defendants, if more than one, shall not, within such time as shall be prescribed in that behalf by any General Order of the Lord Chancellor, give notice to the plaintiff or his solicitor that he or they desire the evidence to be oral, the plaintiff and defendants respectively shall be at liberty to verify their respective cases by affidavit.

"28. When any of the parties to any suit commenced by bill desires that the evidence should be adduced orally, and gives notice thereof to the opposite party, as hereinbefore provided, the same shall be taken orally, in the manner hereinafter provided; provided, that if the evidence be required to be oral merely by a party without a sufficient interest in the matters in question, the Court may, upon application, in a summary way, make such order as shall be just.

"29. All witnesses to be examined orally under the provisions of this act shall be so examined by or before one of the examiners of the Court, or by or before an examiner to be specially appointed in that behalf by the Court, the examiner being furnished by the plaintiff with a copy of the bill, and of the answer, if any, in the cause; and such examination shall take place in the presence of the parties, their counsel, solicitors, or agents, and the witnesses so examined orally shall be subject to cross-examination and re-examination; and such examination, cross-examination, and re-examination shall be conducted, as nearly as may be, in the mode now in use in courts of common law with respect to a witness about to go abroad, and not expected to be present at the trial of a cause.

"30. The depositions taken upon any such oral examination as aforesaid shall be taken down in writing by the examiner, not ordinarily by question and answer, but in the form of a narrative, and when completed shall be read over to the witness, and signed by him in the presence of the parties, or such of them as may think fit to attend: provided always, that it shall be in the discretion of the examiner to put down any particular question or answer, if there should appear any special reason for doing so; and any question or questions which may be objected to shall be noticed or referred to by the examiner in or upon the depositions, and he shall state his opinion thereon to the counsel, solicitors, or parties, and shall refer to such statement on the face of the depositions, but he shall not have power to decide upon the materiality or relevancy of any question or questions; and the Court shall have power to deal with the costs of immaterial or irrelevant depositions as may be just."

Now, the result of this will be, that a sort of *Nisi Prius* examination of witnesses will take place before the examiner, or some other officer of the court, and that the depositions will be presented to the judge who has ultimately to decide the case. We are not quite certain whether, for the purpose of Chancery business, this may not be the most convenient form of proceeding. As far as our personal opinion is concerned, we have always thought, and do think, that the right course would be to examine the witnesses in open court before the judge who tries the cause. We are unable to distinguish between a cause in Chancery and a cause at common law, in any case in which there is a conflict of evidence. However, persons of the greatest experience and highest reputation appear to think otherwise; and if the mode which they propose of taking evidence should not be as perfect as it may be, it is at least a step, and a practical and well-considered step, in the right direction. We trust the reform offered will not be rejected by any class of law reformers, because it may not be as much as might be desired.

We have often urged in this Journal that substantial reforms in the proceedings in Chancery were absolutely essential, if it were intended that such an institution as a superior court of equity should be preserved at all; and we hope now, that the public and the Profession will take any instalment of Chancery reform, rather than let the question linger. The present bill is a very large instalment, and it would be absolute insanity in the public to reject it, because it does not offer everything that might be desired.

CONSTRUCTIVE REVOCATION OF DEVISE OF AN EQUITY OF REDEMPTION BY TAKING A RECONVEYANCE TO USES TO BAR DOWER.

"THE absurdity of *Lord Lincoln's case* is shocking." (Per Lord Mansfield, C. J., Dougl. 722). This condemnation of the doctrine, a branch of which we propose to consider, has been frequently repeated by eminent judges, and should be borne in mind whenever the application of the doctrine or of the authorities to a new case has to be considered. It appears to have been lost sight of by Sir B. T. Kindersley, V. C., in the recent case of *Plowden v. Hyde*, (which will be reported in our next number), and it is in the hope of shewing that the decision in that case is not justified by any established principle or any authority, that we propose to consider in some detail the rule which was then held to be applicable. The doctrine is still important, notwithstanding its abolition by statute in respect of wills executed after 1837; for questions on wills of earlier date are frequently arising, and will continue for many years to occur.

In *Plowden v. Hyde* two questions of revocation arose with respect to two distinct estates; one of these questions was identical with that which was raised in *Bullin v. Fletcher*, (2 My. & C. 421), stated infra. The other question, which we hope to shew was entirely new, arose under the following circumstances:—The testator, Plowden, having taken a conveyance of freeholds to such uses as he should appoint, and in default of appointment to the use of himself for life, with remainder to the use of J. D., his executors, administrators, and assigns, during the life of and in trust for Plowden, with remainder to the use of Plowden, his heirs and assigns, conveyed the estate by way of mortgage in fee, with a proviso, that on payment of the debt the estate should be reconveyed to him, his heirs, appointees, or assigns, or to such other person or persons, to such uses, and in such manner as he or they should direct. After this, and in 1811, he made his will, devising all his real estate, and in 1813 he paid off the mortgage and took a reconveyance to such uses as he should appoint, and in default of appointment to the use of himself for life, with remainder to the use of the said J. D., his executors, administrators, and assigns, during the life of and in trust for Plowden, with remainder to the use of Plowden, his heirs and assigns. This was held to have revoked the will in equity. We shall advert to the reasons given for the decision after we have discussed the previous cases.

It was a settled rule of law, that a conveyance by the testator of the whole estate comprised in a previous devise operated wholly to revoke the devise, though the conveyance was intended only for a partial purpose, and, subject to that partial purpose, gave back to the testator his original estate; (*Goodtitle v. Holford*, 2 H. Bl. 516; 1 B. & P. 570; 7 T. R. 399); and equity declined to relieve against such a revocation. (*Case v. Holford*, 3 Ves. 660).

So far from giving relief, equity followed the rule of

law in this respect, and applied it to purely equitable interests, and held that a conveyance for a partial purpose, made by a testator having only an equitable title, would revoke a prior devise. *The Earl of Lincoln's case* (Show. P. C. 154; 1 Eq. Ab. 411; the report in 2 Freem. 202, is very imperfect) is generally cited as the leading authority for this proposition. In that case the Earl of Lincoln, being seised in fee, devised the estate, then mortgaged it in fee, (1 Eq. Ab. 411), and then, upon a treaty of marriage, conveyed the equity of redemption to his own use until the marriage, and after the marriage, as to part, in trust for the lady in fee, and as to the residue, in trust for himself for life; and after his decease, to sell and pay debts, and deliver the surplus as he should by will direct; and for want thereof, to his executors or administrators; and he reserved a power to vary or revoke the trusts by will or deed, and [in case there should be no sale, and] for want of such after to be made will or deed, then in trust for himself, his heirs and assigns for ever. The marriage treaty went off, but the settlement was held to have revoked the devise. Much of the argument for the heir turned on the special terms of the settlement. The mortgage is not mentioned in Freeman, and the circumstance that the estate was merely equitable does not seem to have been sufficiently adverted to. Lord Roslyn evidently thought that the will was revoked at law by the settlement. (2 Ves. jun. 430). This case, though considered to be a binding authority, has been generally condemned. (See Dougl. 722; 4 Burr. 1460; 7 T. R. 420). In the case of *Bulkeley v. Welford* (2 Cl. & Fin. 102; 8 Bligh, 111) the law itself pronounced an emphatic condemnation of its own doctrine, by depriving the attorney, who was also the heir presumptive of the testator, of the benefit of a revocation which he ignorantly allowed to take place under the doctrine in question. The case of *Pollex v. Huband* (1 Eq. Ab. 412; S. C., nom. *Huband v. Huband*, 7 Bro. P. C. 433) may also be referred to the special terms of the conveyance, reserving a future power of testamentary appointment.

In *Lock v. King* (5 Sim. 619) the doctrine of *Lord Lincoln's case*, as it is commonly interpreted, was pushed to extremity. There the testator was entitled to an equitable fee simple in remainder in certain estates comprised in a deed purporting to be a release to uses, but which only operated as an appointment to the use of the intended release. After devising those estates he sold part of them, and, to satisfy an unfounded scruple of the purchaser, he suffered a recovery of the whole, as to the purchased estates, to the use of the purchaser; and as to the residue, to the original uses. This recovery, and the deed leading the uses of it, though wholly inoperative as to the unsold estates, were held to have revoked the devise of the latter.

The rule commonly supposed to have been settled by *Lord Lincoln's case* involves the absurd assumption that the owner of a merely equitable title, by a conveyance purporting to pass the whole estate, but only for a limited purpose, as to secure a jointure, does actually pass for a moment the surplus beneficial interest which he intends to retain for himself. It is obvious that he does no such thing, and that the conveyance passes nothing beyond the limited interest intended to be secured, and does not even momentarily disturb the residue of the original equitable fee. There is no analogy in this respect between legal and equitable estates. This is clearly shewn by the case of *Vawser v. Jeffrey*, (16 Ves. 519; 2 Swanst. 268; 3 Russ. 479), which, though generally referred to a supposed peculiarity in copyhold titles, (see *Langford v. Little*, 2 Jo. & Lat. 633), ought rather to be considered as having overruled the decisions commonly classed with *Lord Lincoln's case*.

In *Vawser v. Jeffrey* it was debated whether a mere covenant to surrender copyholds to certain uses to

secure a jointure, and, subject thereto, to the use of the covenantor, had revoked a devise. Sir W. Grant held that the covenant revoked the devise. Lord Eldon directed a case for the opinion of a Court of law, as to whether, if the surrender had been actually made, it would have revoked the will, saying, that if the surrender would have revoked at law, the covenant was a revocation in equity. It was held at law that the surrender would not revoke the devise; (*Vawser v. Jeffrey*, 3 B. & Al. 462); and Lord Lyndhurst ultimately decided that the covenant was not a revocation in equity. The limitations intended to be introduced into the surrender were to the testator for life, then to the intent that his wife might receive a jointure, then to trustees for ninety-nine years, and then to the settlor in fee. His Lordship thus stated the reasoning of the Court of King's Bench:—"They said, on looking at the surrender, that it was clear that the object of it was merely to create a rent-charge, and to create an interest in the land as a means of giving effect to that rent-charge, and of securing the payment of it. By the surrender, therefore, nothing more passed out of the surrenderer than was necessary for those purposes. When a surrenderer surrenders what in terms returns to himself, he takes that interest, not as under the surrender, but as part of his old estate—he is in of his old estate. . . . The estate in that respect did not undergo any change. If it underwent no change, (as is clearly the doctrine of the cases I have referred to), then it follows, that what was done did not constitute a revocation with respect to the copyhold property—that is, it did not operate as an entire revocation, but was a revocation only as to the partial interest—the new estate which was created by the surrender." The same reasoning is applicable to an equitable estate. Dealings with it for partial purposes do not disturb the equitable title further than to the extent of the new interests carved out of it. Indeed, as a covenant to surrender is sufficient to give an equitable title to the covenantee, *Vawser v. Jeffrey* must be regarded as an actual decision against the rule deduced from *Lord Lincoln's case*; leaving the decision in that case to rest, as it may well do, on the special circumstances.

In the case of *Poole v. Coates*, (2 Dru. & W. 498), also, the common notion of the doctrine introduced by *Lord Lincoln's case* was corrected by Lord St. Leonard's, when Lord Chancellor of Ireland. His Lordship said, "The mere change of the legal estate, unaccompanied by any alteration of the equitable ownership, will not effect a revocation. This was so decided in *Fullarton v. Watts*, (Dougl. 718). There must be a modification of the equitable interest, and this it is which involves a revocation. Whether or not the cases have carried the principle too far I do not say."

(To be continued).

COURT OF QUEEN'S BENCH.

TRINITY TERM.—15 VICTORIA.—June 8, 1852.

This Court will hold sittings on Friday the 18th and Saturday the 19th days of June instant, and will on those days take the cases, if any, remaining undisposed of in the New Trial Paper, and the cases in the Special and Demurrer Paper, and give judgment in cases ready for judgment.
By THE COURT.

COURT OF COMMON PLEAS.

TRINITY TERM.—15 VICTORIA.—June 7, 1852.

This Court will, on Tuesday the 22nd day of June instant, hold a sitting, and will proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

JOHN JERVIS.

London Gazette.

FRIDAY, JUNE 4.

BANKRUPTS.

JOHN BLAKE, Attleburgh, Norfolk, innkeeper, dealer and chapman, June 15 at 1, and July 20 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Anderson, 10, Barge-yard-chambers, Bucklersbury, London. — Petition filed June 2.

JOHN WEBB, Rugby, Warwickshire, brazier, dealer and chapman, June 15 and July 13 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Smith & Small, Buckingham; E. & H. Wright, Birmingham. — Petition dated May 18.

THOMAS JENKINS, Tredegar, Monmouthshire, innkeeper, banker, dealer and chapman, and one of the shareholders and partners in the Monmouthshire and Glamorganshire Banking Company, June 16 and July 14 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Abbot & Lucas, Bristol. — Petition filed June 3.

JOHN MARSDEN, Manchester, laceman, dealer and chapman, June 14 and July 13 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Motteram & Co., Birmingham; Sale & Co., Manchester. — Petition filed May 8.

MEETINGS.

Thomas Ward, Bond-court, Walbrook, London, wine merchant, June 17 at 11, Court of Bankruptcy, London, last ex. — *Enoch Joshua Burford*, Bermondsey-square, Surrey, salt merchant, June 15 at 1, Court of Bankruptcy, London, last ex. — *William Higginbotham*, Macclesfield, Cheshire, silk manufacturer, June 17 at 11, District Court of Bankruptcy, Manchester, last ex. — *William Foster*, Great Bolton, Lancashire, confectioner, June 18 at 11, District Court of Bankruptcy, Manchester, last ex. — *Edw. Morgan*, Portman-market, Edgware-road, Middlesex, licensed victualler, June 15 at 11, Court of Bankruptcy, London, aud. ac. — *Thomas Wood*, Northwich, Cheshire, grocer, June 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac. — *Samuel Hodgetts Brookes*, Gwersyllt, Gresford, Denbighshire, wire manufacturer, June 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac. — *William Chadwick*, Manchester, paper manufacturer, June 15 at 12, District Court of Bankruptcy, Manchester, aud. ac. — *Richard Whalley*, Accrington, Lancashire, mercer, June 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 25 at 12, div. — *Christopher Steadman* and *Charles Siddall Bakewell*, Manchester, joiners, June 18 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 25 at 12, div. — *Charles Lucas*, *Richard Wilkinson*, and *Edward Bond*, Manchester, calico printers, June 17 at 12, District Court of Bankruptcy, Manchester, aud. ac. — *Wm. Thompson Adcock*, Manchester, hotel keeper, June 17 at 12, District Court of Bankruptcy, Manchester, aud. ac. — *Benjamin Lancaster*, Oldbury, Worcestershire, carpenter, June 17 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. — *Wm. Batson*, Birmingham, iron manufacturer, June 16 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. — *Alexander Colvin*, *William Ainslie*, *Bazett David Colvin*, *Thomas Anderson*, and *Daniel Ainslie*, Calcutta, Bengal, merchants, June 26 at 12, Court of Bankruptcy, London, div. — *Thos. Harris* and *John Burls*, Hampstead-road, Middlesex, brewers, June 25 at half-past 11, Court of Bankruptcy, London, div. — *Adolf Heilbronn* and *John Harrison*, Great St. Helen's, London, drysalers, June 26 at 12, Court of Bankruptcy, London, div. sep. est. of *John Harrison*. — *Thos. Boler*, Lincoln, brickmaker, June 25 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and fin. div. — *Thomas Fox*, *George Rippon*, *Christopher Akenhead Waun*, and *Wm. Lishman*, West Cornforth, and Thriaxington, near West Cornforth, Durham, and Regent's Canal-basin, Ratcliffe, Middlesex, limeburners, June 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. sep. est. of *George Rippon*. — *John Caille*, Whitehaven, Cumberland, grocer, June 29 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div. — *James Bertram*, Sheffield, Yorkshire, ironmonger, June 26 at 10, District Court of Bankruptcy, Sheffield, div. — *Jas. Todd* and *William Todd*, Yarm, Yorkshire, saddlers, June 25 at 11, District Court of Bankruptcy, Leeds, div. — *Lund Newham*, Sheffield, Yorkshire, draper, June 26 at 10, District Court of

Bankruptcy, Sheffield, div. — *George Krybe*, Bryn Malloy, Wrexham, Denbighshire, limeburner, June 29 at 11, District Court of Bankruptcy, Liverpool, div. — *Thomas Tweber* and *John Tucker*, Liverpool, shipbuilders, June 29 at 11, District Court of Bankruptcy, Liverpool, div. — *Henry Martin*, Liverpool, and Birkenhead, Cheshire, carrier, June 30 at 11, District Court of Bankruptcy, Liverpool, div. — *Wm. Booth*, Liverpool, shoe factor, June 30 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Harris, Hampstead-road, Middlesex, brewer, June 25 at half-past 12, Court of Bankruptcy, London. — *Augustus A. Lackersteen*, Broad-street-buildings, London, merchant, June 26 at half-past 11, Court of Bankruptcy, London. — *Samuel Gash*, Hatcham New-town, Camberwell, Surrey, builder, June 29 at half-past 11, Court of Bankruptcy, London. — *Wm. H. Osborn*, Ebury-street, Finsico, Middlesex, wine merchant, June 26 at 2, Court of Bankruptcy, London. — *Thos. Wood*, Northwich, Cheshire, grocer, June 25 at 12, District Court of Bankruptcy, Liverpool. — *Mary Fouracre*, Wigan, Lancashire, innkeeper, June 26 at 12, District Court of Bankruptcy, Manchester. — *H. Martin*, Liverpool, and Birkenhead, Cheshire, carrier, June 28 at 11, District Court of Bankruptcy, Liverpool. — *Patrick Beira*, Liverpool, tailor, June 28 at 11, District Court of Bankruptcy, Liverpool. — *James Bertram*, Sheffield, Yorkshire, ironmonger, June 26 at 10, District Court of Bankruptcy, Sheffield. — *James Todd* and *Wm. Todd*, Yarm, Yorkshire, saddlers, June 25 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Samuel Cannock the younger, Kent-terrace, Great College-street, Camden-town, Middlesex, tobacconist. — *Anne Bailes*, Sheffield, Yorkshire, licensed victualler. — *Francis Ingham*, Doncaster, Yorkshire, grocer. — *Benjamin Smith*, Droitwich, Worcestershire, salt manufacturer.

PETITION ANNULLLED.

David F. Luckie, Fenchurch-st., London, merchant.

SCOTCH SEQUESTERATIONS.

William Bryson, Perth, carver. — *William Rankin & Co.*, Glasgow, commission agents. — *David Wylie*, Kilwinning, clothier. — *Wm. Brown & Co.*, Glasgow, wrights.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Drew, Bristol, clerk, June 9 at 11, County Court of Gloucestershire, at Bristol. — *Wm. Hobbis*, East Hendred, Berkshire, farm bailiff, June 28 at 11, County Court of Berkshire, at Wantage. — *Thomas Wagstaff*, Leighton Buzzard, Bedfordshire, veterinary surgeon, June 21 at 12, County Court of Bedfordshire, at Leighton Buzzard. — *Zachariah Barratt*, Buckingham, saddler, June 28 at 2, County Court of Buckinghamshire, at Buckingham. — *Nathaniel Stonhill*, Stewkley, Buckinghamshire, pig dealer, June 28 at 2, County Court of Buckinghamshire, at Buckingham. — *Thos. Jameson*, Danby Wiske, near Northallerton, Yorkshire, farm labourer, June 19 at half-past 10, County Court of Yorkshire, at Northallerton. — *Wm. J. Brewis*, York, bookkeeper, June 21 at 10, County Court of Yorkshire, at York Castle. — *John Bromley Clarke*, Esplanade, Scarborough, Yorkshire, publican, June 16 at 10, County Court of Yorkshire, at Scarborough. — *Wm. Stonier*, West Bromwich, Staffordshire, tea dealer, June 19 at 2, County Court of Staffordshire, at Oldbury. — *Samuel Westwood* the younger, Hales Owen, Worcestershire, builder, June 19 at 2, County Court of Staffordshire, at Oldbury. — *Samuel Golby*, Coventry, Warwickshire, weaver, June 21 at 12, County Court of Warwickshire, at Coventry. — *John Bailey*, Coventry, Warwickshire, ribbon weaver, June 21 at 12, County Court of Warwickshire, at Coventry. — *George Faulkner*, Newham, Northamptonshire, fellmonger, June 18 at half-past 10, County Court of Northamptonshire, at Daventry. — *John H. Reynolds*, Canterbury, Kent, grocer, June 10 at 11, County Court of Kent, at Canterbury. — *John Mountford*, Brierly-hill, Staffordshire, licensed retailer of ale, June 14 at 10, County Court of Worcestershire, at Stour-bridge. — *Henry Knight*, Coventry, Warwickshire, ribbon

manufacturer, June 21 at 12, County Court of Warwickshire, at Coventry.—*James Holmes*, Wyrley, Staffordshire, out of business, June 22 at 12, County Court of Staffordshire, at Wolverhampton.—*John Morrall*, Bilston, Staffordshire, butty miner, June 22 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Poole*, Wolverhampton, Staffordshire, licensed victualler, June 22 at 12, County Court of Staffordshire, at Wolverhampton.—*Joseph Malpas*, Bobbington, Staffordshire, labourer, June 22 at 12, County Court of Staffordshire, at Wolverhampton.—*George Cranmer*, Stratford-upon-Avon, Warwickshire, saddler, collar and harness maker, June 23 at 11, County Court of Warwickshire, at Stratford-upon-Avon.—*James Rogers*, Walsall, Staffordshire, labourer, June 18 at 12, County Court of Staffordshire, at Walsall.—*Richard Reason*, Welford, Gloucestershire, yeoman, June 23 at 11, County Court of Warwickshire, at Stratford-upon-Avon.—*George Blundell*, Keresley, near Coventry, Warwickshire, market gardener, June 21 at 12, County Court of Warwickshire, at Coventry.—*George Sebright*, Linslade, Buckinghamshire, artist, June 21 at 12, County Court of Bedfordshire, at Leighton Buzzard.—*Wm. Wilkins*, Sutton Coldfield, Warwickshire, cordwainer, June 12 at 10, County Court of Warwickshire, at Birmingham.—*James Osborn*, Bedford, baker, June 18 at 10, County Court of Bedfordshire, at Bedford.—*R. Elkins*, Bristol, beer retailer, June 9 at 11, County Court of Gloucestershire, at Bristol.—*John Isaacs*, Plymouth, Devonshire, waterproof clothing maker and outfitter, Aug. 19 at 11, County Court of Devonshire, at East Stonehouse.—*Wm. Gill*, Chiddingfold, near Godalming, Surrey, dealer in wood, June 14 at half-past 11, County Court of Surrey, at Godalming.—*Robert Corlett*, Chorlton-upon-Medlock, Lancashire, master joiner, June 16 at 1, County Court of Lancashire, at Salford.—*Michael Boylan*, Liverpool, venetian blind manufacturer, June 12 at 10, County Court of Lancashire, at Liverpool.—*Wm. Lockett*, Tranmere, Bebbington, Cheshire, book-keeper, June 12 at 10, County Court of Lancashire, at Liverpool.—*William Short*, Liverpool, sailmaker, June 12 at 10, County Court of Lancashire, at Liverpool.—*Joseph Woods*, Liverpool, upholsterer, June 12 at 10, County Court of Lancashire, at Liverpool.—*James Fleet*, Liverpool, butcher, June 12 at 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 18 at 11, before the CHIEF COMMISSIONER.

George R. Vezey, Windmill-street, Tottenham-court-road, Middlesex, bookbinder.

June 18 at 10, before Mr. Commissioner LAW.

Hannah Wicks, widow, Berwick-street, Middlesex, green-grocer.—*F. D. Goodwin*, Snow's-fields, Bermondsey, Surrey, oilman.

June 19 at 11, before Mr. Commissioner PHILLIPS.

John Abel, Park-place, Grove-street, Hackney, Middlesex, builder.—*Geo. W. Douglas*, Bath-buildings, Baldwin-street, City-road, Middlesex, smith.—*R. J. Punshon*, Park-street, Southwark, Surrey, plumber.—*Geo. Fred. Punshon*, Park-street, Southwark, Surrey, plumber.

June 21 at 10, before Mr. Commissioner LAW.

Eliz. Bignell, widow, Princes-street, Spitalfields, Middlesex, assistant to a straw bonnet manufacturer.

June 21 at 11, before Mr. Commissioner PHILLIPS.

Thomas Feaver, Connaught-terrace, Edgeware-road, Middlesex, commission agent.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 18 at 11, before the CHIEF COMMISSIONER.

Edmund Burke, Seymour-place, Bryanstone-square, Middlesex, bricklayer.

June 18 at 10, before Mr. Commissioner LAW.

Fred. Chapman, Alfred-street, Bow-road, Middlesex, editor of a newspaper.

June 19 at 11, before Mr. Commissioner PHILLIPS.

Benj. Ford, Church-street, Deptford, Kent, potter.—*H. Hewmill*, widow, Gillingham-street, Eccleston-square, Middlesex, in no business.—*Leopold Sachs*, Cadogan-street, Chelsea, Middlesex, teacher of languages.—*Edmund Fullock*, Spitalfields-market, Spitalfields, Middlesex, licensed victualler.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John H. Francis, St. Helen's, No. 74,898; *John Jones*, assignee.—*H. Bentley*, Salford, out of business, No. 74,912; *Wm. Bolton*, assignee.—*Thos. Lonsdale*, Blackburn, out of business, No. 74,784; *John Wilson*, assignee.—*H. S. Smith*, Manchester, out of business, No. 75,018; *J. Home*, assignee.—*James Rowbottom*, Manchester, out of business, No. 75,064; *Christopher Bentley*, assignee.—*John Howarth*, Rochdale, shopman, No. 75,080; *Jeremy Roysse*, assignee.—*Wm. Crossdale*, Preston, out of business, No. 74,962; *George Helme*, assignee.—*Robert Bleakley*, Salford, joiner, No. 75,139; *J. Lowe*, assignee.—*John Wood*, Manchester, eating-house keeper, No. 75,106; *Richard Starkie*, assignee.—*John Traversse*, Hulme, Manchester, joiner, No. 75,137; *Matthew Wadsworth*, assignee.—*Joseph Lord*, Hulme, Manchester, machine maker, No. 75,133; *Thomas Price*, assignee.—*S. Brasendale*, Liverpool, out of business, No. 75,118; *William Jones*, assignee.—*Parnel Booth*, Hulme, Manchester, out of business, No. 75,068; *Wm. Roberts*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, June 18 at 11.

John Bates, Back Salford, out of business.—*David Shuttleworth*, Padham, near Burnley, bookkeeper.—*I. Knowles*, Liverpool, assistant butcher.—*Roger Wilkinson*, Blackburn, provision dealer.—*Christopher Dixon*, Liverpool, cooper.—*Robert Adshead*, Manchester, out of business.—*Thos. Cragg*, Walton-le-Dale, near Preston, out of business.—*W. Wright*, Liverpool, butcher.—*Philip Harper*, Liverpool, potato dealer.—*John Rathbone*, Hulme, Manchester, out of business.—*W. Wild*, Heaton Norris, near Manchester, out of business.—*Anthony Brunt*, Chorlton-upon-Medlock, Manchester, milk seller.—*Samuel Wood*, Liverpool, commercial traveller.—*J. Butterworth*, Hulme, Manchester, out of business.—*James Peak*, Pilkington, near Bury, dyer.—*Benj. Hoyle*, Pilkington, near Bury, dyer.—*Chas. Whitworth*, Rochdale, carter.—*Geo. Mason Wilson*, Liverpool, painter.

At the County Court of Derbyshire, at DERBY, June 19 at 11.

Peter Booker, Chesterfield, mason.—*John Elliott*, Chesterfield, mason.

At the County Court of Gloucestershire, at GLOUCESTER, June 21 at 10.

Alex. Johnston, Stroud, travelling draper.

At the County Court of Yorkshire, at YORK CASTLE, June 21 at 10.

David Ainsworth, Morley, near Leeds, stonemason.—*R. Coney*, Huddersfield, foreman to cab proprietors.—*Godfrey Wood* the younger, Leeds, confectioner.—*Thomas Treman*, Hailgate Howden, out of business.—*Joseph Gill*, Hunslet, near Leeds, joiner.—*John Gill*, Hunslet, near Leeds, joiner.—*Wm. Thornton*, Boston, near Wetherby, out of business.—*Wm. Harrison*, Leeds, out of business.—*Robt. Foster Wray*, Leeds, coffee-house keeper.—*Jesse Wade*, Leavenhorpe Mill, near Bradford, corn miller.—*Robert George Moore*, York, out of business.—*Wm. Burnley Holdsworth*, Birstal, near Leeds, shoemaker.—*William Metcalfe*, Halifax, butcher.—*Thomas Hillary*, Bingley, stone delver.—*George Hillary*, Oakworth, near Keighley, stone delver.—*John Carr*, Leeds, licensed retailer of beer.—*Wm. Cooper Robinson*, York, attorney-at-law.—*Wm. Dyson*, Golcar, near Huddersfield, cloth manufacturer.—*William Holroyd*, Halifax, near Huddersfield, earthenware manufacturer.—*James Smith Yates*, Leeds, out of business.—*Jesse Teal*, Huddersfield, beer seller.—*John Gamble*, Leeds, out of business.—*John Furrer*, Tadcaster West, butcher.—*J. Wm. Hirst*, Holbeck, Leeds, mechanic.—*Wm. Ackeroyd*, Wakefield, waterman.—*Wm. Blakey*, Hill House, near Huddersfield, cloth finisher.

At the County Court of Warwickshire, at COVENTRY, June 21 at 12.

Edward Steane Harley, Birmingham, commercial traveller.—*Joseph Johnson*, Lichfield, stonemason.—*Richard Eadry* the younger, Redworth, ribbon manufacturer.—*Edw. Allen*, Birmingham, out of business.—*Richard Baker*, Birmingham, manufacturer of umbrella furniture.

At the County Court of Buckinghamshire, at AYLESBURY, June 23 at 12.

John Messer Adams, Fenny Stratford, farmer.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, June 24 at 10.

James Walton, Newcastle-upon-Tyne, out of business.

TUESDAY, JUNE 8.

BANKRUPTS.

ALEXANDER FENTON, Coventry-street, Haymarket, Westminster, Middlesex, stationer, June 15 and July 20 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Hussey, 85, Queen-street, Cheapside.—Petition filed June 4.

JAMES ELLIOTT, Derby, carrier, June 18 and July 9 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Smith, Derby; Reeco, Birmingham.—Petition dated June 2.

FREDERICK SUTTON, Kingston-upon-Hull, furnishing ironmonger, June 30 and July 21 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Carias & Cudworth, Leeds.—Petition dated June 3.

JOHN COKER, Saltash, Cornwall, merchant, builder, contractor of public works, dealer and chapman, June 17 at 1, and July 22 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Rooker & Lavers, Plymouth.—Petition filed May 31.

EDWARD SHARMAN, Manchester, bricklayer, builder, and provision dealer, June 22 and July 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Morris, Manchester.—Petition filed May 29.

DANIEL M'CONNELL, Liverpool, joiner, furniture broker, dealer and chapman, June 18 and July 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Frodham, Liverpool.—Petition filed May 15.

MEETINGS.

Joseph Aspinwall, Liverpool, stockbroker, June 18 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*Thomas Harris* and *John Burks*, Hampstead-road, Middlesex, brewers, June 18 at 12, Court of Bankruptcy, London, and. ac.—*Samuel Trickett*, Isle of Dogs, Middlesex, stone merchant, June 19 at 11, Court of Bankruptcy, London, and. ac.—*John Barrell*, Billericay, Essex, grocer, June 19 at 11, Court of Bankruptcy, London, and. ac.—*James Bertram*, Sheffield, Yorkshire, ironmonger, June 19 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*Lund Newham*, Sheffield, Yorkshire, draper, June 19 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*John Furniss*, Austonley, Almond-bury, Yorkshire, woollen cloth manufacturer, June 21 at half-past 12, District Court of Bankruptcy, Leeds, and. ac.; June 28 at half-past 12, div.—*Thomas Roberts*, Watling-street, London, wholesale stationer, June 25 at half-past 1, Court of Bankruptcy, London, div.—*Richard Houston Cuming*, Lamb's Conduit-street, Middlesex, bookseller, June 25 at 1, Court of Bankruptcy, London, div.—*Thos. Hatfield* and *Robt. Hatfield*, Clapham, Surrey, plumbers, June 29 at 1, Court of Bankruptcy, London, div.—*C. Pasheller* and *J. Pasheller*, Huntingdon, bankers, June 29 at 2, Court of Bankruptcy, London, div.—*James Hucks*, Millpond-bridge, Rotherhithe, Surrey, cooper, July 1 at 12, Court of Bankruptcy, London, div.—*M. T. S. Welsh*, Romford, Essex, linendraper, July 1 at 11, Court of Bankruptcy, London, div.—*George Mathias*, Glastonbury, Somersetshire, scrivener, July 2 at 11, District Court of Bankruptcy, Bristol, div.—*Richard W. Johnson*, Gloucester, wine merchant, July 1 at 11, District Court of Bankruptcy, Bristol, div.—*John Whitsons* the younger, Huddersfield, Yorkshire, woollen cloth manufacturer, June 28 at 1, District Court of Bankruptcy, Leeds, first and fin. div.—*John Meares*, Leeds, Yorkshire, grocer, June 29 at half-past 11, District Court of Bankruptcy, Leeds, fin. div.—*T. C. W. Pierce* and *G. H. Homan*, Manchester, merchants, July 1 at 12, District Court

of Bankruptcy, Manchester, fin. div.—*George Warhurst*, Leigh, Lancashire, ironmonger, July 1 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Pearman, Cold-harbour-road, Brixton, Surrey, builder, June 30 at 12, Court of Bankruptcy, London.—*Thos. H. Fiske*, Portsmouth, Hampshire, ironmonger, June 30 at 12, Court of Bankruptcy, London.—*Wm. Roberts*, Warren-street, Camden-town, Middlesex, builder, June 29 at half-past 12, Court of Bankruptcy, London.—*Samuel L. Coleman*, Norwich, draper, July 1 at 11, Court of Bankruptcy, London.—*Humphrey Davies*, Liverpool, leather seller, July 1 at 11, District Court of Bankruptcy, Liverpool.—*Benj. Sutterby*, Hulme, Lancashire, joiner, July 1 at 11, District Court of Bankruptcy, Manchester.—*W. Frost*, Macclesfield, Cheshire, silk throwster, July 1 at 12, District Court of Bankruptcy, Manchester.—*Thos. Dyson*, Bradford, Yorkshire, linendraper, July 1 at 11, District Court of Bankruptcy, Manchester.—*T. Lawson*, Bury, Lancashire, draper, June 29 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

James Millard, Reading, Berkshire, coppersmith.—*Wm. Robinson*, Orington-sq., Brompton, Middlesex, and Trinity-square, Tower-hill, London, corn factor.—*Edward Walsey*, Werekham, Norfolk, corn merchant.—*John Branch*, High-st., Camberwell, Surrey, corn dealer.—*Richard Wells*, Brigg, Lincolnshire, draper.

PETITION ANNULLLED.

James Aboell, Cambridge-place, Hackney-road, Middlesex, upholsterer.

PARTNERSHIPS DISSOLVED.

John G. Atkinson and *George A. Smith*, Peterborough, solicitors and solicitors.—*Orlando Reeves*, A. Reeves, and H. Channing, Taunton, Somersetshire, attorneys and solicitors, (trading under the firm of Reeves and Channing).

SCOTCH SEQUESTRATIONS.

John Stewart & Co., Bluevale, near Glasgow dyers.—*Chas. Neilson*, deceased, Aberdeen, builder.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Rich. Griffiths, Defeity, Llangefni, Anglesey, farmer, June 30 at 10, County Court of Anglesey, at Llangefni.—*Wm. T. Clark*, Swaffham Bulbeck, Cambridgeshire, baker, June 23 at 1, County Court of Cambridgeshire, at Newmarket.—*B. Matthews*, Cradley Heath, Rowley Regis, Staffordshire, iron pudler, June 25 at 12, County Court of Worcestershire, at Dudley.—*I. R. Hughes*, Rhosymedre, Ruabon, Denbighshire, grocer, June 21 at 10, County Court of Denbighshire, at Ruabon.—*John Munro*, Liverpool, watchmaker, June 12 at 10, County Court of Lancashire, at Liverpool.—*Edward Okell*, Stanley, West Derby, Lancashire, auctioneer, June 12 at 10, County Court of Lancashire, at Liverpool.—*Joseph Green James*, Birmingham, attorney and solicitor, June 26 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Cook*, Birmingham, butcher, June 26 at 10, County Court of Warwickshire, at Birmingham.—*Benjamin Hansen*, Birmingham, warehouse clerk, June 26 at 10, County Court of Warwickshire, at Birmingham.—*Chas. Cottrell*, Birmingham, butcher, June 26 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Rich. Frayne*, Birmingham, out of business, June 26 at 10, County Court of Warwickshire, at Birmingham.—*R. Watson*, Alston, Cumberland, labourer, June 18 at 11, County Court of Cumberland, at Alston.—*Wm. M' Donald*, Keswick, Cumberland, blacksmith, June 24 at half-past 9, County Court of Cumberland, at Keswick.—*Andrew Currie*, Carlisle, Cumberland, innkeeper, June 22 at 10, County Court of Cumberland, at Carlisle.—*John Hoose*, Carlisle, Cumberland, joiner, June 22 at 10, County Court of Cumberland, at Carlisle.—*Jas. Ivison*, Carlisle, Cumberland, grocer, June 22 at 10, County Court of Cumberland, at Carlisle.—*Wm. Ace*, Llanely, Carmarthenshire, shoemaker, June 17 at 11, County Court of Carmarthenshire, at Llanely.—*John Woollett*, Shipbourne, Kent, carpenter, June 16 at 10, County Court of

Kent, at Sevenoaks.—*Mary Wood*, Churcham, near Gloucester, single woman, June 21 at 10, County Court of Gloucestershire, at Gloucester.—*Edward Owlett*, Minster, Isle of Sheppy, Kent, licensed victualler, June 21 at 10, County Court of Kent, at Sheerness.—*Wm. Smith*, Kildwick, Yorkshire, grocer, June 25 at 10, County Court of Yorkshire, at Skipton.—*Thomas Lunt*, Corwen, Merionethshire, grocer, June 17 at 11, County Court of Merionethshire, at Corwen.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 23 at 11, before the CHIEF COMMISSIONER.

Prince Symes, Harrington-street North, Edward-street, Hampstead-road, Middlesex, out of business.

June 23 at 10, before Mr. Commissioner LAW.

Julius Berenburg, Bunhill-row, Chiswell-st., Middlesex, interpreter of languages.—*Charles Ward Marshall*, Bloomsbury-square, Middlesex, vocalist.

Saturday, June 5.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's Inn-fields, on giving the Number of the Case.

James King, Hanway-street, Oxford-street, Middlesex, hair cutter, No. 62,890 T.; *Wm. Smith* the younger, assignee.—*H. Stephenson Smith*, Manchester, trunk maker, No. 75,018 C.; *John Home*, assignee.

Saturday, June 5.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. W. Molley, Denbigh-place, Belgrave-road, Pimlico, Middlesex, butcher; in the Debtors Prison for London and Middlesex.—*Robert Collinson*, Newman-street, Oxford-street, Middlesex, upholsterer; in the Debtors Prison for London and Middlesex.—*Wm. Udell*, Skinner-st., Bishopsgate-st., London, cabinet maker; in the Debtors Prison for London and Middlesex.—*Lewis Levy*, Smith-street, Mile-end-road, Middlesex, picture dealer; in the Queen's Prison.—*W. Dyer*, Belle-vue-place, Cleveland-street, Mile-end-road, Middlesex, Custom-house agent; in the Debtors Prison for London and Middlesex.—*George Church*, Sherbutt-cottage, Sherbutt-st., Poplar, Middlesex, ship caulker; in the Debtors Prison for London and Middlesex.—*George Lapham*, Lower-marsh, Lambeth, Surrey, baker; in the Queen's Prison.—*Wm. G. Downing*, Mill-street, Dockhead, Bermondsey, Surrey, boat builder; in the Queen's Prison.—*Thomas Howard*, Noel-st., Islington, Middlesex, coal merchant; in the Queen's Prison.—*Thomas Collingridge*, Aldersgate-st., London, clock maker; in the Debtors Prison for London and Middlesex.—*Benjamin Hoyle*, Pilkington, near Bury, Lancashire, dyer; in the Gaol of Lancaster.—*James Peak*, Pilkington, near Bury, Lancashire, dyer; in the Gaol of Lancaster.—*Robert Laver*, Weymouth and Melcombe Regis, Dorsetshire, farmer; in the Gaol of Dorchester.—*Joseph Atkinson*, Kingston-upon-Hull, sloop owner; in the Gaol of Kingston-upon-Hull.—*R. Gifford*, Bath, baker; in the Gaol of Wilton.—*John Rathbone*, Hulme, Manchester, soap boiler; in the Gaol of Lancaster.—*Edward Bees*, Salford, Lancashire, licensed retailer of beer; in the Gaol of Lancaster.—*Philip Harper*, Liverpool, agent for the sale of potatoes; in the Gaol of Lancaster.—*John R. Corker*, Hunslet, near Leeds, Yorkshire, bookkeeper; in the Gaol of York.—*Wm. Smith*, Birmingham, retail brewer; in the Gaol of Coventry.—*George M. Cowley*, Nottingham, attorney-at-law; in the Gaol of Nottingham.—*Richard Fox*, Coningsby, Lincolnshire, manager to a farmer; in the Gaol of Lincoln.—*Abel S. Jones*, Glebeland, Merthyr Tydvil, Glamorganshire, grocer; in the Gaol of Cardiff.—*Enoch Williams*, Bleak Heath, Rowley Regis, Staffordshire, tailor; in the Gaol of Stafford.—*John F. Smith*, Kingston-upon-Hull, plumber; in the Gaol of Kingston-upon-Hull.—*John Daniel Haslewood*, Vicarage, Boughton, Monchelsea, Kent, clerk; in the Gaol of Maidstone.—*Anthony Eggard*, York, out of business; in the Gaol of York.—*Richard Baker*, Birmingham, manufacturer of umbrella furniture; in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 22 at 11, before the CHIEF COMMISSIONER.

James Fisher, Winchester-st., Pentonville-hill, Middlesex, commission agent.—*Wm. Rule*, Chiswell-st., Finsbury, Middlesex, grainer.

June 23 at 10, before Mr. Commissioner LAW.

William C. Lloyd, Monte Video-cottages, Kentish-town, Middlesex, town traveller.—*Thomas Collins*, Cursor-street, Chancery-lane, Middlesex, out of business.—*W. I. Rawlings*, Williams-terrace, Lower-road, Rotherhithe, Surrey, auctioneer.—*Richard Hutchens*, Park-road, Clapham-road, Surrey, saddler.—*Charles Rowse*, Crawford-st., Marylebone, Middlesex, coffee-house keeper.

June 24 at 11, before Mr. Commissioner PHILLIPS.

C. Sewell, Belgrave-terrace, Pimlico, Middlesex, builder.—*Francis Swanwick*, Commerce-place, Brixton-road, Surrey, chemist.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY,
June 21 at 12.

Wm. Smith, Birmingham, pearl button maker.

At the County Court of Somersetshire, at TAUNTON,
June 24.

Robert Gifford, Bath, baker.—*John Richards*, Backwell, farmer.

The Queen has been pleased to appoint Abraham Boyd Fenton, Esq., to be Queen's Advocate and Police Magistrate for her Majesty's settlements in the River Gambia.

MASTER IN CHANCERY.—The Lord Chancellor has appointed James Southern, of Altrincham, Cheshire, Gent., to be a Master Extraordinary in the High Court of Chancery.

In the list of Gentlemen called to the Bar by the Hon. Society of Lincoln's Inn, ante, p. 166, "Francis Ottiwell, Esq.," should have been "Francis Ottiwell Adams, Esq."

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LONDON, JUNE 19, 1852.

THE "Common-law Procedure Bill, 1852," would have delighted the public and startled the Profession some ten years ago, but now, as in the case of all reforms which have been deferred for too long a period, complaints are heard on every side that it does not go far enough. What innovators we have become since the month of August, 1846, only six years since, when the first County Court Act became the law of the land!

Even since the appointment of the Commissioners upon whose Report this bill is founded, the legal mind has been moving rapidly onward from change to change; and we do not doubt but that if suggestions were now to be made in answer to queries of the Commissioners they would be of a much more sweeping character than they were at the period when they were offered. It cannot be denied, that driven by feeling and forcible arguments, which appeal not only to our interest, but to our very existence as a Profession, we are all become radical reformers. We turn aside with disgust from those whom we once regarded as benefactors, but who have proved to be our bitterest enemies; the friend who was put into a vacant possession for the purpose of being turned out is no longer our friend; John Doe and Richard Roe are hateful in our sight; who shall now say of them—

"Hail, happy pair! the glory and the boast,
The strength and bulwark of the legal host;

Vol. XVI.

W

Like Saul and Jonathan in friendship tried,
Pleasant ye lived, and undivided died!

* * * * *
While writs shall last and usury shall thrive,
Your name, your honour, and your praise shall live.
Jailors shall smile, and with bumbailiffs raise
Their iron voices to record your praise,
Whom law united, nor the grave can sever;
All hail! John Doe and Richard Roe for ever!"

Pleader's Guide, part 1, s. 8.

The pleasing fictions in which we once indulged, like all illusions of a hopeful age, are discarded for the stern realities by which we are pressed on every side. Who can peruse with patience the decisions of our Courts, imbued with the spirit of super-subtle pleading, now that the new light has broken upon us, and we feel that to such decisions our present extremities are owing?

We agree with those who think that the Common-law Procedure Bill, although effecting great improvements, will not satisfy the present demands which are made for the simplest, least expensive, and most speedy administration of justice. It is true that there will be no more writs of distringas, judgments as in case of a nonsuit, rules to compute, or signature of counsel to pleadings; special demurrers, express colour, and absque hoc will be abolished; profert and oyer will be at an end; needless and fictitious averments will be omitted; formal defects and all variances will be amended; and a non-joinder or misjoinder of parties will not be



ground of nonsuit. Questions of fact or law will be raised by consent without pleadings; in some cases judgment will be obtained upon the writ of summons alone; notice of trial and the time for pleading will be rendered uniform; the jury process, and proceedings in ejectment, in outlawry, in saving the Statute of Limitations, in scire facias, and in error, will be simplified. These, together with the abolition of Court fees, provided for by another bill, will be great reforms in the law; but there is too much of the old system of special pleading suffered to remain, and no provision is made, perhaps none could be made under the terms of the commission, for the more frequent administration of justice by the judges of the superior courts throughout the country. For this latter purpose we think four circuits in the year will be found to be necessary; it may be found sufficient for one judge to go each circuit; and quarter sessions should either be held just before these quarterly assizes, or be altogether superseded by them. We are inclined to think that under this new bill there will be almost as much special pleading, with its old vices, as ever. If the forms in the schedule be adopted, declarations will be materially shortened, and indeed rendered as simple as they can be; but defendants will be allowed not only to plead several matters to the same cause of action, but to plead and demur thereto; the plaintiff will be permitted to reply several matters to the same plea, (instead of being confined to one replication, as heretofore), and to new assign, but only one new assignment will be allowed in respect of one cause of action, and the parties may then rejoin, surrejoin, rebut, and surrebut several matters to each subsequent pleading. A general form of replication, however, is to be permitted, and that, no doubt, will very often be adopted. General demurrers, motions in arrest of judgment, and for judgment non obstante veredicto, are to remain, but the two latter proceedings will be stripped of much of their injurious character.

We cannot help thinking, that by abolishing the old system of pleading altogether, and framing a new and more simple plan, divested of associations of the past, and free from its reproaches, more satisfactory results would be attained. On turning to the New York code, which abolishes not only forms of actions, but also (as in Scotland) distinctions between actions at law and suits in equity, and creates one tribunal for the administration of both, we find that the action is to commence with a plaint concisely stating the cause of action, and that the only pleading on the part of a defendant is to be an answer or a demurrer. The former may contain as many defences as the defendant has, and the plaintiff may deny it generally or specifically, or he may demur to it; but whatever course he adopts, no further pleading is to be allowed, except a demurrer to the replication, if it be bad on the face of it. Upon any demurrer being pleaded, the other side may amend without payment of costs. All pleadings are to be in concise and ordinary language, without repetition, and they are to be liberally construed, so as to do justice between the parties. Provisions are then made for particulars and amendments, for striking out superfluous averments, for pleading performance of conditions precedent generally, as in our Common-law Procedure Bill; and

there is also a clause, which we should like to see adopted here, viz. that in pleading a private statute, it shall be sufficient to refer to it by its title and time of passing, and the Court shall then take judicial notice thereof.

The system of our transatlantic brethren is certainly more simple than our own will be, even under the new measure which we have been considering; it has been adopted by six States in addition to that of New York; and after four years' trial, its results appear to be satisfactory to the judges and bar, as well as to the public of the United States.

Probably our next commission will have powers to inquire into the expediency of amalgamating law and equity, of increasing the number of assizes, and of further simplifying the process, practice, and pleading of the superior courts.

Then, and not till then, we may begin to talk of "finality" in law reform, and to congratulate the few members of the legal body who shall have outlived the present crisis, upon having at length obtained a *locus standi* in their Profession.

CONSTRUCTIVE REVOCATION OF DEVISE OF AN EQUITY OF REDEMPTION BY TAKING A RECONVEYANCE TO USES TO BAR DOWER.

(Continued from p. 191).

The general rule, that a conveyance of the whole estate for a partial purpose revoked a devise, was subject to a single exception at law, namely, where the object was partition. A conveyance by way of partition was no revocation of a devise of the undivided share, even at law. (*Luther v. Kirkby*, 8 Vin. Ab. 148, pl. 30; *Risley v. Balinglass*, T. Raym. 240). This exception gave rise to the case of *Tickner v. Tickner*, which it is important to understand, because it has been cited and followed as an authority in cases with which it had nothing in common.

In *Tickner v. Tickner* (cit. 3 Atk. 742; S. C., nom. *Titner v. Titner*, cit. 1 Wils. 309) it was held at law, in an action of ejectment, that a partition between coparceners, by which the allotment of one was limited "to the use of him, R. T., and such other person or persons, for such estate and estates, as he should by deed or will appoint, and in default of appointment, to the use of him in fee," was a revocation of a devise of R. T.'s undivided share. This has been strangely treated as an authority in cases where the testator had merely an equitable title at the date of his will. Notwithstanding the doubts of Heath and Buller, J.J., in *Cave v. Holford*, (3 Ves. 657, 661), it is clear, that *Tickner v. Tickner* proceeded on the ground of the special limitation of the use, and was not intended to overrule *Luther v. Kirkby*, (see 10 Ves. 249, 264).

With *Tickner v. Tickner* is frequently cited *Kenyon v. Sutton*, of which we have only the short statement given by Lord Alvanley in *Williams v. Owens*, (2 Ves. jun. 601). It was a case decided by Sir R. P. Arden and Mr. Justice Barrington, on the Welsh circuit—whether at law or in equity does not appear, but it is frequently cited as a decision at the Rolls. The testator, after devising the estate in question, conveyed it in trust for payment of debts mentioned in a schedule, and directed the trustees, after payment of the debts, to convey to such uses as he should by deed or will appoint, and in default of appointment, to himself in fee. Lord Alvanley says it was almost exactly the same as *Tickner v. Tickner*, and that he acquiesced in it with great reluctance. From this it would seem to have been a case

at law. But in *Tickner v. Tickner* the legal estate was limited back to the testator, with a superadded power of appointment; while in *Kenyon v. Sutton* there was an absolute ademption of the legal estate, and it does not clearly appear that the equitable title was in question; in fact, it is impossible to say what was the point decided in that case. The devise was clearly revoked at law, and if it was held that it was also revoked in equity, then this decision on the Welsh circuit has been overruled by *Temple v. Chandos* (3 Ves. 686) and *Brain v. Brain*, (6 Mad. 221), stated *infra*; and see Lord Cottenham's observations on *Brain v. Brain* in *Bullen v. Fletcher*, (2 My. & C. 421), stated *infra*.

In equity the principal exceptions allowed to the general rule, that a conveyance of the fee for a limited purpose effected an absolute revocation, were the cases of a partition, and of a mortgage (even to the devisee, *Baxter v. Dyer*, 5 Ves. 656) or conveyance in trust to sell for payment of debts. According to the case of *Williams v. Owens*, (2 Ves. jun. 595), a conveyance in pursuance of marriage articles, under which the settlor was entitled to an ultimate reversion in fee, did not revoke an intermediate devise of such reversion; and that decision has never been overruled, though it was questioned by Lord Eldon in *Harmood v. Oglander*, (8 Ves. 127), on the very insufficient ground that the settlor could not be a trustee for himself. Mr. Jarman says that Sir R. P. Arden (who decided *Williams v. Owens*) "entertained the notion that the articles imposed on the covenantor an obligation to convey the fee, which fully accounts for, and had it been correct would have justified, the conclusion at which he arrived." It was correct. The covenant was to convey to trustees to uses in strict settlement, which could not be done without conveying the fee. *Brydges v. Chandos*, (2 Ves. jun. 417; 7 Bro. P. C. 382), so far from being, as it has been said to be, inconsistent with *Williams v. Owens*, confirms it, for it was assumed, in the discussion of that case, that if the articles had been strictly followed in the conveyance, there would have been no revocation. (See 6 Ves. 218).

Cave v. Holford (2 Ves. jun. 604, note; 3 Ves. 650) is no authority for the proposition that a settlement, in pursuance of articles, is a revocation in equity of an intermediate devise of the reversion in fee. There was, indeed, a dictum by the Lord Chancellor to that effect; but not only was the settlement not in accordance with the articles, but it was also made before the marriage; the parties were competent to vary their contract, and that was the expressed ground of the decision.

On the other hand, if the testator, having merely an equitable interest when he makes his will, afterwards acquires the legal estate, that alteration of his estate is no revocation of the devise of the equity, unless the conveyance effects some purpose beyond that of merely clothing the equitable title with the legal estate; and a conveyance of the fee or of an attendant term to a trustee for the testator is equally inoperative as a revocation. (*Perry v. Phelps*, 1 Ves. jun. 255; *Barton v. Crasall*, 1 L. J., O. S., Ch., 188). So, a renewal of a lease for lives, renewable for ever, is no revocation of a devise of the property. (*Pool v. Coates*, 2 Dru. & W. 493).

(To be continued).

MASTER IN CHANCERY.—The Lord Chancellor has appointed William Harrison Peacock, of Barnsley, in the West Riding of Yorkshire, Gent., to be a Master Extraordinary in the High Court of Chancery.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—The Hon. William Drogo Montagu, commonly called Viscount Mandeville, for the county of Huntingdon, in the room of George Thornhill, Esq., deceased.

COURT OF EXCHEQUER.

TRINITY TERM.—15 VICTORIA.—June 9, 1852.

This Court will hold a sitting on Saturday the 26th day of June instant, and will at such sitting give judgment in all matters then standing for judgment.

FREDERICK POLLOCK.
E. H. ALDERSON.
T. J. PLATT.
SAMUEL MARTIN.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—William Williamson Kerr, Esq., M. A.; Edward Goodall Stewart Griffiths, Esq.; William Stigant, Esq., B. A.; James George Lawson, Esq.; George Long, jun., Esq.; Francis Housman, Esq.; Richard Pearce Rosier, Esq.; Edward Brooksbank, Esq., LL.B.; Thomas Woodbine Hinchliff, Esq., M. A.; William Dundas, Esq., M. A.

INNER TEMPLE.—Arthur Dyott Thompson, Esq., M. A.; James Lennox Hannay, Esq., M. A.; Frederick Dumergue, Esq., B. A.; Edward Yates, Esq., B. A.; John Richard Fowler, Esq., B. A.; Edward Thornton, Esq., B. A.; Cecil Smith, Esq., B. A.; Arthur George Macpherson, Esq.; David Kitcat, Esq., B. A.; Edward Carthew, Esq.; James Holy Fernley, Esq.; Joseph Holdsworth Fernley, Esq.; Samuel Wordsworth Barber, Esq.; George William Latham, Esq., M. A.; John Foster Gresham, Esq., B. A.; Edmund Powell, Esq., M. A.; George Samuel Fereday Smith, Esq., M. A.; Eugene Sherwood, Esq.; Joseph Beaumont, Esq.; Henry Charles Lopes, Esq., B. A.; John Elliot Boileau, Esq., B. A.; The Hon. Edwin Berkeley Portman.

MIDDLE TEMPLE.—John Digby, Esq.; Weston Joseph Sparkes, Esq.; Thomas Wilson Barnes, Esq., M. A., Trin. Coll., Dub.; Richard Doddridge Blackmore, Esq., M. A., Exeter Coll., Oxf.; Henry Charles Butler, Esq., M. A., Queen's Coll., Oxf.; Horace Lloyd, Esq., B. A., Caius Coll., Cam.; William Palmer Hale, Esq., B. A., Trin. Hall, Cam.; The Hon. James Master Owen Byng; David M'Lachlan, Esq., M. A., Glasgow Univ.; John Smith Esq.; Hans Stuart Hawthorne, Esq.

GRAY'S INN.—Morgan John O'Connell, Esq.; William Irving Hare, Esq.; James Sheil, Esq.; Charles James Coleman, Esq.; Henry Williams, Esq.

GRAY'S INN.—June 11.—The annual examination in law instituted by this Society took place in the hall on Friday and Saturday, the 4th and 5th instant, and the following is the Class List of the successful candidates for honours on that occasion, which was published this evening in the presence of Lord Justice Knight Bruce, the Benchers and Members of this Society, and the Members of the other Inns of Court:—

1. Mr. Boswell Hensman.
2. Mr. William Pearson.
3. { Mr. Alfred G. Henriques, } *Æquales*.
- { Mr. Francis Housman, }
4. Mr. Theodore Ryland.
5. Mr. Hubert Lewis.

Mr. Hensman received from the lecturer, W. D. Lewis, Esq., his prize, consisting of a complete set of the Reports of Vesey, jun., (twenty volumes). After the announcement of the successful candidates, Mr. Lewis delivered his farewell address; whereupon the treasurer, on behalf of the Bench and Society, expressed their perfect satisfaction at the efficient manner in which he had discharged the arduous duties of his office, and the great success that had attended his exertions.

Court Papers.

EQUITY SITTINGS, AFTER TRINITY TERM, 1852.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

Thursday .. June 24	Motions.
Friday	25
Saturday	26
Monday	28
Tuesday	29
Wednesday	30
Thursday	July 1
Friday	2
Saturday	3
Monday	5
Tuesday	6
Wednesday	7
Thursday	8
Friday	9
Saturday	10
Monday	12
Tuesday	13
Wednesday	14
Thursday	15
Friday	16
Saturday	17
Monday	19
Tuesday	20
Wednesday	21
Thursday	22
Friday	23
Saturday	24
Monday	26
Tuesday	27
Wednesday	28
Thursday	29
Friday	30
Saturday	31
Monday	Aug. 2
Tuesday	3
Wednesday	4
Thursday	5
Friday	6

Pleas and Demurrers and Further Directions, until all the Further Directions are disposed of, and then the General Cause Book.

Motions.

Pleas and Demurrers and Further Directions, until all the Further Directions are disposed of, and then the General Cause Book.

Motions.

Pleas and Demurrers and Further Directions, until all the Further Directions are disposed of, and then the General Cause Book.

Motions.

Petitions in the General Paper.

Remaining Motions and Petitions, and then the General Cause Book.

Short Causes, Short Claims, Consent Causes, Unopposed Petitions, and Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

London Gazettes.

FRIDAY, JUNE 11.

BANKRUPTS.

THOMAS SEVERS, Basinghall-street, London, woollen cloth warehouseman and factor, dealer and chapman, June 22 at half-past 12, and July 22 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed June 8.

JOHN WHEATLEY, Kennington-cross, Lambeth, Surrey, stable keeper and job master, June 19 at half-past 1, and Aug. 7 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cutler, 5, Bell-yard, Doctors'-commons.—Petition dated June 9.

DAVID FURMINGER KENNETT, Oxford-street, St. Marylebone, Middlesex, licensed victualler, June 19 at 1, and Aug. 7 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Messrs. Bicknell, 79, Connaught-terrace, Edgeware-road.—Petition dated June 7.

THOMAS BATHGATE, Birmingham, draper, dealer and chapman, June 26 and July 19 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated June 10.

ANTONIO GABRIELLI and THOMAS EDMOND, Old Broad-st., London, merchants, (trading under the style or firm of A. Gabrielli & Co., and at Bombay, East Indies, under the style or firm of Thomas Edmond & Co.), June 17 and Aug. 7 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Wadsworth, Nottingham; Reed & Co., Friday-street, Cheapside.—Petition dated May 22.

JOHN DALLOW, Wolverhampton, Staffordshire, cooper, dealer and chapman, June 24 and July 20 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Price & Stuart, Wolverhampton.—Petition dated June 5.

SAMUEL BOYLE, Fenton, Stoke-upon-Trent, Staffordshire, manufacturer of china and earthenware, (trading under the style or firm of Zachariah Boyle & Sons), June 26 and July 19 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Hodgson, Birmingham.—Petition dated June 7.

JAMES HURN, Gedney Hill, Lincolnshire, miller and baker, June 25 and July 23 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Sturton & Co., Holbeach, Lincolnshire; Motteram & Co., Birmingham.—Petition dated June 1.

JOHN WILDSMITH and ROBERT LONGLEY, Worsborough Dale, near Barnsley, Yorkshire, boat builders, dealers and chapmen, June 24 at 1, and July 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Westmorland & Taylor, Wakefield.—Petition dated May 31; filed June 3.

THEODORE DILGER, Hustler-gate, Bradford, Yorkshire, general dealer and chapman, June 24 at 1, and July 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Hodgson, Bradford; Bond & Barwick, Leeds.—Petition dated and filed June 8.

WILLIAM THOMAS CARR, Barnsley and Oughtibridge, Yorkshire, ironmonger, quarryman, and steel roller, dealer and chapman, July 1 at 1, and July 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Tyas & Harrison, Barnsley; Bond & Barwick, Leeds.—Petition dated and filed June 8.

JOHN THOMAS HOTTEN, Penzance, Cornwall, watch-maker and silversmith, dealer and chapman, June 22 and July 13 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Rooker & Lavers, Plymouth; Stogdon, Exeter.—Petition filed June 22.

JOHN FRY REEVES, Fitzhead, Somersetshire, money scrivener, coal merchant, carrier, dealer and chapman, June 22 and July 13 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Dommert & Canning, Chard; Daw, Exeter.—Petition filed June 1.

MEETINGS.

Joseph Aspinall, (and not *Aspinwall*, as before advertised), Liverpool, sharebroker, June 18 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*William Chadwick*, Manchester, paper manufacturer, June 21 at 12, District Court of Bankruptcy, Manchester, last ex.—*George Gull and Francis Deacon Wilson*, Old Broad-street, London, Russia brokers, June 30 at 12, Court of Bankruptcy, London, and. ac.—*William Gosling*, High-street, Woolwich, Kent, ironmonger, June 30 at half-past 12, Court of Bankruptcy, London, and. ac.—*Thomas Heard*, Woodbridge, Suffolk, brewer, June 30 at 1, Court of Bankruptcy, London, and. ac.—*John Bristow*, Cliffe, Lewes, Sussex, tea dealer, June 22 at 12, Court of Bankruptcy, London, and. ac.—*George Frederick Niebow*, Slough, Buckinghamshire, music seller, June 22 at 12, Court of Bankruptcy, London, and. ac.—*Edward Henry Firminger and Peter Beare*, Lime-street, London, merchants, June 22 at 12, Court of Bankruptcy, London, and. ac.—*Samuel Lovick Coleman*, Norwich, draper, June 29 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Carey Willard Pierce and Gilson Homan*, Manchester, merchants, June 24 at 12, District Court of Bankruptcy, Manchester, and. ac.—*George Warhurst*, Leigh, Lancashire, ironmonger, June 24 at 11, District Court of Bankruptcy, Manchester, and. ac.—*James Hoyle and Thomas Hoyle*, Salford, Lancashire, cotton manufacturers, July 1 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 22 at 12, div.—*Edwin Fowler*, Bristol, and Pontypool, Monmouthshire, draper, July 9 at 11, District Court of Bankruptcy, Bristol, and. ac.; July 16 at 11, div.—*Richard William Johnson*, Gloucester, wine merchant, June

24 at 11, District Court of Bankruptcy, Bristol, and. ac.—*William Booth*, Liverpool, shoe factor, June 28 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Thomas Tucker* and *John Tucker*, Liverpool, shipbuilders, June 28 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Henry Martin*, Liverpool, and Birkenhead, Cheshire, currier, June 28 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*George Turnbull*, Coxhoe, Durham, draper, July 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Abel Walford Bellairs*, Stamford, Lincolnshire, and *James Bellairs*, Derby, bankers, June 25 at 10, District Court of Bankruptcy, Nottingham, and. ac. sep. est., and July 9 at 10, div. sep. est. of *Abel W. Bellairs*.—*John Bill*, Wolverhampton, Staffordshire, hinge manufacturer, July 6 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Richard Williams Gardiner*, Lower Hopton, Much Cowarne, Herefordshire, cattle dealer, July 6 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*John Mears*, Leeds, Yorkshire, grocer, June 22 at 11, District Court of Bankruptcy, Leeds, and. ac.—*John Whitwam* the younger, Golcar, Huddersfield, Yorkshire, woollen cloth manufacturer, June 28 at 1, District Court of Bankruptcy, Leeds, and. ac.—*Wm. Waite*, Bramley, Leeds, Yorkshire, cloth manufacturer, June 24 at 11, District Court of Bankruptcy, Leeds, and. ac.—*James Todd* and *William Todd*, Yarm, Yorkshire, saddlers, June 24 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Wm. Lake*, Fleet-street, London, printer, July 2 at 11, Court of Bankruptcy, London, div.—*Augustus Alexander Lackerstein*, Broad-street-buildings, London, merchant, July 2 at 11, Court of Bankruptcy, London, div.—*Alfred Mason*, Kimbolton, Huntingdonshire, ironmonger, July 2 at 12, Court of Bankruptcy, London, div.—*William Pain Beecham*, Hawkburst, Kent, banker, July 5 at 12, Court of Bankruptcy, London, div.—*Robert Hazard* and *Frederick Robert Hazard*, Bristol, victuallers, July 9 at 12, District Court of Bankruptcy, Bristol, div. sep. est. of *Robert Hazard*.—*Thomas Swift*, Monmouth and Chepstow, Monmouthshire, and Brookmead, Gloucestershire, and Bristol, timber merchant, July 9 at 11, District Court of Bankruptcy, Bristol, fin. div.—*James Potter*, Birmingham, mill manufacturer, July 5, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Stutely, Salisbury-street, Stepney, Middlesex, stone-mason, July 3 at 12, Court of Bankruptcy, London.—*George Hart* and *Thomas Hart*, Union-street, Southwark, Surrey, trimming manufacturers, July 3 at half-past 11, Court of Bankruptcy, London.—*Edmund Spettigue* and *George Farrance*, Chancery-lane, Middlesex, booksellers, July 2 at 12, Court of Bankruptcy, London.—*Henry Stimson*, St. Neot's, Huntingdonshire, shoemaker, July 2 at half-past 11, Court of Bankruptcy, London.—*Henry Lamplough*, Hamilton-place, New-road, Middlesex, chemist, July 2 at half-past 12, Court of Bankruptcy, London.—*Anson Hardy*, Liverpool, general merchant, July 2 at 11, District Court of Bankruptcy, Liverpool.—*Philip Jones*, Llangattock, Monmouthshire, banker, July 7 at 12, District Court of Bankruptcy, Bristol.—*Joseph C. Reeves*, Long Ashton, Somersetshire, paint manufacturer, July 7 at 11, District Court of Bankruptcy, Bristol.—*Wm. Williams*, Pentwyn Golyns and Pontnewnydd, Monmouthshire, iron manufacturer, July 6 at 11, District Court of Bankruptcy, Bristol.—*George Turnbull*, Coxhoe, Durham, draper, July 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James M' Cuskrie*, Liverpool, merchant, July 5 at 11, District Court of Bankruptcy, Liverpool.—*J. Leader*, Liverpool, joiner, July 5 at 11, District Court of Bankruptcy, Liverpool.—*Isaac Timmins*, Dudley, Worcestershire, charter master, July 3 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Hall, Croydon, Surrey, confectioner.—*C. H. White*, Southampton, dealer in china.—*Wm. Burrows*, Park-street, Islington, Middlesex, surgeon.—*Richard Seymour*, Downham, Cambridgeshire, grocer.—*Wm. S. Whalford*, Brighton, Sussex, dentist.—*James Graham*, Noble-street, London, warehouseman.

PARTNERSHIP DISSOLVED.

Charles Henry Edwards and *John Jones*, Eldon-chambers, Devereux-court, Temple, London, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Wm. Coubrough & Co., Edinburgh, merchants.—*James Hay*, Glasgow, builder.—*J. Gascoyne*, Glasgow, tavern keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Frances Jones, Holyhead, Anglesey, out of business, June 30 at 10, County Court of Anglesey, at Llangefni.—*James Eccleston*, Macclesfield, Cheshire, butcher, July 1 at 11, County Court of Cheshire, at Macclesfield.—*William Slack*, Macclesfield, Cheshire, baker, July 1 at 11, County Court of Cheshire, at Macclesfield.—*W. F. Boughen*, King's Lynn, Norfolk, innkeeper, June 23 at 4, County Court of Norfolk, at King's Lynn.—*John Field*, Lockwood, Yorkshire, cattle doctor, June 24 at 10, County Court of Yorkshire, at Huddersfield.—*Thomas Edwards*, Caerphilly, near Cardiff, Glamorganshire, shoemaker, July 12 at 10, County Court of Glamorganshire, at Cardiff.—*W. Mowbray*, Luton, Bedfordshire, butcher, June 25 at 11, County Court of Bedfordshire, at Luton.—*C. Corbett*, Pitt-st., Old Kent-rd., Surrey, in no business, June 25 at 11, County Court of Bedfordshire, at Luton.—*Chas. W. Searle*, Bristol, tailor, July 14 at 11, County Court of Gloucestershire, at Bristol.—*C. Draper*, Bristol, labourer, June 14 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Cullingford*, Rickinghall Superior, Suffolk, wheelwright, June 25 at 11, County Court of Suffolk, at Eye.—*George Pettei*, Earl Soham, Suffolk, machine maker, June 18 at 10, County Court of Suffolk, at Framlingham.—*Alfred Frye*, Newmarket, Cambridgeshire, schoolmaster, June 23 at 1, County Court of Cambridgeshire, at Newmarket.—*Mary Moore*, Claypath, Durham, dealer in toys, July 9 at 10, County Court of Durham, at Durham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 25 at 11, before the CHIEF COMMISSIONER.

Edmund George Newman, Piccadilly, Middlesex, out of business.

June 25 at 10, before Mr. Commissioner LAW.

Edward T. Woods, Portsmouth-place, Kennington-lane, Surrey, short-hand writer.

June 26 at 11, before Mr. Commissioner PHILLIPS.

James Owens, Upper Marylebone-st., Middlesex, butcher.—*James Page*, Millbank-street, Westminster, Middlesex, plumber.—*Sarah J. Taylor*, Upper Seymour-st., Edgeware-road, Middlesex, music seller.

June 28 at 10, before Mr. Commissioner LAW.

John Phillips, College-st. West, Camden-town, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 25 at 11, before the CHIEF COMMISSIONER.

Thomas Moore, Georgiana-st., Camden-town, Middlesex, not in any business.—*George Sayers*, High-street, Guildford, Surrey, carrier.

June 25 at 10, before Mr. Commissioner LAW.

Harman M. Milton, Brompton-yard, Brompton, Middlesex, livery-stable keeper.

June 26 at 11, before Mr. Commissioner PHILLIPS.

Lewis Levy, Smith-st., Mile-end-road, Middlesex, picture dealer.—*Wm. Hatterley*, St. George's-st., St. George's-in-the-East, Middlesex, druggist.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at PORTSMOUTH,
June 25.

John W. Hunt, Landport, Portsea, cattle dealer.

At the County Court of Carnarvonshire, at CARNARVON, June 28 at 10.

Thomas Murphy, Carnarvon, builder.

At the County Court of Gloucestershire, at BRISTOL, June 30 at 11.

Samuel Serle, Weston-super-Mare, Somersetshire, perfumer.—Henry Rogers, Bristol, brewer.

At the County Court of Leicestershire, at LEICESTER, July 7.

Joseph Bradbury, Market Bosworth, tailor.

INSOLVENT DEBTOR'S DIVIDEND.

Joseph Edwards, Mecklenburgh-terrace, Gray's-inn-road, Middlesex, clerk in the Pipe Office, July 1, Fluder's, 73, St. John-street-road, Clerkenwell: 1s. 1½d. in the pound, (in addition to three former dividends of 5d., 7d., and 1s. 4d.)

TUESDAY, JUNE 15.

BANKRUPTS.

THOMAS MORLEY, High Holborn, Middlesex, silversmith and jeweller, June 23 at 1, and July 27 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Peddell, 142, Cheapside.—Petition filed June 11.

HENRY NOEL HUMPHREYS, Dorchester-place, Blandford-sq., Middlesex, bookseller and publisher, June 24 at half-past 11, and Aug. 7 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Moxon, 27, Southampton-buildings, Chancery-lane.—Petition dated May 8.

SAMUEL HORTON, Carlton-road, Asylum-road, Old Kent-road, Surrey, builder and tavern keeper, dealer and chapman, June 24 at 1, and July 24 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury, London.—Petition dated June 15.

EDWARD MOUNTCASTLE, King William-st., London, and London-st., Greenwich, Kent, batter, dealer and chapman, June 25 and Aug. 13 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Terrell & Matthews, 30, Basinghall-st., London.—Petition filed June 12.

JAMES CHALLEN, Brixton, Surrey, brewer, July 1 and 27 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Jay, 14, Bucklersbury.—Petition filed June 4.

JOSEPH HIGGOTT, Cromford, Derbyshire, miller, June 25 at 10, and July 16 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Brewster, Nottingham; Motteram & Co., Birmingham.—Petition dated June 8.

CORNELIUS BROWN, Kingston-upon-Hull, flax spinner, dealer and chapman, (carrying on business at Kingston-upon-Hull with Thomas Willis, of Carperby, near Leyburn, Yorkshire, under the style or firm of Brown & Willis), June 30 and July 21 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Thorney & Son, Hull.—Petition dated June 2.

HOLT TAYLOR, Waterfoot, near Newchurch, Lancashire, coal dealer, dealer and chapman, June 26 and July 23 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Harris, Rochdale.—Petition filed June 1.

THOMAS GEORGE ALANSON, Liverpool, wine merchant, dealer and chapman, June 24 and July 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Banner, Liverpool.—Petition filed June 11.

MEETINGS.

George Waterhouse, Rupert-st., Haymarket, and Cranford, Middlesex, watch manufacturer, June 24 at 12, Court of Bankruptcy, London, pr. d.—Alexander Bristow Fraser and Charles Lightfoot, Lime-st., London, merchants, June 25 at 11, Court of Bankruptcy, London, last ex.—Thomas Pearce and Wm. Thackray, Sunderland, Durham, timber merchants, July 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—Alexander Colvin, Wm. Ainslie, Bazeti D. Colvin, Thomas Anderson, and Daniel Ainslie, Calcutta, Bengal, merchants, June 25 at half-past 1, Court of Bankruptcy, London, and ac.—Augustus Alexander Lockerstein, Broad-street-buildings, London, merchant, June 26 at half-past 11, Court of Bankruptcy, London, and ac.—Benjamin Severn, Frederick Benjamin King, and John Severn, Church-lane, Whitechapel, Middlesex, grocers, June 26 at 1, Court of

Bankruptcy, London, and ac. sep. est. of Frederick Benjamin King.—Adolf Heilbronn and John Harrison, Great St. Helen's, London, drysalers, June 25 at 1, Court of Bankruptcy, London, and ac.—Alfred Mason, Kimbolton, Huntingdonshire, ironmonger, June 25 at 11, Court of Bankruptcy, London, and ac.—Richard Hansell Bell and Errington Bell, South Shields, Durham, paper manufacturers, July 13 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac. sep. est., and July 15 at 12, div. sep. est. of Richard Hansell Bell; July 15 at 12, div. sep. est. of Errington Bell.—Robert Seymour, Sunderland, Durham, draper, July 15 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—J. Stark, West Rainton, Durham, grocer, July 20 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—James Duggan, Maryport, Cumberland, draper, July 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; July 16 at 11, fin. div.—John Fraser, Great Suffolk-st., Southwark, Surrey, draper, July 22 at 11, Court of Bankruptcy, London, div.—Mary Butterfield and Thomas Archer Butterfield, Royston, Hertfordshire, linendrapers, July 6 at 11, Court of Bankruptcy, London, div.—Aaron Croxfield, Ty Mawr, Lanworne, Glamorganshire, coal miner, and Newport, Monmouthshire, common brewer, July 19 at 11, District Court of Bankruptcy, Bristol, div.—George Moon, Borrowby, near Thirsk, Yorkshire, corn miller, July 8 at 12, District Court of Bankruptcy, Leeds, div.—Robert Gibson, York, ironmonger, July 8 at 12, District Court of Bankruptcy, Leeds, div.—Christopher Ware, York, saddler, July 8 at 12, District Court of Bankruptcy, Leeds, div.—Walfield Burnett, Robert Moon Watson, Luke Wanless, Bishopwearmouth, Thomas Harrison, Chartershaugh, and Daniel Stokes, Shiny-row, Durham, ship owners, July 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac. sep. est., and July 8 at 12, fin. div. sep. est. of Luke Wanless.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Ambrose Croshaw, Park-road, Holloway, Middlesex, brick maker, July 22 at half-past 11, Court of Bankruptcy, London.—Christian Klug, New Bond-st., Middlesex, ravalenta arabia importer, July 15 at 12, Court of Bankruptcy, London.—J. Hurley, Birmingham, linendraper, July 6 at 1, Court of Bankruptcy, London.—Joseph Hull, Wavertree, Lancashire, miller, July 6 at 12, District Court of Bankruptcy, Liverpool.—George Henney, Elmley Lovett, Worcestershire, licensed victualler, July 8 at half-past 11, District Court of Bankruptcy, Birmingham.—William Malliband, Great Claybrook, Leicestershire, fellmonger, July 8 at half-past 11, District Court of Bankruptcy, Birmingham.—Thomas Welsh, Burslem, Staffordshire, joiner, July 8 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Stephen Couchman, Strood, Kent, grocer.

SCOTCH SEQUESTRATION.

John Young, Dundee, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Lightfoot Upton, Stretford, near Manchester, bookkeeper, June 29 at 12, County Court of Lancashire, at Manchester.—Knightly William Horlock, Esq., Marshfield, Gloucestershire, July 31 at 11, County Court of Gloucestershire, at Chipping Sodbury.—James Young, Worcester, out of business, July 14 at 10, County Court of Worcestershire, at Worcester.—William Phillips, Worcester, out of business, July 14 at 10, County Court of Worcestershire, at Worcester.—James Weybury, Cambridge, out of business, June 23 at 10, County Court of Cambridgeshire, at Cambridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 30 at 11, before the CHIEF COMMISSIONER.

Samuel Robertson, Adama-place, King's-rd., Chelsea, Mid-

dlesex, pastrycook.—*J. Musyard*, Woolwich, Kent, foreman on an omnibus proprietor.—*Wm. Pullins* the elder, Hyde-park, Hoxton, Middlesex, wholesale milliner.—*N. Richards*, Danstan's-road, Haggerstone, Middlesex, and Somerset-st., Aldgate, London, carpenter.

June 30 at 10, before Mr. Commissioner LAW.

William Davies, Greenhill's-rents, Smithfield-bars, Middlesex, out of business.

Saturday, June 12.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Collins, Curator-street, Chancery-lane, Middlesex, out of business, No. 62,984 T.; *Wm. H. Collins* and *Alfred H. Stanbury*, assignees.—*R. Chinn* the younger, Knowle, Warwickshire, fishmonger, No. 74,325 C.; *Benjamin Biram*, assignee.—*Samuel Tillett*, Colchester, Essex, conveyancer, No. 74,775 C.; *Samuel Candler*, assignee.—*Edward Pinder* the younger, Birmingham, builder, No. 74,885 C.; *Alexander Harrison*, assignee.—*Benjamin Pinder*, Newick, Sussex, farmer, No. 75,098 C.; *Richard Henry Billiter*, assignee.—*J. Kingston*, Crawford-street, Marylebone, Middlesex, captain in the Hertfordshire Militia, No. 16,324 O.; *Henry Wellington*, assignee.

Saturday, June 12.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Mary Ann Knight, Norland-road, Shepherd's-bush, Hammersmith, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Thomas Williams*, Dunk-street, Mile-end New-town, Middlesex, miller: in the Debtors Prison for London and Middlesex.—*Wm. Carter*, Eastworth-lane, near Chertsey, Surrey, labourer: in the Gaol of Horsemonger-lane.—*H. Lempert*, Jewry-street, Aldgate, London, linen merchant: in the Queen's Prison.—*John Stansway*, Fleet-lane, Farringdon-st., London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Samuel Edu. Ambler*, Richard-street, Liverpool-road, Islington, Middlesex, book-binder: in the Debtors Prison for London and Middlesex.—*Henry George Bramell*, Linton-street, New North-road, Islington, Middlesex, clergyman: in the Debtors Prison for London and Middlesex.—*Thomas Riddle*, Wells-st., Oxford-street, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*John Marshall*, Little York-mews, Baker-street, Portman-square, Middlesex, coach smith: in the Debtors Prison for London and Middlesex.—*Henry Coleman*, Albert-road, Queen's-road, Dalston, Middlesex, dramatic author: in the Queen's Prison.—*Geo. H. Buckton*, Holles-st., Cavendish-square, Middlesex, lodging-house keeper: in the Queen's Prison.—*John Gladwin*, Salisbury-street, Bermondsey-wall, Bermondsey, Surrey, foreman to a guano and manure merchant: in the Gaol of Surrey.—*Joseph H. Barnes*, Lilly-terrace, Hammersmith New-rd., Shepherd's-bush, Middlesex, clerk to an attorney: in the Queen's Prison.—*Henry Kimber*, Coburg-place, Old Kent-road, Surrey, wine merchant: in the Queen's Prison.—*Wm. Schild*, Algar-terrace, New-road, Battersea-fields, Surrey, baker: in the Debtors Prison for London and Middlesex.—*Wm. Greenland*, Crutched-friars, and Leadenhall-market, London, poulterer: in the Debtors Prison for London and Middlesex.—*James Turner*, Bayswater, Middlesex, licensed horse dealer: in the Debtors Prison for London and Middlesex.—*John Dalton*, South-place, Finsbury, Middlesex, silk dresser: in the Debtors Prison for London and Middlesex.

(On Creditors' Petitions).

Jas. Vickery, Featherstone-buildings, Holborn, Middlesex, attorney at law: in the Debtors Prison for London and Middlesex.—*Thomas Boucher*, London-road, Southwark, Surrey, furniture dealer: in the Gaol of Horsemonger-lane.—*J. Coles*, London-road, Southwark, Surrey, carpenter: in the Gaol of Horsemonger-lane.

(On their own Petitions).

George Ellison, Leeds, Yorkshire, butcher: in the Gaol of York.—*John Leech* the younger, Middlewich, Cheshire, grocer: in the Gaol of Chester.—*Henry Mills*, Trafalgar-road, Old

Kent-road, Surrey, dealer in tobacco: in the Gaol of Reading.—*William Evans*, Mayfield, Sussex, farm bailiff: in the Gaol of Lewes.—*Thomas Murphy*, Treborth, Bangor, Carnarvonshire, builder: in the Gaol of Carnarvon.—*George Ellett*, Deneas, Great Yarmouth, Norfolk, grocer: in the Gaol of Norwich.—*Ralph Hobson*, Pendleton, near Manchester, market gardener: in the Gaol of Lancaster.—*Peter Higgins*, Stockport, Cheshire, labourer: in the Gaol of Chester.—*Anne Saunders*, Gloucester, innkeeper: in the Gaol of Gloucester.—*Charles Woodall*, Selby, Yorkshire, printer: in the Gaol of York.—*Richard Bonser*, Manchester, grocer: in the Gaol of Lancaster.—*John Butler*, Manchester, joiner: in the Gaol of Lancaster.—*Henry Dean*, Manchester, game dealer: in the Gaol of Lancaster.—*George Husham*, Totnes, Devonshire, wine merchant: in the Gaol of St. Thomas-the-Apostle.—*Robert Smithson*, Little Bolton, Bolton-le-Moors, Lancashire, farmer: in the Gaol of Lancaster.—*William Truscott*, Stonehouse, Devonshire, shoemaker: in the Gaol of St. Thomas-the-Apostle.—*Edward Amery*, Newton Abbott, Devonshire, ironmonger: in the Gaol of St. Thomas-the-Apostle.—*Charles Bedford*, Manchester, brickmaker: in the Gaol of Lancaster.—*Charles James Hatch*, West Teignmouth, Devonshire, schoolmaster: in the Gaol of St. Thomas-the-Apostle.—*Henry Matthews*, Plymouth, Devonshire, brewer: in the Gaol of St. Thomas-the-Apostle.—*Thomas Sowerby*, Stockton-upon-Tees, Durham, publican: in the Gaol of Durham.—*William Baylis Price*, Hatfield, Herefordshire, labourer: in the Gaol of Hereford.—*Robert Howes Bolton*, Norwich, plumber: in the Gaol of Norwich.—*David Roberts*, Llanllawddog, Carmarthenshire, commission agent: in the Gaol of Carmarthen.—*John Duvinex Gardner*, Whitstable, Kent, tailor: in the Gaol of Maidstone.—*Mary Newton*, Manchester, milliner: in the Gaol of Lancaster.—*Samuel Andrew*, Lees, near Oldham, Lancashire, cotton waste dealer: in the Gaol of Lancaster.—*John Brindle*, Kirkdale, Liverpool, colour manufacturer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 29 at 11, before the CHIEF COMMISSIONER.

William Ash, Henry-street, Hampstead-road, Middlesex, plumber.

June 28 at 10, before Mr. Commissioner LAW.

George Church, Sherbutt-cottage, Sherbutt-street, Poplar, Middlesex, ship caulker.

Re-hearing.

William Davies, Barnet-grove, Bethnal-green, horse dealer.

July 1 at 11, before Mr. Commissioner PHILLIPS.

Samuel Sparshott Shore, Queen's-road, Bayswater, Middlesex, lieutenant in the Navy on half-pay.—*Henry Davis*, Esther-place, Upper Holloway, Middlesex, grocer.—*Joseph Williams*, Ebenezer-terrace, Turner-street, Commercial-road East, Middlesex, in no profession.—*Wm. Carter*, Chertsey, Surrey, labourer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, June 29 at 10.

Charles James Hatch, West Teignmouth, schoolmaster.—*Richard Antram*, Slapton, clerk.—*George Husham*, Totnes, wine merchant.—*Henry Matthews*, Plymouth, brewer.—*William Truscott*, Stonehouse, shoemaker.

At the County Court of Nottinghamshire, at NOTTINGHAM, July 8 at 9.

George Harrison, Hucknall Torkard, framework knitter.

INSOLVENT DEBTORS' DIVIDEND.

Watson Yorke, Brigstock, near Thrapston, Northamptonshire, farmer, June 21, Summers's, Thrapston: 7d. in the pound.

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The Jurist

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JUNE 26, 1852.

PRICE 1s.

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LONDON, JUNE 26, 1852.

COUNTY COURTS EXTENSION BILL.

THE House of Lords has ratified the decision of the House of Commons with respect to putting Barristers in the county courts on the same footing as in the superior courts, viz. to leave it to the Bar to take their instructions from the parties direct, or only through attorneys, as they may think fit, instead of making it compulsory upon the Bar, as it is by the present act, to take their instructions through attorneys.

Of this alteration we most cordially approve, not because we at all desire to see the habit of the Bar, in any court, other than it is in the superior courts, viz. to receive their instructions only through attorneys, but because, in practice, it has been found, that in some districts combinations have been formed for the entire exclusion of the Bar from county court practice, without the suitors or their interest being in the slightest degree consulted on the subject.

The county courts were intended to be, and ought to be, thoroughly open, free-trade courts; they were intended to meet a want which, at the time of their creation, it was felt the superior courts did not supply, viz. the want of speedy and cheap justice, even at the cost of its being sometimes a little loose and rough. As the jurisdiction of the county courts originally existed, viz. confined to a demand of 20*l.*, it really mattered very little to either the suitor or the Bar, whether the Bar might be excluded by any hostile combination, or not. They were practically excluded by the nature of the jurisdiction—by the fact that the great majority of the suits neither required nor would bear the ex-

pense of employing counsel. But when the jurisdiction was extended to 50*l.*, an amount higher than the average amount involved in civil cases in the superior courts, it became important to the suitor that he should have the assistance of the Bar open to him—it became important to at least the junior common-law Bar, that they should not be, in effect, compulsorily, and against the wishes of the suitors, excluded from exercising their profession in those courts to which the public had chosen to transfer the mass of its common-law business.

Against this compulsory exclusion the clause introduced in the bill now before Parliament will protect the public and the Bar. Further, it will not, we believe, operate. There is no general wish or disposition on the part of the Bar to receive instructions direct from the parties; it is much more convenient and agreeable for them to receive their instructions from professional agents; and, as a body, we are persuaded the Bar will still adhere to its ordinary practice, and only use the power reserved to it by the act, as a means of resistance to any improper combination. The business in the county courts will be henceforth what it ought to be, quite open. If the attorneys practising in any county court can satisfy their clients that they do not require counsel, it is quite open to them to do so; and if that is fairly done, the Bar ought not, we think, to enter into an unseemly contest for business, by abrogating their general rule of not taking business from the parties. But the suitor will no longer be in the position in which he is now—that if the attorneys practising in any county court choose to combine, they may say to him, "You shall not have counsel at all. You may have our services, or go without; but you shall

not instruct counsel, and you cannot." This is a state of things which is said to exist in many districts, and it will be properly destroyed by the intended act. We trust that it will have no further or greater effect; and that the result will be the restoration of that proper and wholesome feeling between the Bar and the attorneys, without which the business of the public cannot be well transacted. Our advice to the junior common-law Bar on the subject would be, that they should not at all, at present, rescind their general rule of practice, nor hold out to the suitor any degree of inducement to suppose they intend to do so. The knowledge that the suitor may give a brief to counsel, and that if he cannot procure any attorney, practising in the court in which he sues, to instruct counsel, he would have a right to insist on counsel taking the brief from him, will be quite sufficient to prevent the continuance of any

inexpedient and improper combination. On the other hand, our advice to attorneys practising in the county courts would be, that they should at once yield to the intimation of the Legislature, and cease if they have begun, or not begin if they have not already done so, any attempt to combine for the exclusion of the Bar; because, although the present rule is much more convenient to the Bar, it is not quite certain that it is the most economical for the suitor; and if the Bar are once driven to open their chambers to suitors in the county courts, possibly the suitors may take the affair into their own hands, and say, "It is our will that it is to be consulted, and we, having found it cheaper to go at once to counsel, do not mean to relinquish that privilege." We should greatly regret to see any such result; but it may come to pass, and it will be wise in the attorneys practising in county courts not to tempt it.

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(Mr. Justice ERLE will remain in Town).

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Thursday... 5	Appleby				Gloucester & [City]			
Saturday... 7	Lancaster						Chester and [City]	Chester and [City]
Tuesday... 10						Bristol		
Wednesday.. 11	Liverpool							

Court Papers.

EQUITY SITTINGS, AFTER TRINITY TERM.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

Thursday .. June 24	First Seal.—Appeal Motions.
Friday	25 { (Petition-day).—Lunatic and Cause Petitions.
Saturday	26
Monday	28
Tuesday	29 } Appeal Motions.
Wednesday	30
Thursday	July 1
Friday	2 { (Petition-day).—Lunatic and Cause Petitions.
Saturday	3 } Appeals.
Monday	5
Tuesday	6 } Second Seal.—Appeal Motions.
Wednesday	7 } Appeals.
Thursday	8
Friday	9 { (Petition-day).—Lunatic and Cause Petitions.
Saturday	10
Monday	12
Tuesday	13 } Appeals.
Wednesday	14
Thursday	15

Friday	16 { (Petition-day).—Lunatic and Cause Petitions.
Saturday	17 } Appeals.
Monday	19
Tuesday	20 } Third Seal.—Appeal Motions.
Wednesday	21 } Appeal Motions.
Thursday	22
Friday	23 { (Petition-day).—Lunatic and Cause Petitions.
Saturday	24
Monday	26 } Appeals.
Tuesday	27
Wednesday	28
Thursday	29 } Fourth Seal.—Appeal Motions.
Friday	30 } General Petition-day.

N. B.—The days his Lordship attends the House of Lords on Appeals excepted.

Before the LORDS JUSTICES, at Lincoln's Inn.

Thursday .. June 24	First Seal.—Appeal Motions and Mo- tions by order.
Friday	25
Saturday	26 } Appeals.
Monday	28
Tuesday	29
Wednesday	30 { Petitions in Lunacy, Bankruptcy, and Appeal Petitions.

Thursday	July 1	} Appeals.
Friday	2	
Saturday	3	
Monday	5	
Tuesday	6	
Wednesday	7	} Second Seal.—Appeal Motions and Motions by order.
Thursday	8	
Friday	9	} Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Saturday	10	
Monday	12	
Tuesday	13	
Wednesday	14	
Thursday	15	} Appeals.
Friday	16	
Saturday	17	
Monday	19	
Tuesday	20	
Wednesday	21	} Third Seal.—Appeal Motions and Motions by order.
Thursday	22	
Friday	23	} Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Saturday	24	
Monday	26	
Tuesday	27	
Wednesday	28	
Thursday	29	} Fourth Seal.—Appeal Motions and Motions.
Friday	30	

Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.

Thursday	June 24	} First Seal.—Motions.
Friday	25	
Saturday	26	} Unopposed Petitions, Short Causes, Short Claims, and the adjourned Petitions.
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	July 1	
Friday	2	} Further Directions previous to Pleas, Demurrers, Exceptions, Causes, and Claims.
Saturday	3	
Monday	5	} Second Seal.—Motions.
Tuesday	6	
Wednesday	7	} Further Directions previous to Pleas, Demurrers, Exceptions, Claims, and Causes.
Thursday	8	
Friday	9	} Unopposed Petitions, Short Causes, Short Claims, and Claims.
Saturday	10	
Monday	12	} Further Directions previous to Pleas, Demurrers, Exceptions, Claims, and Causes.
Tuesday	13	
Wednesday	14	
Thursday	15	
Friday	16	
Saturday	17	} (Petition-day).—Cause Petitions.
Monday	19	
Tuesday	20	} Further Directions previous to Pleas, Demurrers, Exceptions, Claims, and Causes.
Wednesday	21	
Thursday	22	} Third Seal.—Motions.
Friday	23	
Saturday	24	} Unopposed Petitions, Short Causes, Short Claims, and Claims.
Monday	26	
Tuesday	27	} Further Directions previous to Pleas, Demurrers, Exceptions, Claims, and Causes.
Wednesday	28	
Thursday	29	
Friday	30	

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

Thursday	June 24	} First Seal.—Motions and four Causes.
Friday	25	
Saturday	26	} (Petition-day).—Cause Petitions (unopposed first).
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	July 1	
Friday	2	} Short Causes, Short Claims, Claims, and Causes.
Saturday	3	
Monday	5	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Tuesday	6	
Wednesday	7	} Second Seal.—Motions.
Thursday	8	
Friday	9	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Saturday	10	
Monday	12	
Tuesday	13	
Wednesday	14	
Thursday	15	} (Petition-day).—Cause Petitions (unopposed first).
Friday	16	
Saturday	17	} Short Causes, Short Claims, & Causes.
Monday	19	
Tuesday	20	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Wednesday	21	
Thursday	22	} Third Seal.—Motions.
Friday	23	
Saturday	24	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Monday	26	
Tuesday	27	
Wednesday	28	
Thursday	29	
Friday	30	} (Petition-day).—Cause Petitions (unopposed first).
Saturday	July 1	
Monday	3	} Short Causes, Short Claims, & Causes.
Tuesday	4	
Wednesday	5	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Thursday	6	
Friday	7	} Second Seal.—Motions.
Saturday	8	
Monday	9	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Tuesday	10	
Wednesday	11	
Thursday	12	
Friday	13	
Saturday	14	} (Petition-day).—Cause Petitions (unopposed first).
Monday	15	
Tuesday	16	} Short Causes, Short Claims, & Causes.
Wednesday	17	
Thursday	18	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Friday	19	
Saturday	20	} Third Seal.—Motions.
Monday	21	
Tuesday	22	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Wednesday	23	
Thursday	24	
Friday	25	
Saturday	26	
Monday	27	} (Petition-day).—Cause Petitions (unopposed first).
Tuesday	28	
Wednesday	29	} Short Causes, Short Claims, & Causes.
Thursday	30	

Notice.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.

Thursday	June 24	} First Seal.—Motions.
Friday	25	
Saturday	26	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	July 1	
Friday	2	} Cause Petitions (unopposed first).
Saturday	3	
Monday	5	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	6	
Wednesday	7	} Short Causes, Short Claims, Claims, and Causes.
Thursday	8	
Friday	9	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	10	
Monday	12	} Cause Petitions (unopposed first).
Tuesday	13	
Wednesday	14	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday	15	
Friday	16	
Saturday	17	
Monday	19	
Tuesday	20	} Short Causes, Short Claims, Claims, and Causes.
Wednesday	21	
Thursday	22	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	23	
Saturday	24	} Cause Petitions (unopposed first).

Monday.....	26	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	27	
Wednesday.....	28	Short Causes, Short Claims, Claims, and Causes.
Thursday.....	29	Fourth Seal.—Motions.
Friday.....	30	Petitions.

Notice.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

London Gazettes.

FRIDAY, JUNE 18.

BANKRUPTS.

EDWARD SOLE MANICO, Mark-lane, London, merchant, dealer and chapman, June 24 at 1, and July 29 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Linklaters, 17, Sise-lane, Bucklersbury.—Petition filed June 14.

WILLIAM WHEELER, Abergavenny, Monmouthshire, innkeeper, June 29 and July 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Batt, Abergavenny; Bevan, Bristol.—Petition dated June 2.

WILLIAM WOOD, Hoyland, Nether, Wath-upon-Dearne, Yorkshire, timber merchant, dealer and chapman, (lately carrying on business in partnership with Charles Lee, of Hoyland, Nether), July 5 and 26 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Marshall, Barnsley; Bond & Barwick, Leeds.—Petition dated June 3.

JOHN WALTHER, Manchester, drysalter, dealer and chapman, June 28 and July 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Slater, Manchester.—Petition filed June 9.

EDWARD MATTHEW HADAWAY, Newcastle-upon-Tyne, grocer and tea dealer, June 30 at 12, and July 28 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Hodge, Newcastle-upon-Tyne.—Petition filed June 15.

MEETINGS.

William John Miall, Ingram-court, Fenchurch-st., London, and St. Peter's-terrace, Islington, Middlesex, cement manufacturer, July 1 at 11, Court of Bankruptcy, London, pr. d.—*Thomas Footman*, Wolverhampton, Staffordshire, huckster, June 29 at half-past 11, District Court of Bankruptcy, Birmingham, ch. ass.—*Daniel Keith* and *Thomas Shoobridge*, Wood-street, Cheapside, London, warehousemen, July 2 at 1, Court of Bankruptcy, London, last ex.—*Matthew Slade Hooper*, Billiter-street, London, tea dealer, July 2 at half-past 12, Court of Bankruptcy, London, last ex.—*Samuel Haynes*, London-street, Paddington, Middlesex, wheelwright, July 7 at 12, Court of Bankruptcy, London, aud. ac.; July 12 at 11, div.—*William Lawson*, Diss, Norfolk, chemist, July 1 at 11, Court of Bankruptcy, London, aud. ac.—*William Plaister* and *Mary Plaister*, Wickwar, Gloucestershire, and Bristol, cheese factors, July 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Edward Love*, Bristol, toy dealer, July 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.; July 15 at 11, div.—*George Greenstock*, Bristol, milliner, July 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Forster*, Liverpool, filter merchant, June 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Hugh Dixon* and *Lauacelot Dixon*, Liverpool, merchants, June 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *Hugh Dixon*.—*John Fogg Taylor*, Wigan, Lancashire, cotton spinner, June 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 13 at 12, fn. div.—*William Croudson*, Wigan, Lancashire, iron manufacturer, June 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 13 at 12, div.—*George Chadfield*, Manchester, plasterer, July 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Gibson*, York, ironmonger, July 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Moon*, Borrowby, near Thirsk, Yorkshire, corn miller, July 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Christopher Ware*, York, saddler, July 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Gull* and *Francis Deacon Wilson*, Old Broad-street, London, Russia brokers, July 12 at 12, Court of Bankruptcy, London, div. joint and sep. est.—*Samuel Turner Jay*, Badley, Suffolk, miller, July 12 at 11, Court of Bankruptcy, London, div.—*John Hall*, Croyden, Surrey, confectioner, July 12 at 1, Court of Bankruptcy, London, div.—

John Simmonds, Blandford Forum, Dorsetshire, builder, July 12 at 1, Court of Bankruptcy, London, div.—*Henry Stinson*, St. Neot's, Huntingdonshire, shoemaker, July 9 at half-past 11, Court of Bankruptcy, London, div.—*Charles Lucas*, *Richard Wilkinson*, and *Edward Bond*, Manchester, and Hayfield, Derbyshire, calico printers, July 9 at 11, District Court of Bankruptcy, Manchester, div. sep. ests. of *Charles Lucas* and *Richard Wilkinson*.—*Frederick Pratt*, Stoke-upon-Trent, Staffordshire, miller, July 12 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*John H. Collins*, Halifax, Yorkshire, draper, July 9 at 11, District Court of Bankruptcy, Leeds, div.—*Henry D. Wilkinson*, Sheffield, Yorkshire, silver plater, July 10 at 10, District Court of Bankruptcy, Sheffield, div.—*Robert Bew*, Selby, Yorkshire, grocer, July 9 at 11, District Court of Bankruptcy, Leeds, div.—*George W. Hincliffe*, Sheffield, Yorkshire, manufacturer, July 10 at 10, District Court of Bankruptcy, Sheffield, div.—*John Nicholson*, Sheffield, Yorkshire, surgeon, July 10 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Alfred Mason, Kimbolton, Huntingdonshire, ironmonger, July 9 at 11, Court of Bankruptcy, London.—*Joseph David Benjamin*, Southampton-street, Bloomsbury-sq., Middlesex, dealer in cigars, July 9 at half-past 1, Court of Bankruptcy, London.—*Ann Puckett*, Melton-st., Euston-sq., Middlesex, lodging-house keeper, July 12 at 11, Court of Bankruptcy, London.—*Enoch J. Burford*, Bermondsey-sq., Surrey, salt merchant, July 12 at 12, Court of Bankruptcy, London.—*Wm. Jones* and *Charles John Jones*, High-street, Islington, Middlesex, plumbers, July 12 at 1, Court of Bankruptcy, London.—*James F. Silbey*, Poole, timber merchant, July 10 at 12, Court of Bankruptcy, London.—*John George Lacy*, Great St. Helen's, Bishopsgate-street, London, gun manufacturer, July 10 at 12, Court of Bankruptcy, London.—*Robert Harding*, Road, near Beckington, Somersetshire, grocer, July 13 at 11, District Court of Bankruptcy, Bristol.—*Thomas Mills*, Llanidloes, Montgomeryshire, grocer, July 12 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Benjamin* the younger, Hereford, grocer, July 13 at half-past 11, District Court of Bankruptcy, Birmingham.—*John Scorch*, Postretract, Yorkshire, seed merchant, July 9 at 11, District Court of Bankruptcy, Leeds.—*Benjamin Crossland*, Fenny Bridge, near Huddersfield, Yorkshire, head knitter, July 9 at 11, District Court of Bankruptcy, Leeds.—*Joseph W. Acroyd*, Bradford, Yorkshire, worsted spinner, July 9 at 11, District Court of Bankruptcy, Leeds.—*John Child*, Wakefield, Yorkshire, railway contractor, July 9 at 11, District Court of Bankruptcy, Leeds.—*Thomas Head*, Hanley, Staffordshire, apothecary, July 12 at half-past 1, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. J. Miall, Ingram-court, Fenchurch-st., London, and St. Peter's-terrace, Islington, Middlesex, cement manufacturer.—*Philip Newman*, Winchcomb, Gloucestershire, tea dealer.—*John Wilkin*, Brighton, Sussex, builder.—*Simon A. Kisch*, Bedford-st., Covent-garden, Middlesex, tailor.—*Wm. Pownall*, Macclesfield, Cheshire, silk manufacturer.—*Henry Shuttleworth*, Saffron Walden, Essex, ironmonger.—*F. Long*, Vera-st., Oxford-st., Middlesex, importer of foreign lace.—*James Hall*, Denton, near Ashton-under-Lyne, Lancashire, hat manufacturer.—*Thomas Lord*, Ashton-under-Lyne, Lancashire, boot maker.—*John Cadman*, Derby, grocer.

SCOTCH SEQUESTRATIONS.

Saml. Carson, Cove, Dumbartonshire, and Glasgow, wright.—*James Howie* and *Robert Simpson*, Edinburgh, merchants.—*Wm. Allan* and *Richard Drummond*, Glasgow, wrights.—*J. Alexander* and *James Alexander*, Glasgow, tailors.—*Henderson, Lamont, & Co.*, Camlachie, near Glasgow, and Rhine, Port Charlotte, Islay, distillers.—*Charles Boyd & Son*, Glasgow, commission merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

L. Weller, Liverpool, bookkeeper, June 26 at 10, County Court of Lancashire, at Liverpool.—*Thomas Todd*, Liverpool, bookkeeper, June 26 at 10, County Court of Lancashire, at

Liverpool.—*Thomas Montgomery*, Liverpool, out of business, June 26 at 10, County Court of Lancashire, at Liverpool.—*William Thomson*, Liverpool, baker, June 26 at 10, County Court of Lancashire, at Liverpool.—*G. Brownbill*, Kirby, near Liverpool, farmer's assistant, June 26 at 10, County Court of Lancashire, at Liverpool.—*Wm. Slater*, Liverpool, joiner, June 26 at 10, County Court of Lancashire, at Liverpool.—*Jesse Tildesley*, Liverpool, butcher, Jan. 26 at 10, County Court of Lancashire, at Liverpool.—*Joseph Harbut*, Southampton, painter, June 30 at 10, County Court of Hampshire, at Southampton.—*Richard Hibberd*, Southampton, painter, June 30 at 10, County Court of Hampshire, at Southampton.—*George Newman*, Southampton, gas fitter, June 30 at 10, County Court of Hampshire, at Southampton.—*Henry Ware*, Lincoln, boot maker, July 6 at 12, County Court of Lincolnshire, at Lincoln.—*Wm. Moor*, Butterwick, Lincolnshire, out of business, July 1 at 10, County Court of Lincolnshire, at Boston.—*Henry Pugh*, Birkenhead, Cheshire, clerk to a painter, June 25 at 10, County Court of Cheshire, at Birkenhead.—*Robert Bradley*, Kingston-upon-Hull, out of business, July 7 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Richard Woodriff*, Croft, near Wainfleet, Lincolnshire, boot maker, July 3 at 11, County Court of Lincolnshire, at Spilaby.—*Wm. Borrill*, Coningsby, Lincolnshire, labourer, July 2 at 11, County Court of Lincolnshire, at Horncastle.—*Hill Johnson*, Greatham, Lincolnshire, blacksmith, July 2 at 11, County Court of Lincolnshire, at Horncastle.—*James Dinham*, Bristol, wheelwright, June 23 at 11, County Court of Gloucestershire, at Bristol.—*Louisa Prance*, Bideford, Devonshire, shopkeeper, July 8 at 10, County Court of Devonshire, at Bideford.—*Henry Baker*, Colchester, Essex, furniture broker, July 19 at 12, County Court of Essex, at Colchester.—*Rebecca King*, Ballingdon, Essex, saddler, July 7 at 12, County Court of Suffolk, at Sudbury.—*H. Haynes*, Alcester, Warwickshire, miller, June 24 at 11, County Court of Warwickshire, at Alcester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 2 at 11, before the CHIEF COMMISSIONER.

Thomas Whiteman, Charles-street, Queen's-road, Nottingham, Middlesex, foreman to a carman.

July 3 at 11, before Mr. Commissioner PHILLIPS.

George Burgum, Crawford-street, St. Marylebone, Middlesex, out of business.—*W. Groombridge*, Black Lion-yard, Whitefriars-street, Fleet-street, London, livery-stable keeper.—*Robert K. Scriven*, Brewer's-buildings, Wandsworth-road, Clapham, Surrey, baker.

July 5 at 10, before Mr. Commissioner LAW.

Geo. Robinson, junior, Stafford-mews, Pimlico, Middlesex, cook.—*Geo. Wm. Brown*, Wells-street, Camberwell, Surrey, and Strand, Middlesex, tailor's foreman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 2 at 11, before the CHIEF COMMISSIONER.

William Dyer, Belle Vue-place, Cleveland-st., Mile-end-road, Middlesex, custom-house agent.—*Mary Ann Knight*, widow, Norland-road, Shepherd's-bush, Middlesex, grocer's shopwoman.—*Thomas Nye*, China-walk, Lambeth, Surrey, gentleman's coachman.

July 3 at 11, before Mr. Commissioner PHILLIPS.

George Lapham, Lower-marsh, Lambeth, Surrey, baker.—*James Hartley*, Earl-st., New Bridge-st., Blackfriars, London, attorney-at-law.

July 5 at 10, before Mr. Commissioner LAW.

Thomas Howard, City-basin, City-road, Middlesex, coal merchant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 2 at 11.

Charles Bedford, Manchester, brickmaker.—*James M'Convery*, Liverpool, printer.—*Richard Bonser*, Manchester,

grocer.—*John Brindle*, Liverpool, attorney-at-law.—*Henry Deas*, Manchester, fishmonger.—*James Kirkman*, Ainsworth, beer-seller.—*Ralph Hobson*, Pendleton, near Manchester, market gardener.—*James Newton*, Manchester, ink dealer.—*Henry Heywood*, Manchester, broker.—*Robert Smithson*, Bolton-le-Moors, farmer.—*Wm. Schofield*, Liverpool, grocer.—*Samuel Andrew*, Knowles-lane, Lees, near Oldham, out of business.—*John Butler*, Manchester, out of business.—*Henry James Carr*, Chorlton-upon-Medlock, Manchester, salesman.—*Louis Lyon*, Liverpool, salesman.

At the County Court of Berkshire, at READING, July 5.

Henry Mills, Trafalgar-road, Old Kent-road, Surrey, agent for and dealer in Suffolk ale.

At the County Court of Lincolnshire, at LINCOLN, July 6 at 12.

Richard Parker, Spalding, ironmonger.—*Richard Fox*, Coningsby, innkeeper.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, July 7.

John Francis Smith, Kingston-upon-Hull, plumber.

At the County Court of Cornwall, at BODMIN, July 7 at 10.

William Henry Argall, Wadebridge, Egloshayle, journeyman wheelwright.

At the County Court of Gloucestershire, at GLOUCESTER, July 12 at 10.

Anne Saunders, Coleford, innkeeper.

At the County Court of Dorsetshire, at DORCHESTER, July 13 at 12.

Robert Laver, Weymouth and Malcombe Regis, out of business.

MEETINGS.

Wm. Twysden, (now Sir Wm. Twysden, Bart.), George street, Portman-square, Middlesex, gentleman, July 3 at 11, Court-house, Portugal-st., Lincoln's-inn-fields, London, pr. d.—*John Challinor*, Manchester, plasterer, July 5 at 10, Rowley's, Manchester, sp. aff.

TUESDAY, JUNE 22.

BANKRUPTS.

WILLIAM FREDERICK BLACKBURN, St. George's-place, Knightsbridge, and Moteombe-street, Belgrave-sq., Middlesex, bookseller and stationer, July 1 at 12, and Aug. 5 at half-past 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Hadley & Filder, 16, Gresham-street.—Petition presented April 21.

JOSE ALPHONSE THOMAS, Thavies-inn, Holborn, London, flour merchant, dealer and chapman, (trading under the name of C. S. Thomas & Co.), June 29 at half-past 1, and Aug. 5 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Chidley, 19, Gresham-street.—Petition filed May 28.

WILLIAM RICHARDSON, Lombard-st., London, merchant, dealer and chapman, June 30 at 1, and Aug. 3 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Vallance & Vallance, 20, Essex-st., Strand.—Petition filed June 18.

GEORGE RUTLAND, Luton, Bedfordshire, and Falcon-square, London, straw bonnet manufacturer, July 3 at 12, and Aug. 6 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Lawrence, 12, Bread-street, Cheapside.—Petition filed June 21.

CHARLES LOUIS KELLY, Artillery-place, Woolwich, Kent, grocer, cheesemonger, and provision merchant, July 6 at 2, [and Aug. 3 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Sandom, 5, Duke-street, London-bridge, Southwark, and Deptford, Kent.—Petition filed June 17.

JOSEPH CLARIDGE, Bristol, jeweller, July 6 and Aug. 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Hobbs, Bristol.—Petition filed June 4.

JOHN FRY REEVES, JOHN FREDERICK REEVES, ORLANDO REEVES, and ARCHIBALD REEVES, Taunton, Somersetshire, scriveners, dealers and chapmen, July 6 and 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Demmett & Canning, Chard; Daw, Exeter.—Petition filed June 11.

MEETINGS.

Henry Lamplough, Snow-hill, London, chemist, July 2 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Henry*

Stinson, Old Kent-road; Surrey, shoemaker, July 2 at 11, Court of Bankruptcy, London, and. ac.—*Eden Clark and Henry Bleackley*, Chorlton-upon-Medlock, Lancashire, ironmongers, July 6 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 14 at 12, div.—*Charles Lucas, Richard Wilkinson, and Edward Bond*, Manchester, and Hayfield, Derbyshire, calico printers, July 2 at 11, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *Charles Lucas and Richard Wilkinson*.—*John Nicholson*, Sheffield, Yorkshire, surgeon, July 3 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Henry D. Wilkinson*, Sheffield, Yorkshire, silver plaster, July 3 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*George W. Hinchiffe*, Sheffield, Yorkshire, manufacturer, July 8 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Wm. Tennant*, Chertsey, Surrey, draper, July 13 at 1, Court of Bankruptcy, London, div.—*Wm. M. Hill*, Charlton-place, Islington, Middlesex, builder, July 13, Court of Bankruptcy, London, div.—*Wm. Francis Harris*, Friday-street, Cheap-side, London, Manchester warehouseman, July 13 at half-past 1, Court of Bankruptcy, London, fin. div.—*Charles Boltero, Edward G. Boltero, Sir Henry Lushington, Bart., and Henry Boltero*, Cornhill, London, bankers, July 13 at half-past 12, Court of Bankruptcy, London, div. joint est. and fin. div. sep. est. of *Sir H. Lushington*.—*P. Summers*, Tabernacle-walk, Finsbury, Middlesex, fancy printer, July 15 at 1, Court of Bankruptcy, London, div.—*George Pryde, David Jones, and John Gibb*, Liverpool, sail makers, July 13 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *D. Jones*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Warren, Old Brentford, Middlesex, manufacturer of brass, July 15 at 1, Court of Bankruptcy, London.—*Thomas Roberts*, Minorities, London, grocer, July 13 at 11, Court of Bankruptcy, London.—*Wm. T. Gibson*, High-st., Islington, Middlesex, baker, July 13 at 12, Court of Bankruptcy, London.—*Wm. Loder*, Wokingham, Berkshire, innkeeper, July 13 at 1, Court of Bankruptcy, London.—*John Stafford*, West Smithfield, London, tailor, July 13 at 2, Court of Bankruptcy, London.—*Alexander M'Kerrow*, Kingston-upon-Hull, Yorkshire, draper, July 28 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Wm. Abram Cogar, Newgate-st., London, and Quadrant, Regent-st., Middlesex, boot dealer.—*Chas. Moody*, Goswell-road, Clerkenwell, Middlesex, pork butcher.—*Richd. Howton Cuming*, Lamb's Conduit-street, Middlesex, bookseller.—*Henry Norman Barnes*, Margaretting, Essex, milkman.—*Peter Wootton the elder and Peter Wootton the younger*, Margate, Kent, grocers.—*Edward Pownall*, Ipswich, Suffolk, and Harwich, Essex, ship owner.—*Henry Hayman*, Ottery St. Mary, Devonshire, apothecary.—*Christopher Steadman and Chas. Siddall Bakerwell*, Manchester, joiners.—*William Thompson Adcock*, Manchester, hotel keeper.

FIAT ANNULLED.

Thomas Wenman, Birmingham, merchant.

PARTNERSHIP DISSOLVED:

Edward Blossome the younger and Thos. Atkins, Dursley, Gloucestershire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Duncan Black, deceased, Glasgow, spirit dealer.—*George Proudfoot and Wm. Crowl*, Inverness, builders.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Jos. Drake Hawkes, Holt, Norfolk, land surveyor, July 6 at 10, County Court of Norfolk, at Holt.—*Thomas Williams*, Kidderminster, Worcestershire, out of business, July 21 at 10, County Court of Worcestershire, at Kidderminster.—*Philip Williams*, Newtown, near Cardiff, Glamorganshire, blacksmith, July 12 at 10, County Court of Glamorganshire, at Cardiff.—*Thomas Andrews*, Wolverhampton, Staffordshire, dealer in shoes, June 26 at 12, County Court of Staffordshire, at Wolverhampton.—*Enoch Evans*, Bilston, Staffordshire, out of business, June 26 at 12, County Court of Staffordshire, at Wolverhampton.—*John Chapman*, Loughborough, Leicestershire, officer of excise, July 5 at 10, County Court of Leicestershire, at Loughborough.—*Emma Kitzell*, widow, Chelken-

ham, Gloucestershire, chemist, Aug. 24 at 10, County Court of Gloucestershire, at Cheltenham.—*Peter Harvey*, Barrasford, near Hexham, Northumberland, shoemaker, July 19 at half-past 11, County Court of Northumberland, at Hexham.—*Charles Henry Reading*, Alvechurch, Worcestershire, butcher, July 17 at 10, County Court of Worcestershire, at Redditch.—*George Groustige*, Birmingham, shovel maker, June 26 at 10, County Court of Warwickshire, at Birmingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 7 at 11, before the CHIEF COMMISSIONER.

George Blakley, Keppel-mews North, Russell-square, Middlesex, cab proprietor.

July 7 at 10, before Mr. Commissioner LAW.

Wm. Smith, Wood-street, Cheap-side, London, fishing red manufacturer.

Saturday, June 19.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Lewis Jones, Festiniog, Merionethshire, quarryman, No. 61,447 C.; *Evan Griffith*, assignee.—*Joseph Ramden*, Lepton, near Huddersfield, Yorkshire, woollen spinner, No. 75,027 C.; *John Sykes and Henry Broughton Dyson*, assignees.—*Arthur North*, Shelf, near Halifax, Yorkshire, farmer, No. 75,135 C.; *Wm. Watson Greenwood*, assignee.—*James Howarth*, Huntley Brook, near Bury, Lancashire, druggist, No. 72,856 C.; *James Howarth*, assignee.—*James Hirst Hepworth*, Alverthorpe, Yorkshire, commercial traveller, No. 74,854 C.; *Lancelot Cuthbert*, assignee.—*John Priestley*, Ovenden, near Halifax, Yorkshire, farmer, No. 75,114 C.; *Jonas Holgate*, assignee.—*Thomas Cogswill*, Bradford, Yorkshire, grocer, No. 74,997 C.; *George Northwood*, assignee.—*Josiah Hellitwell*, Mirfield, near Dewsbury, Yorkshire, brewer, No. 75,112 C.; *John Kilner*, assignee.—*Edmund Shepherd*, Rochdale, Lancashire, cotton spinner, No. 70,416 C.; *Luke Smith*, assignee.—*Joseph Lord*, Hulme, Manchester, machine maker, No. 75,133 C.; *Thomas Price*, assignee.—*Jas. Priestley*, Ovenden, near Halifax, Yorkshire, farmer, No. 75,113 C.; *Jonas Holgate*, assignee.

Saturday, June 19.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Yates, Woolwich, Kent, grocer: in the Debtors Prison for London and Middlesex.—*James Chapman*, Leadon-hall-street, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Nicholas Devereux*, Bessford-street, Walworth, Surrey, clerk in the Fire Insurance Duty-office of the Inland Revenue: in the Debtors Prison for London and Middlesex.—*William Pollard*, Glebe-place, King's-road, Chelsea, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Theodore Guérin*, Wardour-street, Soho, Middlesex, artist: in the Queen's Prison.—*Thomas Smith*, Winstead, Essex, farmer: in the Queen's Prison.—*Charles Louis Kelly*, Woolwich, Kent, grocer: in the Queen's Prison.—*Richard Watkins the younger*, Clapham-road, St. Paul's-terrace, Lower-road, Islington, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*William Udell*, Skinner-street, Bishopsgate-street, London, cabinet maker: in the Debtors Prison for London and Middlesex.—*Thomas Hitchcock Harwood*, Hitchin, Hertfordshire, grocer: in the Debtors Prison for London and Middlesex.—*John Goodwin*, Godstone, Surrey, grocer: in the Gaol of Surrey.—*William Taverner Palmer*, Compton-mews, Canonbury, Islington, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Chas. Cooper*, Swan-lane, Rotherhithe, Surrey, cheese-monger: in the Debtors Prison for London and Middlesex.—*John Morgan*, City-road, Middlesex, hotel keeper: in the Queen's Prison.—*Francis David Lewis*, Regent-street, Bow-road, Mile-end, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*John Belsham*, Edgeware-road, Middlesex, shoemaker: in the Debtors Prison for London

and Middlesex.—*Charles Collins*, York-street, Westminster, Middlesex, hatter: in the Debtors Prison for London and Middlesex.—*William Gore Pearce*, Holland-road, Brixton, Surrey, registered projector of the Irish Coal and Iron Company: in the Queen's Prison.—*George Burdis* the younger, Arbour-square, Stepney, Middlesex, coal merchant: in the Queen's Prison.—*George Butler*, Coburg-terrace, Coburg-road, Old Kent-road, Surrey, shipping agent: in the Debtors Prison for London and Middlesex.—*John Powell*, Leadenhall-market, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Louisa Burge*, Exeter, dressmaker: in the Gaol of Exeter.—*Richard Blackwell*, Birmingham, bricklayer: in the Gaol of Coventry.—*Henry James Carr*, Chorlton-upon-Medlock, Manchester, salesman: in the Gaol of Lancaster.—*Samuel Hirst*, Hanging Heaton, near Dewsbury, Yorkshire, licensed beer seller: in the Gaol of York.—*Jas. Kirkman*, Ainsworth, near Bolton-le-Moors, Lancashire, beer seller: in the Gaol of Lancaster.—*Louis Lyon*, Liverpool, picture dealer on commission: in the Gaol of Lancaster.—*Anthony Seymour*, Birtley, Durham, coal miner: in the Gaol of Durham.—*David Thomas*, Bishopwearmouth, Durham, sail maker: in the Gaol of Durham.—*Squire Clegg*, Ardwick, Manchester, grocer: in the Gaol of Lancaster.—*Wm. Ceman*, Northampton, shoe manufacturer: in the Gaol of Northampton.—*Henry Heywood*, Manchester, broker: in the Gaol of Lancaster.—*James Newton*, Cheetwood, Manchester, ink dealer: in the Gaol of Lancaster.—*William Schofield*, Liverpool, grocer: in the Gaol of Lancaster.—*Wm. Chifney*, Seymour-street, Euston-square, Middlesex, out of business: in the Gaol of Reading.—*J. Holmes*, Hulme, Manchester, cabinet maker: in the Gaol of Lancaster.—*Jeremiah Machin*, Hanley, Staffordshire, brickmaker: in the Gaol of Stafford.—*John Roberts*, Newport, Monmouthshire, innkeeper: in the Gaol of Monmouth.—*Oliver George Cockrem*, Barwick in Elmet, near Aberford, Yorkshire, grocer: in the Gaol of York.—*John Coward*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Jerome Goodrich*, Worthing, Sussex, artist: in the Gaol of Lewes.—*Thos. Shepherd*, Sheffield, Yorkshire, table-knife manufacturer: in the Gaol of York.—*Henry Waller*, Ringmer, near Lewes, Sussex, cabinet maker: in the Gaol of Lewes.—*James Wilkinson*, Salford, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Bagshaw*, Huddersfield, Yorkshire, hatter: in the Gaol of York.—*Thos. Charnley*, Wallgate, Clitheroe, Lancashire, plumber: in the Gaol of Lancaster.—*William Henry Catton*, Miln's-bridge, near Huddersfield, Yorkshire, dyer: in the Gaol of York.—*Rich. Marriott*, Carlton, near Wakefield, Yorkshire, farmer: in the Gaol of York.—*Henry Wright*, Brewwood, Staffordshire, licensed victualler: in the Gaol of Stafford.—*Thomas Jones*, Llanelly, Breconshire, labourer: in the Gaol of Brecon.—*Hen. Nichols*, Ipswich, Suffolk, assistant to a shopkeeper: in the Gaol of Ipswich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 6 at 11, before the CHIEF COMMISSIONER.

Edward Fenmore, High-street, Egham, Surrey, tailor.—*M. G. Duke*, Cannon-row, Westminster, Middlesex, law stationer.—*Thos. M. Peacock*, Bishop's-court, Old Bailey, London, out of business.—*Samuel Yates* the younger, Bowater Lodge, Woolwich, Kent, out of business.—*William George Downing*, Mill-street, Dockhead, Bermondsey, Surrey, out of business.

July 7 at 10, before Mr. Commissioner LAW.

James Turner, Bayswater-road, Paddington, Middlesex, licensed horse dealer.

July 8 at 11, before Mr. Commissioner PHILLIPS.

John Gladwich, Salisbury-street, Bermondsey-wall, Surrey, foreman to a guano merchant.—*Wm. Udell*, Skinner-street, Bishopsgate-street, London, cabinet maker.—*T. Collingridge*, Aldergate-street, London, watchmaker.—*Andrew Wilkie*, Crawford-street, Marylebone, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, July 6 at 12.
John D. Gardner, Whitstable, tailor.

At the County Court of Cornwall, at BODMIN, July 7 at 10.
Robt. B. Willcocks, St. Stephen's-by-Saltash, farmer.

At the County Court of Yorkshire, at SHEFFIELD,
July 7 at 11.

James Russell, Sheffield; bone scale cutter.

At the County Court of Staffordshire, at STAFFORD,
July 7 at 10.

Henry Wright, Brewwood, innkeeper.—*Emock Williams*, Rowley Regis, tailor.—*Jeremiah Machin*, Hanley, brickmaker.

At the County Court of Cardiganshire, at CARRIGAN,
July 7 at 10.

James Parry, Llandisilligogo, labourer.

INSOLVENT DEBTORS' DIVIDENDS.

George Hiecke, High-street, Camberwell, Surrey, cheesemonger: 4s. 6d. in the pound.—*Thomas Fuller*, Church-row, Newington, Surrey, carrier: 5½d. in the pound.—*Daniel E. Flynn*, Blackfriars-road, Surrey, tailor: 3s. 3d. in the pound.—*Edward Chapman*, Swindon, Wiltshire, farmer: 11d. in the pound.—*Henry Ball*, High Holborn, Middlesex, geologist: 3s. 10d. in the pound.—*Geo. Richards*, North Grove House, Ealing-lane, Middlesex, captain in the Royal Marines: 2s. 10d. in the pound.—*George B. Allen*, Wilmot-street, Brunswick-square, Middlesex, tailor: 20s. in the pound.—*P. Schebble*, Millpond-street, Bermondsey, Surrey, clock maker: 2s. 8½d. in the pound.—*Sampson Hales*, Dock-street, East Smithfield, Middlesex, clerk in the docks: 4s. 6d. in the pound.—*George Welford*, South Wharf-road, Paddington, Middlesex, grocer: 1s. 5d. in the pound.—*Joseph Boerist*, Welling, Kent, farmer: 4s. 7d. in the pound.—*Edward Brimelow*, Hulme, Manchester, bobbin turner: 2s. 11½d. in the pound.—*Thos. Percival*, Park-terrace, Liverpool-road, Islington, Middlesex, clerk in the Post-office: 5s. in the pound.—*George Humberstone*, East-street, Stepney, Middlesex, cooper: 5s. 10d. in the pound.—*Geo. Rogers*, Brighton-terrace, Brixton-road, Surrey, doctor of medicine: 1s. 10½d. in the pound.—*Evan Jones*, Barton, near Farndon, Cheshire, farmer: 1s. 4½d. in the pound.—*Wm. Longley*, Eaton-place, Park-lane, Middlesex, carpenter: 1s. 11½d. in the pound.—*G. H. Palmer*, Leadenhall-street, London, engineer: 3s. 8d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Abel Hyde Shaw, of Stalybridge, in the county palatine of Lancaster, gent., to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed John Boodle, gent., of the town of Southampton, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the town and county of the town of Southampton; also in and for the county of Hants.

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The Jurist

No. 808—VOL. XVI.

JULY 3, 1852.

PRICE 1s.

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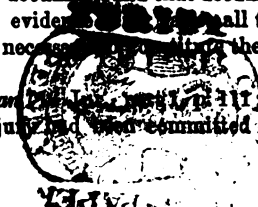
LONDON, JULY 3, 1852.

THE principal cases which have recently occupied the attention of the Court of Criminal Appeal have been cases of perjury, and the tendency of the decisions with regard to this most dangerous of all offences has been to uphold convictions upon substantial grounds, and not to permit them to be reversed upon formal and technical objections*. The indictment for perjury has been simplified by one of Lord Campbell's Acts, (14 & 15 Vict. c. 100, s. 20), whereby it is rendered sufficient to set forth the substance of the offence charged upon the defendant, and by what Court or before whom the oath was taken, without setting forth any part of any proceeding either in law or in equity, and without setting forth the commission or authority of the Court or person before whom the offence was committed. Shortly before the passing of this act the form of an indictment for the offence in question was considered in *Lacey v. Reg.* (21 L. J., M. C., 10). The indictment, in substance, stated that in the Whitechapel County Court, holden at &c., before Manning, Serjt., then and there being the judge of the said court, an action on contract, then pending between &c., came on to be, and was in due form of law tried, by and before the said judge, upon which trial the perjury was committed. It was held that it sufficiently appeared that the court was one established under the County Court Act, as it was called a county court; and it appeared that the trial took place before one judge, and that

although it was not expressly alleged that the action was one over which the county court had cognisance, yet that the jurisdiction of the court sufficiently appeared from the allegation that the action was pending in the court and came on to be tried, and that the judge had sufficient and competent authority to administer the oath. A remarkable case upon this branch of the law is the case of *Reg. v. Phillpotts*, (16 Jur., part 1, p. 67; 21 L. J., M. C., 18). There, in an action of ejectment, it became material to shew that J. died before a particular person; and with a view to prove the probate of J.'s will, P. falsely swore that he had examined an entry on the copy of the will, which he produced, with the entry of the act book of the Ecclesiastical Court of L. The document was not legally admissible as evidence of the probate, and was ultimately withdrawn; but the Court held, upon an indictment against P. for the perjury, that as the probate would have been evidence material to the issue, and the document was offered as proof of the probate, and P.'s statements were made with a view to procure the admission of the document in evidence, his testimony was sufficiently material to support a conviction for perjury. Lord Campbell, C. J., in delivering the judgment of the Court, said, "The question of perjury or no perjury cannot be made to depend upon the decision of a superior Court on a bill of exceptions to the ruling of the judge. We are of opinion, that as the evidence was given in a judicial proceeding, with a view to let in the document, and that document being material, and that evidence being all the ingredients are present necessary to constitute the crime of perjury."

* Our last summary of criminal cases will be found in 15 Jur., part 2, p. 469, in which *Reg. v. Bennett* (15 Jur., part 1, p. 497) and *Reg. v. Hallett*, (Id. 433), both cases of perjury, are commented upon. See also *Reg. v. Bennett* (15 Jur., part 1, p. 497) upon allegations of materiality.

In *Reg. v. Newman*, (15 Jur., part 1, p. 411; 21 L. J., M. C., 76) the perjury had been committed in a trial



for a misdemeanour at the Central Criminal Court, and the defendant was indicted there for the offence. To prove the fact of the former trial, the officer of the court produced the indictment, with the indorsement thereon of the prisoner's plea, the verdict, and the sentence, together with minutes of the trial made by the officer of the court. This was held sufficient, without producing a record or certificate of the trial under the 14 & 15 Vict. c. 99, s. 13, and the 14 & 15 Vict. c. 100, s. 22. The Court said that the simple fact of trial was alleged, and that there was not any allegation of matter of record, and that all the minutes from which the certificate would have been made up were produced by the officer who would have had to make it up.

The question how far the evidence of one witness must be corroborated by another upon a trial for perjury, so as to satisfy the rule requiring two witnesses, was discussed in *Reg. v. Boulter*, (16 Jur., part 1, p. 135; 21 L. J., M. C., 57).

The perjury assigned was, that the defendant swore that only one quarter's rent was due from him in June, 1851. The prosecutor stated that five quarters were then due. His son stated, that in August, 1850, the defendant told him that three or four quarters' rent was then due. This was held insufficient corroboration, as what the son deposed to was equally consistent with the truth of the defendant's statement as with that of the prosecutor. It is obvious, that between August, 1850, and June, 1851, the defendant might have paid off the arrears, so as to leave only one quarter's rent due on the latter date. The Court, without laying down any general rule, said—"There must be something in the case to make the oath of the prosecutor preferable, upon the whole, to the oath of the prisoner." The rule laid down in the text-books is, that although the evidence of one witness is not sufficient to convict a defendant of perjury, yet it must not be supposed that two witnesses are necessary to disprove the fact sworn to by the defendant; for if any material circumstance be proved by other witnesses, in confirmation of the witness who gives the direct testimony of perjury, it may turn the scale, and warrant a conviction. (2 Russ. Cr., by Greaves, 650).

It was suggested by Coleridge, J., that if a person was indicted for perjury, for swearing that he was not at Plymouth at a particular day, and one witness deposed that he saw him at Plymouth on that day, and another swore that he saw him on the same day in the railway train going to Plymouth, between Plymouth and the station nearest to Plymouth, it would be sufficient.

In *Reg. v. Cooke*, (16 Jur., part 1, p. 434; 21 L. J., M. C., 186), on the hearing of an application for a bastardy order before justices, a witness gave false evidence material to the inquiry. A similar application against the same party for the same matter had been previously heard, and dismissed on the merits. It was thereupon contended that the magistrates had no jurisdiction to decide upon the second application, and therefore that the false swearing could not amount to perjury; but the Court of Appeal held that, whether the dismissal of the first application was conclusive or not by way of defence, the justices on the second inquiry had jurisdiction to try the case, and therefore

that the false swearing was perjury. (And see *Reg. v. Briely*, 1 Den. C. C. 416; 13 Jur., part 1, p. 520).

We shall continue this review of criminal cases in our next number.

CONSTRUCTIVE REVOCATION OF DEVISE OF AN EQUITY OF REDEMPTION BY TAKING A RECONVEYANCE TO USES TO BAR DOWER.

(Continued from p. 199).

But it is said that in any of these excepted cases, if the conveyance extends to any purpose, however limited, beyond the purpose allowed by the exception, a revocation is effected. (*Harmood v. Oglander*, 8 Ves. 106, 128). There is little other authority than *Harmood v. Oglander* and *Hodges v. Green* (4 Russ. 28) for that doctrine, which is obviously untenable in principle. A conveyance strictly limited to the particular purpose, (as granting a life estate, a jointure, or a lease), without conveying the fee, would not have revoked the devise; and there is no reason why it should do so when it is effected by the same instrument, which, for another purpose within the exception, (i. e. the making of a mortgage or partition, or the taking home of a legal estate, or the performance of articles, &c.), requires a conveyance in fee. There is no authority for such a proposition at law. In *Titchner v. Titchner*, the only case at law, the power of appointment extended to the inheritance, and modified the entire estate of the testator; but a mere partition and a lease for life by separate deeds would not have revoked the devise, nor is there the slightest ground for saying that they would do so, merely because they were effected by the same deed.

In *Hodges v. Green* (4 Russ. 28) the testator, after making his will, conveyed the devised estate to trustees, upon trust, by sale or mortgage, to raise money to pay certain debts, and to be possessed of the surplus proceeds of any sale, in trust for himself, his executors and administrators, as personal estate, and to be seized of the unsold hereditaments, in trust for him, his heirs and assigns. Until a sale they were to apply the rents and the produce of the timber in keeping down the interest on a certain mortgage, and in paying an annuity to his wife for her separate use. This was held to be a revocation, expressly on the ground of the trust for the annuity. This case must stand or fall with *Harmood v. Oglander*.

In *Nott v. Shirley* (2 Ves. jun. 604, note) the testator, after the date of his will, conveyed to trustees, in trust during his life, by mortgage or otherwise, to provide for his debts, and apply the rents and profits to certain purposes, and after his death to convey to such persons as he should by deed or by his last will appoint. The counsel for the devisees declined to argue the point, and it was decided to be a revocation. This decision cannot be treated as an authority of much value, and it is uncertain whether it was founded on the trusts declared of the surplus rents or on the power of appointment. If on the former, it is to be classed with *Harmood v. Oglander*; if on the latter, it stands alone, and would be the only authority for a proposition which, going even beyond the recent decision in *Plowden v. Hyde*, has been maintained by some conveyancers, that a new direction in a mortgage to reconvey to uses to bar dower, is a revocation of a prior devise, notwithstanding that prior to the mortgage the estate stood limited to the like uses. But so construed, *Nott v. Shirley* must be taken to have been overruled by *Temple v. Chandos* and *Brais v. Brais*.

In *Temple v. Chandos* (3 Ves. 686) the testator, after his will, made a mortgage in fee of his Somersetshire estates, and subsequently conveyed them to trustees,

upon trust to sell and pay off certain mortgages on those and other estates, and to pay the surplus to him, his heirs, executors, administrators, and assigns, for his and their own use and benefit. (From the argument it would seem that there was a special provision for discharging the estate from dower. If so, that would make the case a stronger authority against *Kenyon v. Sutton*). Subsequently the trust for sale was abandoned, and another mortgage was made, with the ordinary proviso that the estate should be reconveyed to the testator, his heirs and assigns, or to such other person or persons as he or they should appoint. It was held that the devise was not revoked.

In *Brain v. Brain* (6 Mad. 221) the testator, after making his will, executed a mortgage in fee of the devised estate, with a proviso for reconveyance unto and to the use of himself, his heirs or assigns, or unto and to the use of such other person or persons, and for such estate and estates, and to and for such lawful trusts, intents, and purposes, as he, his heirs or assigns, by any deed or deeds, instrument or instruments in writing under his or their hand or respective hands, should direct, limit, or appoint. This was held by Sir J. Leach, V. C., not to revoke the devise in equity. He said, "The true question is, whether, by the addition of the words which follow the direction to reconvey to the devisor and his heirs, he does in fact acquire any new estate or power, or whether those subsequent words do not leave him with the same estate and the same powers as he would have had if they had not been used. It is plain that he who has a right to call upon trustees to convey to himself and his heirs has a right, by any instrument under his hand, to direct the same trustees to convey to the use of any other person and for any estates and interests, at his pleasure. The authority to make such direction, by any deed or instrument under his hand, is the necessary consequence of the conversion of his legal estate into an equitable interest; and the subsequent words are the mere 'expressio eorum que tacite insunt.'" It is plain from this that Sir J. Leach did not read the proviso as a direction to insert a power of appointment in the reconveyance. The words were in the alternative; but there does not appear to be any decision as to the effect of a clear direction to limit the uses in the deed of reconveyance.

In *Parsons v. Freeman* (1 Wils. 308; 3 Atk. 740) the testator at the date of his will was entitled, by marriage contract with his wife, to have the lands in question, of which she was seised in tail, conveyed to him in fee. After the will, the husband and wife levied a fine, and suffered a recovery of the land, to such uses as the two jointly should appoint; and in default of appointment, to the use of the husband in fee. This was held, on the authority of *Tickner v. Tickner*, to be a revocation, because it went beyond the exact performance of the marriage contract. "If," said Lord Hardwicke, "Mr. Freeman had been seised of a legal fee, and had had a mind to let in his wife to join with him in such an appointment, he must have made a new conveyance for that purpose, which would certainly have been a revocation." Here, as in *Tickner v. Tickner*, there was a power of appointment modifying the entire inheritance—a very different case from *Harmood v. Oglander*. (See Lord Roslyn's account of this case in *Brydges v. Chaudos*, 2 Ves. jun. 431).

In *Rawlings v. Burgis* (2 V. & B. 382) a devise by a purchaser before conveyance was held, by Sir T. Plumer, V. C., to be revoked by a conveyance to such uses as the testator should appoint, and in default of appointment, to the common uses to bar dower. This was followed in *Brain v. Brain* (6 Mad. 221) (as to the estate called Ball Halle) and in *Ward v. Moore*, (4 Mad. 369), where the conveyance was to the testator and a trustee for him jointly in fee. But in *Fullerton*

v. Watts, (Dougl. 718), where the testator devised an estate which he had contracted for, and then took a conveyance to a trustee for himself, Lord Bathurst, C., held, that the devise remained good. In *Rawlings v. Burgis*, Sir T. Plumer, V. C., relied mainly on *Tickner v. Tickner*, evidently regarding it as an instance of a revocation of a devise of an equitable estate; for he said, "The argument, that the beneficial interest remains the same, would overturn that case."

In *Bullin v. Fletcher* (1 Kee. 369; 2 My. & C. 421) the testator had contracted for the purchase of an estate, to be conveyed to himself, his heirs, appointees, or assigns. He then devised that estate, and afterwards took a conveyance to such uses as he should appoint, and in default of appointment, to the common uses to bar dower. It was held, that a purchaser could not be compelled to accept a title under the devise. Lord Langdale, M. R., relied on the limitations in default of appointment, and treated *Tickner v. Tickner* and *Kenyon v. Sutton* as being in point. Lord Cottenham also relied on those cases, but he evidently did not perceive the real point in *Kenyon v. Sutton*. In speaking of *Brain v. Brain*, Lord Cottenham did not adopt the reasoning of the Court in that case, but said that a reconveyance, according to the terms of the proviso for redemption, would not have restored the same estate exactly; but, as the testator died before the reconveyance was made, that question did not arise. But his Lordship must have misunderstood the proviso, which directed a reconveyance unto and to the use of the testator, or unto and to the use of such other person as he should appoint, plainly contemplating that the appointment should precede the reconveyance. On this case Sir E. Sugden remarked, that it "goes to a great extent; and if I had to decide that question, I should feel some difficulty in following the decision of Lord Cottenham." (2 Dru. & W. 497). The decision was merely that the title was doubtful. However, when the precise point again arose, in *Plowden v. Hyde*, as to one of the estates belonging to the testator, not as a question of doubtful title, but in an actual contest between the devisee and the heir, Sir R. T. Kindersley acted upon the doubt in *Bullin v. Fletcher* without any hesitation.

From this review it will be seen that the cases prior to *Plowden v. Hyde*, in which a conveyance to uses to bar dower, with a power of appointment, has been held to revoke a devise of the equity, are few and unsatisfactory. In *Rawlings v. Burgis*, Sir T. Plumer founded his judgment on a misunderstanding of *Tickner v. Tickner*. He said, "The argument, that the beneficial interest remained the same, would overturn that case." But *Tickner v. Tickner* was a case at law. There is nothing to support *Rawlings v. Burgis* except *Ward v. Moore* (which was followed by the same judge without discussion in *Brain v. Brain*) and *Bullin v. Fletcher*, where it was merely held that the title could not be forced on a purchaser. The obvious objection to these cases is, that the conveyance to uses to bar dower, with a power of appointment, neither modifies the equitable title, nor effects a purpose beyond the contract. The equitable title under the contract was not subject to dower. The contract was for the unencumbered fee, and a conveyance, exclusive of dower, and with power to defeat judgments, was the usual mode of carrying such a contract into effect.

The proposition, that an assurance in the form of a conveyance of the fee by an equitable owner for a partial purpose (other than a partition or a mortgage) revokes a devise, rests mainly on the questionable authority of *Lord Lincoln's case*, (questionable because it is by no means clear that that was the point intended to be decided), and the case of *Lock v. King*, while it is inconsistent with *Vauver v. Jeffrey*.

(To be continued.)

Court Papers.

EQUITY CAUSE LISTS, AFTER TRINITY TERM, 1852.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C. Co.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*SA.* Short.

Rolls Court.

JUDGMENTS RESERVED.
Brown v. Gordon (Cause)
Crouch v. Hooper (E)
Plenty v. West (4 tit., F D, C)
Anderson v. Kemshad (Cau.)

CAUSES.

Bull v. Brooke (Cause) *M. T.*
Burgess v. Sturgis (Cl) *M. T.*
Stansfield v. Hobson (Cl)
Shrewsbury and Birmingham
Railway Co. v. London and
North-western Railway Co.
(Cause, M)

Hitchcock v. Beauclerk (Cl)
Spear v. Spear (Cause) *July 10*
Bridge v. Bridge (Cause, part
heard)

Gray v. Haig (Cause)
Haig v. Gray (Cause)
Heaton v. Dearden (4 tit., ca.)
June 26

Jodrell v. Turner (Cause)
July 21

Reynolds v. Martin (Cl)
Att.-Gen. v. Chap-
lains, &c. of Eve-
line Almshouses } (In-
formation)
Att.-Gen. v. Napier }
Hart v. Tribe (Cl) *July 24*
Hayley v. Maddocks (Cl) *July*
10

Gibson v. Lane } (F D, C,
Gibson v. Naden } Ptn)
Gibson v. Aahwin }
Ellis v. Elliot (Cl) *July 29*
Thornton v. Newton (Sp. ca.)
Attorney-Gen. v. Mayor, &c.
of Rochester (Cause)
Eden v. Sharp (Cl)
Broomhead v. Vause (Cause)
Morrell v. Wootten } (Cause)
Morrell v. Luard }

Causes transferred from the Vice-Chancellors Sir R. T. Kindersley and Sir J. Parker to the Master of the Rolls, by Order of the Lord Chancellor, dated the 18th June, 1852.

Graves v. Graves (Cl)
Darnley v. Senior (F D, C)
Stiles v. Guy (7 tit., E, F D,
C)

Inglis v. Campbell (Cause)
Livesey v. Batley (F D, C)
Fletcher v. Fletcher } (F D,
Same v. Cunliffe } C)
Perkins v. Ede (3 titles, E)
Duncan v. Ross } (E)
Same v. Burnside }
Gaubert v. Watson (Cause)
Meux v. Jarvis (Cl)
Lewellin v. Pace } (Cause)
Same v. Same }
Clark v. May (Cause)
Hiorns v. Holton (Cause)
Beale v. Symonds (5 titles, E)
Knight v. Grantham (Cl)

Foligno v. Martin (Cause)
Cowper v. Mantell (Cause,
Ptn) *June 26*

Craig v. Lawley (Cl)
Rawlings v. Abraham (Sp. ca.)
Moffatt v. Harington (Cause)
Westell v. Cook (Cl) *SA*
Stephenson v. Cary } (Cl)
Stephenson v. Crouch }
Rusher v. Whitehall (Cl)
Wilson v. Eden (4 tits. F D, C)
Wakefield v. Kent (Cl)
Young v. Bennett (Cl)

Richardson v. Ward } (F D,
Macleod v. Lane } C) *SA*
Harington v. Moffatt (Sp. ca.)
Boanquet v. Pickford (Cl)

Lewis v. Loftus, (Special case)
Sherratt v. Sherratt (Cl)
Johnson v. Cobb (Cl)
Kirtton v. Walwyn (Cl) *SA*
Brassey v. Chalmers (Sp. ca.)
Tiffin v. Longman (Cl)
Staffordshire and Worcester
Canal Co. v. Perry (Cl)

Else v. Barnard (Cl) *SA*
Day v. Day (Cause) *SA*
Flecher v. Wigglesworth (Cl)
Chilton v. Butler (Cl)
Mounsey v. Barnes (Cl)
Hill v. Taine (Cl)
Ridley v. Tiplady (F D, C)
Chaplin v. Whalley (Cl)
Connoll v. Earl Fortescue (F
D, C)

Woodriddle v. Seagrim (Cl) *SA*
Limington v. Limington (Cl)
Seney v. Allen (Cause) *SA*
Young v. Bulkeley (Cl)
Wigglesworth v. Watkinson (Cl)
Read v. Steer (Cl) *SA*
Knight v. Knight (Cl) *July 29*

Langton v. Wood (Cl)
Bunting v. Ellis (F D, C)
Pegg v. Wisden (Cause)
Beeke v. Wilmot (Cl)

Yeats v. Yeats (5 tit., E, F D,
C, Ptn)
Yeats v. Yeats (5 titles, E)
Sellick v. Badman (Cause)
Hanslip v. Cross (Cl)
Fortnam v. Holton (Cause)
Henning v. Mayo (F D, C)
Loader v. Loader (Cause)
Frail v. Ellis (Cause)
Oxenham v. Ellis (Cause)
Willis v. Black (7 tit., F D, C)
Bell v. Carter } (Cause)
Same v. Same }
Tippins v. Coates } (F D, C,
Tippins v. Colbatch } E, Ptn)

Jodrell v. Beckwith (Cause)
Lyde v. Lipscombe (3 titles,
F D, C)

Grange v. Warner (Cl)
Armstrong v. Armstrong (F D,
C)

Lake v. Brutton (Cause)
Chapman v. Cannan (3 titles,
F D, C)

Walker v. Mower } (Cause)
Same v. Small }
Searles v. Rodman (Cl)

Lady Sparrow v. Hilton (E)
Yescombe v. Baldwin (3 tit.,
Cause)

Morris v. Morris (Cl)
Jones v. Beach (Cl)
Langton v. Woods (F D, C)

Murray v. Parker (F D, C)
Watson v. Brown (Cl)
Francis v. Broughton (Cl)

White v. Bird (Cl)
Dashwood v. Lowder (Cause)
Eaton v. Hazel (Cause)

Barry v. Bleaden (Cl)
Briant v. Mann (Cause)
Cremier v. Costerton (Cause)

Palmer v. Searey (Cause)
Congreave v. Palmer (Cause)
Le Blanc v. Oliver } (Cause)

Same v. Same }
Wardroper v. White-
head } (F D,
C)

Hamer v. Jobson
Moore v. Brooks (Cl)
Denny v. Greenhill (Cl)

Att.-Gen. v. Rivas (F D, C)
Holdworth v. Bayldom (Cl)
Gray v. Austin (Cause)

Willson v. Churm (Cl)
Jones v. Abbott (Cl)
Watts v. Williams (Cause)

Bright v. Bright (Cl)
Kortright v. Macqueen (3 tit.,
F D, C)

Foakes v. Bordenave (Cause)
Baxter v. Wales (Cause)
Jorden v. Jorden (Cl)

Halstead v. Slater } (F D, C)
Same v. Hartley }
Norris v. Stuart (Cause)

End of Transfer.

Danson v. Jacques (Cl)
Biddles v. Jackson (3 tit., F D,
C)

Moffatt v. Burnie (Cl)
Penny v. Pickwick (Cause)
Lautour v. Jervoise (Cause) *SA*

Birch v. Jenkins (Cl)
Eld v. Darant (3 tit., F D, C)
Midland Railway Co. v. Brown
(Cause)

Wood v. Sutcliffe (Cause)
Cary v. Leonard (Cl)
Ford v. Batley (Cause)

Ormerod v. Parkinson (F D, C)
Rochdale Canal Co. v. King
(Cause)

Penny v. Penny (F D, C)
Clifton v. Bruce (F D, C)
Winterrigill v. Winterrigill (Cl)

White v. Collier (F D, C)
Drake v. Drake (4 tit., F D, C)
Alston v. Fiddocks (F D, C)

James v. James (Cause)
Hurst v. Hurst (6 tit., Cause)
Bateman v. Margerson (3 tit.,
E)

Drewett v. Drewett (Cl)
Page v. Dewdney } (F D, C)
Same v. Same }

Pemberton v. Read (Cl)
Att.-Gen. v. Hall (Informat.)
Oldfield v. May (Cl)

Salviati v. Lord Deenan (Cl)
Marington v. Durnford (Cl)
Foster v. Parkes (F D, C)

Meadows v. Meadows (Cause)
Dixon v. Gayfers } (Cause)
Same v. Same }

Bourne v. Kenyon (Cause)
Elliott v. Lyne (3 tit., F D, C,
Ptn)

Baker v. Read } (Cause)
Same v. Clement }

Robinson v. Woodward (F D)
Staveley v. Hutchinson (F D,
C)

Stocker v. Dean (Cl)
Wheeler v. Claydon (3 titles,
F D, C)

Lyall v. Wright (F D, C)
Williams v. Salter (Cause)
Williams v. Mostyn (Cl)

Philpott v. Kerr (Cause)
Osborn v. Milford (Cause)
Allman v. Keane (Cl)

Southern v. Wollaston (4 tit.,
F D, C)

Webster v. Webster (Cau.) *SA*
Lowcock v. Moorhouse (Cau.)
SA

Cast v. Southes (Cause)
Clayton v. Crallan (Cl) *SA*
Harmer v. Hills (Cl)

London Gazettes.

FRIDAY, JUNE 25.

BANKRUPTS.

GEORGE COURTHOPE GREEN, formerly of Broadstreet-hill, London, and Postford Mills, near Guildford, Surrey, paper manufacturer and wholesale stationer, dealer and chapman, (at present a prisoner for debt in the Queen's Prison, Surrey), July 5 at 1, and Aug. 3 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed May 5.

WILLIAM RICHARD CARTER, Ingram-court, Fenchurch-st., London, wine merchant, dealer and chapman, July 6 at half-past 2, and Aug. 10 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed June 25.

RICHARD CROSS, Southampton, watchmaker and jeweller, dealer and chapman, July 2 at 1, and Aug. 6 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Taylor & Collisson, 28, Great James-st., Bedford-row.—Petition filed June 16.

SAMUEL BARDLEY, Tunstall, Staffordshire, joiner and builder, July 5 and 26 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Cooper, Tunstall, Staffordshire; Motteram & Co., Birmingham.—Petition dated June 18.

SARAH CURSON and **GEORGE CURSON**, Exeter, booksellers and stationers, dealers and chapwoman and chapman, (carrying on business under the style or firm of Curson & Son), July 6 and 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Turner or Laidman, Exeter.—Petition filed June 22.

SAMUEL BRICKNELL, Exmouth, Littleham, and Exmouth, Devonshire, master mariner and shipowner, dealer and chapman, July 7 and 28 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Laidman, Exeter; Bracey, 63, Old Broad-street, London.—Petition filed June 15.

JOHN WILTON, Sheffield, Yorkshire, linendraper, dealer and chapman, July 10 and 31 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Parker & Smith, Sheffield.—Petition dated and filed June 19.

WILLIAM JONES, Conway, Carnarvonshire, chemist and druggist, dealer and chapman, July 6 and 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Christian & Jones, Liverpool.—Petition filed June 7.

SAMUEL BUCKLEY and **GEORGE SHORTRIDGE**, Macclesfield, Cheshire, millers and corn dealers, July 8 and 29 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Higginbotham, Macclesfield; Hitchcock & Co., Manchester.—Petition filed June 23.

RICHARD HALCRO, Sunderland, Durham, provision merchant, July 8 and Aug. 5 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Burn, jun., Sunderland; Lawrence & Co., 25, Old Fish-street, London.—Petition filed June 18.

THOMAS MATTHEWSON, Hartlepool, Durham, merchant, dealer and chapman, July 8 at 11, and Aug. 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Turnbull, Hartlepool; Forster, Newcastle-upon-Tyne.—Petition filed June 19.

MEETINGS.

James Laing, Southampton, coal merchant, July 6 at half-past 11, Court of Bankruptcy, London, last ex.—*John Wood*, Putney, Surrey, brewer, July 6 at 12, Court of Bankruptcy, London, last ex.—*Robert James*, Lenton, Nottinghamshire, lace maker, July 13 at 10, District Court of Bankruptcy, Nottingham, last ex.—*Robert Hunter*, Swansea, Glamorganshire, linendraper, July 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Clarke* and *Geo. Clarke*, Market Harborough, Leicestershire; Ropemaker-st., London; and *Burton Lattimer*, Isham and Spratton, Northamptonshire, carpet and rug manufacturers, July 5 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Cuff*, Manchester, tavern keeper, July 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 20 at 12, div.—*William Belshaw*, Ancoats, Manchester, joiner, July 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Bew*, Selby, Yorkshire, grocer, July 8 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Henry Collins*, Halifax, Yorkshire, draper, July 8 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Bird*, North Shields, Northumberland, linendraper, July 15 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; July 16 at 12, div.—*George Chadwick*, Leeds, Yorkshire, dealer and chapman, Aug. 2 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Aug. 3 at 11, div.—*Edmund Speltigue* and *George Ferrance*, Chancery-lane, Middlesex, booksellers, July 16 at 12, Court of Bankruptcy, London, div.—*Thos. Moore* the younger, South Heyton, Durham, merchant, July 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fn. div.—*John Grinwell*, Wolverhampton, Staffordshire, grocer, July 19 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*John Hill*, Thorne, Yorkshire, wine merchant, July 17 at 10, District Court of Bankruptcy, Sheffield, div.—*Cornelius Robertson*, Masbro', Yorkshire, steel manufacturer, July 17 at

10, District Court of Bankruptcy, Sheffield, div.—*John O'Donnell*, Sheffield, Yorkshire, grocer, July 17 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Cuff, Manchester, tavern keeper, July 21 at 12, District Court of Bankruptcy, Manchester.—*William Chadwick*, Manchester, paper manufacturer, July 21 at 12, District Court of Bankruptcy, Manchester.—*Wm. Foster*, Great Bolton, Lancashire, confectioner, July 16 at 12, District Court of Bankruptcy, Manchester.—*Wm. Richards* the younger, Wednesbury, Staffordshire, coach smith, July 15 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. Rock, Surrey-place, Surrey, printer.—*Jos. Williams*, Glynos and Varteg, Monmouthshire, shopkeeper.—*Edwin Walker*, Huddersfield, Yorkshire, woolstapler.

PETITION ANNULLED.

John Oliver Swirees, Wigmore-street, Cavendish-square, Middlesex, printseller.

SCOTCH SEQUESTRATIONS.

John M'Ewan, Glasgow, tavern keeper.—*Jas. S. Sillers*, Glasgow, cotton agent.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Whiteley, Halifax, Yorkshire, commission agent, July 9 at 10, County Court of Yorkshire, at Halifax.—*John Whiteley*, Halifax, Yorkshire, machine maker, July 9 at 10, County Court of Yorkshire, at Halifax.—*Hewry Scott*, Kingsteignton, Devonshire, cooper, July 17 at 10, County Court of Devonshire, at Newton Abbot.—*George Pullin*, Newport, Monmouthshire, beer retailer, July 13 at 12, County Court of Monmouthshire, at Newport.—*T. Williams*, Abergavenny, Monmouthshire, shoemaker, July 19 at 10, County Court of Monmouthshire, at Abergavenny.—*B. Phillips*, Aberysthwy, Trevethin, Monmouthshire, licensed retailer of beer, July 15 at 10, County Court of Monmouthshire, at Pontypool.—*T. Lane*, Pontnewydd, Trevethin, Monmouthshire, hallier, July 15 at 10, County Court of Monmouthshire, at Pontypool.—*James Samuel*, Llanhilleth, Monmouthshire, labourer, July 15 at 10, County Court of Monmouthshire, at Pontypool.—*Henry Rogers*, Llanelly, Carmarthenshire, carpenter, July 15 at 11, County Court of Carmarthenshire, at Llanelly.—*John Cole*, Rose Ash, Devonshire, butcher, July 7 at 10, County Court of Devonshire, at Southmolton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 9 at 11, before the CHIEF COMMISSIONER.

James Poulney, Leman-street, Gravel-lane, Southwark, Surrey, out of business.—*G. W. Hardwick*, Salisbury-place, Lock's-fields, Surrey, leather cutter.

July 10 at 11, before Mr. Commissioner PHILLIPS.

John Lea Bedingfield, Hare-street, Bethnal-green, Middlesex, surgeon.—*R. Mallett*, Mount-gardens, Westminster-road, Lambeth, Surrey, lighterman.—*George Acome*, Albert-terrace, White Conduit-street, Islington, Middlesex, furrier.—*Charles Hubbard*, Great Suffolk-street, Southwark, Surrey, carpenter.—*George Hembrow*, Trafalgar-place, New Kent-road, Surrey, bricklayer.

July 12 at 10, before Mr. Commissioner LAW.

Wm. Luckett the younger, Margaret-street, Wilmington-square, Middlesex, dealer in butter.—*Josiah Crabb*, Clarence-place, Hackney-road, Middlesex, baker.

July 12 at 11, before Mr. Commissioner PHILLIPS.

Morris Meyers, Pear Tree-st., Goswell-street, St. Luke's, Middlesex, cigar manufacturer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 9 at 11, before the CHIEF COMMISSIONER.

Thos. Hitchcock Harwood, Hitchin, Hertfordshire, grocer.—Henry Wallis, Warner-road, Camberwell-green, Surrey, baker.—Herrmann Lempert, Jewry-street, Aldgate, London, out of business.

July 9 at 10, before Mr. Commissioner LAW.

Theodore Guarin, Wardour-street, Soho, Middlesex, artist.—John Henry Cromwell Russell, Water-lane, Tower-street, London, out of business.

July 10 at 11, before Mr. Commissioner PHILLIPS.

Daniel James Young, Upper Weymouth-street, Portland-place, Middlesex, surgeon.—Nicholas Devereux, Beresford-street, Walworth, Surrey, clerk in the Inland Revenue Department, Somerset House.—John Burt, Northampton-row, Holloway-road, and Union-street, Kingsland-road, Shoreditch, Middlesex, baker.

July 12 at 10, before Mr. Commissioner LAW.

John Stanway, Fleet-lane, Farringdon-street, London, out of business.—Henry Kimber, Cobourg-place, Old Kent-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Berkshire, at READING, July 5 at half-past 10.

William Chifney, Upper Seymour-street, Euston-square, Middlesex, in no business.

At the County Court of Durham, at DURHAM, July 9.

Thomas Sowerby, Stockton-upon-Tees, publican.—William Nicholson, Shotley Bridge, builder.—John Hall, Coxhoe, earthenware manufacturer.—David Thomas, Sunderland, sail-maker.—Anthony Seymour, Wingate-house, Kelloe, colliery worker.

At the County Court of Devonshire, at EXETER, July 10 at 10.

William Kent, Plymouth, out of business.

At the County Court of Glamorganshire, at CARDIFF, July 12.

Abel Seth Jones, Glabland, Merthyr Tydvil, out of business.—David Nathan, Pontonoriais, Merthyr Tydvil, haulier.—Benjamin Howell, Cefn, Llanmalet, labourer.

At the County Court of Sussex, at LEWES, July 13.

Henry Weller, Ringmer, near Lewes, cabinet maker.—Jerome Goodrich, Worthing, artist.

At the County Court of Carmarthenshire, at CARMARTHEN, June 13 at 2.

David Roberts, Llanllawddog, commission agent.

TUESDAY, JUNE 29.

BANKRUPTS.

ROBERT LEABON CURTIS and EDWARD CHARLES CURTIS, Stratford, Essex, builders, (carrying on business under the firm of Robert & Edward Curtis), July 8 and Aug. 12 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Petition filed June 26.

JOHN WHITTAKER, Park-place, Mile-end-road, Middlesex, draper, dealer and chapman, July 8 at 1, and Aug. 12 at 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Mason, Moira-chambers, 17, Ironmonger-lane, Cheap-side.—Petition filed June 28.

HENRY MOPSEY, Union-street East, Bishopsgate, Middlesex, ironmonger, dealer and chapman, July 12 and Aug. 10 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Boyle, 9, New-square, Lincoln's-inn.—Petition filed June 26.

FREDERICK HOLROYD, Leeds, Yorkshire, twine spinner, July 19 and Aug. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Simpson, Leeds.—Petition dated June 24.

MARTIN WARD, Mark-lane, London, corn and malt merchant, July 7 at 1, and Aug. 9 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Robinson, Hadleigh, Suffolk; Messrs. Whishaw, 3, Gray's-inn-square.—Petition filed June 14.

JOHN BROWN DREW, Witan's-buildings, Old-street-road, Middlesex, carpenter and builder, dealer and chapman, July 12 at 1, and Aug. 10 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Brown, 21, Finsbury-place.—Petition filed June 25.

WILLIAM DOWLING, Leicester, grocer, dealer and chapman, July 9 and 30 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Hodgson, Birmingham; Messrs. Linklater, 17, Sise-lane, London.—Petition dated June 14.

ANDREW ATKINSON, Dalton-in-Furness, Lancashire, tanner, maltster, and butcher, July 12 and Aug. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Post; Sols. Haigh, Liverpool; Sale & Co., Manchester.—Petition filed June 24.

MEETINGS.

H. G. Stahlchmidt, Fenchurch-street, London, merchant, July 20 at half-past 12, Court of Bankruptcy, London, pr. d.—*John Custance*, Greenwich, Kent, miller, July 10 at 1, Court of Bankruptcy, London, last ex.—*Edmund Spettigue and George Farrance*, Chancery-lane, Middlesex, bootmakers, July 9 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Loder*, Wokingham, Berkshire, innkeeper, July 13 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Jones and Charles John Jones*, High-street, Islington, Middlesex, plumbers, July 12 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. John Darke and James Porter*, Hayfield-place, Mile-end-road, Middlesex, carpenters, July 13 at 11, Court of Bankruptcy, London, aud. ac.—*Alexander M'Kerrow*, Kingston-upon-Hull, Yorkshire, draper, July 21 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; July 26 at 12, div.—*William Bernard Frankish*, Kingston-upon-Hull, Yorkshire, linendraper, July 28 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac., and first and fin. div.—*Cornelius Robertson*, Masbro', Rothenham, Yorkshire, steel manufacturer, July 10 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*John O'Donnell*, Sheffield, Yorkshire, grocer, July 10 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*John Hill*, Thorne, Yorkshire, wine merchant, July 10 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Diedrick Carsten Hermann Lomer*, London-st., London, merchant, July 22 at half-past 1, Court of Bankruptcy, London, div.—*Francis Sadler*, Fore-st., London, furnishing undertaker, July 22 at 1, Court of Bankruptcy, London, div.—*Wm. Goldsmith*, Benhall, Suffolk, corn merchant, July 20 at 1, Court of Bankruptcy, London, div.—*Wm. Steel*, Fenchurch-st., London, tailor, July 20 at 11, Court of Bankruptcy, London, div.—*Jonas Clark*, Soham, Cambridgeshire, dealer in flour, July 20 at 1, Court of Bankruptcy, London, div.—*John Moore*, Montpellier Lodge, Brighthelmston, Sussex, and New-square, Lincoln's-inn, Middlesex, lodging-house keeper, July 20 at 11, Court of Bankruptcy, London, fin. div.—*George Sherlock and Benj. Sutterby*, Hulme, Lancashire, joiners, July 22 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. Waite*, Bramley, Leeds, Yorkshire, cloth manufacturer, July 22 at 1, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

F. Geale Monsarrat, Duke-st., Grosvenor-sq., Middlesex, wine merchant, July 21 at 1, Court of Bankruptcy, London.—*Alfred Terrant*, High Holborn, Middlesex, bookbinder, July 21 at 12, Court of Bankruptcy, London.—*Richard Wilson Todd and Richard Hobbs*, Bath, Somersetshire, ironmongers, July 20 at 11, District Court of Bankruptcy, Bristol.—*Wm. Collins*, Marlborough, Wiltshire, draper, July 27 at half-past 12, District Court of Bankruptcy, Bristol.—*George Herbert*, York, linendraper, July 23 at 11, District Court of Bankruptcy, Leeds.—*William Bernard Frankish*, Kingston-upon-Hull, linendraper, July 28 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Samuel Cockerill, Northampton, draper.—*Mary Foursacre*, Wigan, Lancashire, innkeeper.—*Wm. Hewitt*, Great Driffield,

Yorkshire, brewer.— *Jas. Todd and Wm. Todd*, Yarm, Yorkshire, saddlers.

SOURCES SEQUESTRATIONS.

Thomas Howey, Edinburgh, commission agent.—*Duncan McCallum*, Glasgow, brick builder.—*Campbell & Cruden*, Glasgow, merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Wilkinson, Prescott, Lancashire, builder, July 7 at 12, County Court of Lancashire, at St. Helen's.—*Thomas Rothwell*, St. Helen's, Eccleston, Prescott, Lancashire, builder, July 7 at 12, County Court of Lancashire, at St. Helen's.—*Seth Parker*, Gt. Gable, Yorkshire, out of business, July 13 at 11, County Court of Lancashire, at Clitheroe.—*James O. Hargrave*, Halifax, Yorkshire, staymaker, July 9 at 10, County Court of Yorkshire, at Halifax.—*Matthew Dickinson*, North Shields, Northumberland, watchmaker, July 23 at half-past 10, County Court of Northumberland, at North Shields.—*Afred Winscom*, Southsea, Hampshire, out of business, July 20 at 10, County Court of Hampshire, at Portsmouth.—*Robert Baly*, Kirklington, Cumberland, husbandman, July 28 at 10, County Court of Cumberland, at Brampton.—*James Mitchell* the younger, Oldham, Lancashire, out of business, July 2 at 11, County Court of Lancashire, at Oldham.—*John Cocking*, Barton-upon-Humber, Lincolnshire, blacksmith, July 22 at half-past 10, County Court of Lincolnshire, at Barton-upon-Humber.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 14 at 11, before the CHIEF COMMISSIONER.

Charles Briscoe, Lower Queen's-row, Pentonville, Middlesex, chemist.—*Thomas H. Ives*, Aveley, Essex, butcher.

Adjourned Case.

James Whitelaw, Philpot-lane, London, town traveller to a wholesale grocer.

July 14 at 10, before Mr. Commissioner LAW.

Thomas Shepherd, Raven-row, Whitechapel, Middlesex, turner.

Saturday, June 26.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

James B. Gordon, Belsize-road, Finchley-road, Middlesex, out of business, No. 62,968 T.; *John Carter*, assignee.—*R. Hayley*, Huddersfield, Yorkshire, carrier, No. 75,142 C.; *H. Rooke*, assignee.—*Henry Hayley*, Huddersfield, Yorkshire, carrier, No. 75,143 C.; *Henry Rooke*, assignee.

Saturday, June 26.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

William Jones, Thomas-street, Brick-lane, Bethnal-green, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*Thomas Shotton*, Jermyn-street, St. James's, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Wm. Simpson*, East-street, Walworth, Surrey, greengrocer: in the Gaol of Horsemonger-lane.—*Charles Outbush*, Hercules-buildings, Westminster-road, Surrey, seedsman: in the Gaol of Horsemonger-lane.—*H. Reid*, Cheyne-terrace, Manor-street, Chelsea, Middlesex, pianoforte maker: in the Debtors Prison for London and Middlesex.—*Charles Patterson*, Stratford New-town, Essex, carpenter: in the Debtors Prison for London and Middlesex.—*Francis Martin Fletcher*, Adelaide-cottage, Grundy-street, Poplar, Middlesex, ship joiner: in the Debtors Prison for London and Middlesex.—*Septimus Watts*, Ranelagh-street, Finsbury, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Louis A. Barbeau*, New Millman-st., Bedford-row, Middlesex, medical student: in the Debtors Prison for London and

Middlesex.—*Joseph T. Millard*, Arlington-st., New North-road, Islington, Middlesex, attorney-at-law: in the Queen's Prison.—*Thomas Bucknall*, East Halton, near Barton-upon-Humber, Lincolnshire, out of business: in the Gaol of Lincoln.—*Solomon Craddock*, Gillygate, York, dealer in confessions: in the Gaol of York.—*Wm. Hooper*, Oaken Gates, Shropshire, victualler: in the Gaol of Shrewsbury.—*W. Kent*, Plymouth, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—*Henry Mallett*, Pantagally, Llantilio Pertholey, Monmouthshire, railway contractor: in the Gaol of Monmouth.—*John Mortram Pitt Pladdy*, Cartmel, Lancashire, plumber, glazier, and painter: in the Gaol of Lancaster.—*Benjamin Howell*, Cefn, Llanamlet, Glamorganshire, labourer: in the Gaol of Cardiff.—*David Thomas*, Bangor, Carnarvonshire, coal merchant: in the Gaol of Carnarvon.—*David Hayes*, Hill-farm, Balderstone, near Blackburn, Lancashire, farmer: in the Gaol of Lancaster.—*John Francis King*, Leeds, Yorkshire, butcher: in the Gaol of York.—*Thomas Knight*, Island, Gloucester, licensed victualler: in the Gaol of Gloucester.—*Joseph Stamford*, Wellington, Shropshire, in no business: in the Gaol of Shrewsbury.—*Samuel Smith*, Halifax, Yorkshire, wool buyer: in the Gaol of York.—*Henry Northrop Bradley*, York, manufacturing chemist: in the Gaol of York.—*Charles Cockhill Cotton*, Oldham, near Manchester, dyer: in the Gaol of York.—*John Singleton*, Manningham, near Bradford, Yorkshire, builder: in the Gaol of York.—*Hayfield Singleton*, Bradford, Yorkshire, builder: in the Gaol of York.—*Jonathan Hughes*, Liverpool, watchmaker: in the Gaol of Lancaster.—*Joseph Brookes*, Leeds, Yorkshire, painter: in the Gaol of York.—*Arthur Iveson*, Walmgate, York, farmer: in the Gaol of York.—*Nathan Jowitt*, Burmantofts, Leeds, Yorkshire, grocer: in the Gaol of York.—*John Tesley*, Eccleshill, near Bradford, Yorkshire, chemist: in the Gaol of York.—*William Thompson*, Falkenham, near Woodbridge, Suffolk, carpenter: in the Gaol of Ipswich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 13 at 11, before the CHIEF COMMISSIONER.

George Tyson, Castle-street, Falcon-square, London, not in any profession.—*John Beisham*, Edgeware-road, Middlesex, shoemaker.—*Wm. Wood Motley*, Denbigh-place, Belgrave-road, Finsbury, Middlesex, butcher.—*Charles Cooper*, Swan-lane, Rotherhithe, Surrey, out of employment.—*Joseph Henry Barnes*, Lilly-terrace, Hammersmith, New-road, Shepherd's-bush, Middlesex, clerk to an attorney.

Adjourned Case.

William Rule, Chiswell-street, Middlesex, painter.

July 14 at 10, before Mr. Commissioner LAW.

Thomas Williams, Dunk-street, Mile-end New-town, Middlesex, out of employment.—*Charles Collins*, York-street, Westminster, Middlesex, hatter.

July 15 at 11, before Mr. Commissioner PHILLIPS.

Robert William Obyett, Deptford-green, Deptford, Kent, carpenter.—*Wm. Schild*, Aygus-terrace, New-road, Battersea-fields, Surrey, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, July 6 at 9.

George Molini Cowley, Nottingham, attorney.

At the County Court of Oxfordshire, at OXFORD, July 12 at 10.

Job Fidler, Wood-green, Witney, blanket weaver.

At the County Court of Worcestershire, at WORCESTER, July 14 at 10.

H. Walker, Wolverhampton, Staffordshire, out of business.

At the County Court of Suffolk, at IPSWICH, July 16 at 10.

Edmund Sheldrake Craske, Wickham Shalth, farmer.—*Ann Nwan*, Cauldwell Hall-road, Ipswich, not following any business.—*Henry Nichols*, Cauldwell Hall-road, Ipswich, assistant to a shopkeeper.—*William Thompson*, Falkenham, near Woodbridge, carpenter.

At the County Court of *Middlesex*, at **MONMOUTH**,
July 23 at 2:

John Roberts, Newport, licensed victualler.

INSOLVENT DEBTOR'S DIVIDEND.

Frederick Ward, Friar-street, Blackfriars-road, Surrey,
commission agent, July 5, Keighley's, Basinghall-street:
9s. 8d. in the pound.

Edward Smirke, Esq., Barrister at Law, has been
appointed Attorney-General of His Royal Highness
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Chetwynd Talbot, deceased.

THE COMMON-LAW PROCEDURE ACT.

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JULY 10, 1852.

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LONDON, JULY 10, 1852.

IN our last number we considered the recent decisions of the Court of Criminal Appeal with regard to the offence of perjury; and we now propose to notice, in alphabetical order, the remaining cases decided by the same tribunal upon other offences.

Accessory.]—An accessory before the fact in a misdemeanour, though absent at the time of the commission of the offence, may be indicted and convicted as a principal; and there is no exception to this rule in the case of uttering bad money. (*Reg. v. Greenwood*, 16 Jur., part 1, p. 390; 21 L. J., M. C., 127). This decision proceeded upon the well-known principle, (said by Erie, J., to be of universal application), that persons concerned in misdemeanours are all principals, and may be treated as principals; and it is the more important, as it overrules the cases of *Res v. Elze* and *Reg. v. Page*, (1 Russ. Cr. 81, 82). The Court expressed their concurrence with Mr. Greaves in his view of those decisions, (see 1 Russ. Cr. 82, note (b), and Arch. Cr. L. 531, 11th ed.), namely, that their effect was to render the utterer of bad coin alone amenable to punishment, while the party in the distance, who is in general the more guilty, was allowed to escape. According to those cases, he could not be convicted as principal, because he was absent; nor as accessory, because in misdemeanours there are no accessories.

A principal in the second degree in larceny cannot be convicted as a receiver. Thus, where A. was indicted for stealing, and B. for receiving, a piece of pork, and it appeared that they were seen going together to the warehouse of the prosecutor; that A. went in, took the pork, and brought it out, and gave it to B., who

had remained on the outside, and who was not in a position to see what the other prisoner did in the warehouse, but was sufficiently near to have rendered him aid if he had been taken into custody; it was held that B. could not be convicted as receiver, Lord Campbell, C. J., saying, "It seems to have been supposed that there was an option to treat the man either as a thief or as a receiver. There is no such option." (*Reg. v. Perkins*, 16 Jur., part 1, p. 481; 21 L. J., M. C., 152).

Assault.]—By the 14 & 15 Vict. c. 100, s. 11, if, on the trial of any person upon any indictment for robbery, it appear that the defendant committed only an assault with intent to rob, the defendant may be convicted of such assault. By the 7 Will. 4 & 1 Vict. c. 87, different punishments are imposed for different assaults with intent to rob. If the offence is committed by one person, he is liable to be imprisoned for three years; but if by several, the punishment may extend as far as transportation for life; and a question arose whether, upon an indictment against several for robbery, they might be convicted of an aggravated assault under the first-named statute, or whether the conviction should be only for the simple felonious assault with intent to rob. The Court held, that if the indictment charges the simple robbery, the prisoner may be convicted of a simple assault; and if it charges an aggravated robbery, he may be convicted of an aggravated assault. (*Reg. v. Mitchell and Others*, 16 Jur., part 1, p. 506; 21 L. J., M. C., 135).

Confession.]—See *Evidence*.

Conspiracy.]—The important case of *Reg. v. Rowlands and Others* (16 Jur., part 1, p. 268; 2 Den. C. C. 364) was fully commented upon in a former number, (15 Jur., part 2, p. 429).

RETRACTS

Evidence.]—The cases in which confessions have been rejected, upon the ground of their having been obtained by improper inducement, have proceeded upon the most refined and artificial distinctions, which have often excluded the most valuable evidence of guilt or innocence. In *Reg. v. Baldry*, (16 Jur., part 1, p. 599; 21 L. J., M. C., 130), Parke, B., said, "Whether it would have been better, in the beginning, in all cases to allow the confession to go to the jury, with proper observations upon it, it is too late to inquire into now; for from the earliest period it has been the practice, out of tenderness to the prisoner, to reject evidence of a confession obtained by threat and promise. I review the cases upon this subject with a certain degree of shame as to the law, and cannot but concur, in a great measure, with the remarks on this head of Mr. Pitt Taylor*, that in many of these cases 'justice and common sense have been sacrificed on the shrine of mercy;' or rather, as Erle, J., said, "at the shrine of guilt, for to allow a guilty person to escape with impunity is not mercy to society, or probably not so even to the prisoner himself." The facts in the above case which led to these judicial observations were, that a policeman, who had a prisoner in custody on a charge of felony, said to him, "You need not say anything to criminate yourself; what you do say will be taken down, and used as evidence against you." The prisoner thereupon confessed, and it was contended that his confession was inadmissible, upon the authority of *Reg. v. Drew*, (8 Car. & P. 140); *Reg. v. Morton*, (2 Moo. & R. 514); and *Reg. v. Harris*, (1 Cox, 106); but the Court overruled these decisions, and held, that unless there is a clear promise of worldly advantage, or a clear threat held out, the confession ought not to be rejected.

Forgery.]—Upon an indictment for forging a transfer of shares from H. to the prisoner, with intent to defraud, the register of shareholders was holden admissible to shew that H.'s name was registered as a shareholder, although it did not prove that he was entitled to a dividend. It was also held, that it was not necessary to prove his title as a shareholder; (*Reg. v. Nash*, 16 Jur., part 1, p. 553; 21 L. J., M. C., 147); nor was it necessary that there should have been any one capable of being defrauded by the forgery; (per Maule, J., *Ib.*); though of course it would weigh with the jury, upon the question of the intent to defraud, that there was a person in existence who might have been defrauded.

The case of *Reg. v. Ion* (21 L. J., M. C., 166) turned upon the meaning of "uttering a forged receipt," under the 11 Geo. 4 & 1 Will. 4, c. 66, s. 10, which describes the offence by the words "offer, utter, dispose of, or put off." The prosecutor was a money lender, and one Gillard applied to him for a loan, proposing the prisoner as his surety. The prosecutor thereupon proceeded to the prisoner's house, and, for the purpose of satisfying himself as to his responsibility, required the production of his receipts in respect of that house. The prisoner, with a view to causing the money to be advanced to Gillard, who was a man of no substance, produced to the prosecutor, and placed in his hands,

(but for the purpose of inspection only), three documents, purporting to be receipts for poor-rates of the house, one of which was forged. Upon these facts, which were found by the jury, the Court held that there was an "uttering" of the forged receipt; that it was not necessary that the party shewing it should directly gain credit upon it, but that it was sufficient that he had used it fraudulently to get money by means of it, and whether for himself or another was immaterial.

Housebreaking Implements.]—If a person be found by night, without lawful excuse, in the possession of keys, capable from their nature of being used for purposes of housebreaking, he may be convicted under the 14 & 15 Vict. c. 19, s. 1, which renders it penal for any person to be found by night having in his possession, without lawful excuse, any "picklock key, crow-jack, bit, or other implement of housebreaking;" and it seems that the comma should have been placed after "picklock." (*Reg. v. Oldham*, 16 Jur., part 1, p. 506; 21 L. J., M. C., 134).

Larceny.]—One of two prisoners was sent by a carman to the London Dock Company to receive two particular casks of sugar. Two other casks, the property of a third party, were by mistake delivered to him, and on the road both prisoners broke open the casks and subtracted a portion of the sugar. It was held that the sugar was properly described in the indictment as the property of the London Dock Company, who did not lose their special property in it as bailees by parting with the possession by mistake; and that there was no distinction between carriers and other bailees with respect to the rule that a person lawfully receiving goods, and "breaking bulk" with a felonious intent, is guilty of larceny. (*Reg. v. Vincent and West*, 16 Jur., part 1, p. 457; 21 L. J., M. C., 100).

Where the prisoner, professing to be able to pay the prosecutor some money, produced a receipt stamp, and mentioned the amount for which the prosecutor was to fill it up, and the prosecutor having so filled it up and signed it, the prisoner took it away without paying the money, intending to defraud the prosecutor, it was held that the prisoner could not be convicted of stealing from the prosecutor the stamped paper on which the receipt was written, as the latter never had any property in the document, or independent possession of it. (*Reg. v. Smith*, 16 Jur., part 1, p. 414; 21 L. J., M. C., 111).

Mortgage deeds, which are subsisting securities for money, and therefore choses in action, are not properly described in the indictment as goods and chattels. (*Reg. v. Powell*, 16 Jur., part 1, p. 177; 2 Den. C. C. 403).

The question, how far a finder of goods may commit larceny of them, so fully considered in the case of *Reg. v. Thurborn*, was again discussed in the case of *Reg. v. Preston*, (16 Jur., part 1, p. 109; 2 Den. C. C. 353) and it was there decided that where a person, who finds a lost article, which is so marked as to enable him to know the true owner, appropriates it to his own use, and is indicted for larceny, the question for the jury is, whether, at the time that he took it into his possession with such knowledge or means of knowing the owner, he had the intention of appropriating it. It was held to be improper to leave it to them, whether at the time

* Law of Evidence, vol. 1, p. 597.

he appropriated it he knew, or had the means of knowing, the owner.

Venus.—It was the duty of the prisoner to go into Derbyshire every Monday, and sell goods on account of his master, and receive the money there, and to return with it to his master in Nottingham on a Saturday. The prisoner received money in Derbyshire, but did not return to Nottingham until two months after, when he was met there by his master, who asked him what he had done with the money. He said he was sorry for what he had done, and that he had spent it:—Held, that there was evidence for the jury of an embezzlement in Nottingham. (*Reg. v. Murdock*, 16 Jur., part 1, p. 19; 2 Den. C. C. 298). Parke, B., rested his judgment upon the fact that the prisoner did not return to Nottingham and account there, as he ought to have done; but Maule, J., differed from this ground of decision, and formed his opinion upon the fact of his meeting his master there, and when asked for the money, not paying it over.

CONSTRUCTIVE REVOCATION OF DEVISE OF AN EQUITY OF REDEMPTION BY TAKING A RECONVEYANCE TO USES TO BAR DOWER.

(Continued from p. 215).

Returning to that part of the case of *Plowden v. Hyde* which concerns the estate in mortgage, it will now be seen that the circumstances of that case were essentially different from those of any which preceded it. The testator was originally entitled to the estate under a conveyance to the very uses which were limited in the reconveyance after the making of his will. He then mortgaged the estate, with a proviso for redemption, which, if it differed from the ordinary form of such provisos, differed by being more favourable to the construction insisted on by the devisee. The case was, however, decided entirely on the assumption that the devisee's claim must fail unless he could shew that the language of the proviso for redemption expressly directed a reconveyance to uses to bar dower. The judgment is too long to be cited, but it consists entirely of argument to shew that the uses limited in the reconveyance were not in terms indicated by the proviso for redemption. We think that the balance of argument is against even this proposition; but we prefer to rest our objection to the decision on another ground, which was not even alluded to by the Court. The proviso for redemption in the ordinary form in terms directs a reconveyance in fee; and admitting that the proviso in *Plowden v. Hyde* did not in terms go beyond that direction, the effect was to leave the former title precisely as it stood in equity. (*Jackson v. Parker*, Amb. 687; *Ruscombe v. Hare*, 1 Dow, 1; 2 Bligh, N. S., 192; *Cholmondeley v. Clinton*, 2 Mer. 179, note; *Perkins v. Walker*, 1 Vern. 97; *Thorne v. Thorne*, Id. 141, 182; *Clark v. Burgh*, 2 Coll. 221; *Wood v. Wood*, 7 Beav. 183).

In *Jackson v. Innes*, (16 Ves. 356; 1 Bligh, 104), as in some subsequent cases, the special language and circumstances were held to exclude the application of the general rule; but the rule was thus laid down by Lord Redesdale—"The principle" [established in *Ruscombe v. Hare*, (6 Dow, 1),] "is this—that in a mortgage the mere form of the equity of redemption is not of itself sufficient to alter the previous title. In such a case (where fraud is out of the question) it is supposed to arise from inaccuracy or mistake, which is to be explained and corrected by the state of the title as it was

before the mortgage. This is conformable to the principle upon which other cases have been determined. If a lease be made by tenant for life under a power created by a settlement, and a rent is reserved to the lessor and his heirs, (which is not an unusual blunder), these words are interpreted by the prior title, and applied to such person as under the settlement may be entitled to the estate in remainder, and not to the heir of the lessor, unless he happen to be such remainderman. In all such cases the words used are to be interpreted according to the title when the instrument is executed. So, where an estate belonging to the wife is mortgaged, and the equity of redemption is reserved to the heirs of the husband, there is a resulting trust for the wife and her heirs." (1 Bligh, 114). A very recent illustration of this rule will be found in *Hipkin v. Wilson*, (14 Jur., part 1, p. 1127), where an estate had been conveyed and settled to the use of mortgagees for a term of years, and, subject thereto, to such uses as A. W., and B. W. his son, should jointly appoint, and in default of appointment, to the use of A. W. for life, with remainder to the use of B. W. in tail, with remainder to the use of A. W. and B. W. in fee simple. In 1839 the mortgage was transferred, and the inheritance was appointed to the use of the transferees in fee, a further advance being made, and the proviso for redemption directed that on payment by A. W. and B. W., or either of them, their or either of their heirs, executors, or administrators, the estate should be reconveyed "unto and to the use of the said A. W. and B. W., their heirs or assigns, or unto such other persons as they should direct or appoint." The deed contained a declaration that the mortgage money should not be a personal debt of either of the mortgagors, but only a charge on the estate, and that A. W. should pay the interest during his life. The father having survived the son, the question arose between the devisee of the former, and the heir in tail of the latter, and Sir J. L. Knight Bruce, V. C., held, that the mortgage did not defeat the settlement in equity, and intimated that his decision would have been the same if the proviso as to the payment of the interest had not been inserted. "It would be sufficient," said his Honor, "for this conclusion not to find—as I have not found—in the deed of 1839 an expression of intention to vary the course of the settlement."

But it is superfluous to go out of the way for authorities in support of a proposition which is the foundation of the very doctrine we are considering. A mortgage is in form, and at law in substance also, an alteration of the mortgagor's estate, and it would in equity as well as at law revoke a prior devise, if it were not the settled rule of equity to consider that no dealing with an estate for the purpose of effecting a security for money makes any alteration in the equitable title, unless the security contains some unusual expressions, plainly shewing that an object beyond the security was contemplated. Therefore the equity of redemption, in the case of a maternal inheritance, would descend to the heir on the mother's side, although the mortgage has rendered such a descent impossible at law, since after a reconveyance the estate would descend away from the maternal heir.

When a purchaser takes a conveyance to uses to prevent dower, and afterwards executes a mortgage in fee, and directs a reconveyance to be to himself and his heirs, with or without the additional formula, "or as he or they shall direct or appoint," it is admitted that no intention beyond that of making a mortgage is to be presumed, and that the equitable title remains unaltered, and ought to continue unaltered upon a reconveyance. Indeed, if, under such circumstances, a mortgagee, on satisfaction of the debt, were, without authority, to execute a reconveyance to the mortgagor in fee simple, he would probably be held liable to the mort-

gagor in damages for thus bringing the incumbrance of dower upon the estate. The mortgage was not intended to subject the estate to dower, or to deprive the mortgagor of the convenience of a power of appointment. On the other hand, if a testator, having devised an estate which had been conveyed to him to uses to bar dower, had desired to subject his estate to dower, he could not have effected his object by a mere conveyance in trust to reconvey to himself in fee, without revoking his will. But if *Plowden v. Hyde* was rightly decided, he might have done so by means of a mortgage, and thus a mortgage effecting, and intended to effect, a purpose anterior to the security, would not have operated as a revocation of the will. Such a conclusion is contrary to all the authorities. The mortgage, which under the old law of wills could be made and afterwards got rid of without affecting the mortgagor's testamentary dispositions in equity, must have been such a mortgage, and so dealt with, that on its satisfaction the estate would be "home again," in the same plight and condition in all respects as before the mortgage.

This reasoning leads to the conclusion, that, on the authorities, a reconveyance to the mortgagor in fee simple of an estate, which previously to the mortgage stood limited to uses to bar dower, would have revoked a devise made either before or after the mortgage. We are not concerned to defend the decisions which involve such a result; it is sufficient to observe, that it is not more startling than the doctrine of *Plowden v. Hyde*, that a reconveyance to the old uses revoked the will.

G. S.

London Gazettes.

FRIDAY, JULY 2.

BANKRUPTS.

GEORGE WOOD WALTER and **WILLIAM HENRY WALKER**, Silverdale, Keele, Staffordshire, silk throwsters, July 13 and Aug. 3 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Stanier & Co., Newcastle-under-Lyme; Motteram & Co., Birmingham.—Petition dated June 18.

JOHN MOTTRAM, Shrewsbury, Shropshire, hop merchant, July 12 and Aug. 2 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Cooper & Broughall, Shrewsbury; Motteram & Co., Birmingham.—Petition dated June 24.

RICHARD PERRY, Leeds, Yorkshire, hatter, dealer and chapman, July 15 and Aug. 13 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Upton, Leeds.—Petition dated June 19, and filed June 25.

GEORGE STANDERWICK, **CHARLES STANDERWICK**, and **THOMAS BARNE**, Bristol, auctioneers, July 15 at half-past 11, and Aug. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Whittington & Gribble, Bristol.—Petition filed July 1.

MEETINGS.

Richard Budgen, Llanhilleth, near Newport, Monmouthshire, ironfounder, July 13 at 11, District Court of Bankruptcy, Bristol, pr. d.—*William Wymark*, Mistley, near Manningtree, Essex, wharfinger, July 13 at 12, Court of Bankruptcy, London, last ex.—*John Thomas*, Little Stanhope-st., Mayfair, Middlesex, builder, July 13 at half-past 12, Court of Bankruptcy, London, last ex.—*John Mitchell* and *Edward Clarkson*, Horton, Bradford, Yorkshire, worsted spinners, July 22 at half-past 12, District Court of Bankruptcy, Leeds, last ex. of *E. Clarkson*.—*Simon A. Kiach*, Bedford-st., Covent-garden, Middlesex, tailor, July 21 at 11, Court of Bankruptcy, London, aud. ac.—*Matthew S. Hooper*, Billiter-st., London, tea dealer, July 21 at 12, Court of Bankruptcy, London, aud. ac.—*Alexander B. Fraser* and *Charles Lightfoot*, Lime-st., London, merchants, July 21 at 1, Court of Bankruptcy, London, aud. ac. sep. est. of *A. B. Fraser*.—*George Sherlock* and *Benjamin Sutterby*, Hulme, Lancashire, joiners, July 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph Smith*, Altrincham, Cheshire, joiner,

July 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Meadowcroft*, Rochdale, Lancashire, cotton spinner, July 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 23 at 12, div.—*James Graham*, Ardwick, Manchester, joiner, July 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Shaw* and *Samuel Shaw*, Upper Mill and Grasscroft, Saddleworth, Yorkshire, timber merchants, July 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 27 at 12, div.—*Thomas Harris* and *John Buris*, Hampstead-road, Middlesex, brewers, July 23 at half-past 11, Court of Bankruptcy, London, div.—*Robert White*, Gloucester-st., Curtain-road, and *J. Bowler*, Wilkes-st., Spitalfields, Middlesex, scaleboard cutters, July 23 at half-past 11, Court of Bankruptcy, London, div.—*Adolf Heilbronn* and *John Harrison*, Great St. Helen's, London, drysalters, July 23 at 1, Court of Bankruptcy, London, div.—*James Franklin*, Great Marlow, Buckinghamshire, innkeeper, July 23 at half-past 1, Court of Bankruptcy, London, div.—*William Henry Bridge* the younger, Warnborough, near Odham, Hampshire, butcher, July 23 at half-past 1, Court of Bankruptcy, London, div.—*Henry Brett*, Portsea, Southampton, grocer, July 23 at 11, Court of Bankruptcy, London, div.—*Samuel Hopkins*, Croydon, Surrey, grocer, July 24 at half-past 11, Court of Bankruptcy, London, div.—*W. Wood*, Bristol, provision merchant, Aug. 5 at 11, District Court of Bankruptcy, Bristol, div.—*James Duggan*, Maryport, Cumberland, draper, July 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fn. div.—*Thos. Moore* the younger, South Hylton, Durham, merchant, July 23 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fn. div.—*John Bird*, North Shields, Northumberland, linendraper, July 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Conrad Greenhow* the younger, Newcastle-upon-Tyne, timber merchant, July 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Philip Rufford*, *Francis Rufford*, and *Charles John Wragge*, Stourbridge, Worcester-shire, bankers, July 26 at half-past 10, District Court of Bankruptcy, Birmingham, div. sep. est. of *Philip Rufford*.—*Wm. Starkey*, Huddersfield, Yorkshire, woolstapler, July 23 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Wood Ackroyd*, Bradford, Yorkshire, worsted spinner, July 23 at 11, District Court of Bankruptcy, Leeds, div.—*James Ackroyd*, Batley, Yorkshire, carpenter, July 23 at 11, District Court of Bankruptcy, Leeds, div.—*Jesse Wilkinson*, Lindley, Huddersfield, Yorkshire, woollen cloth manufacturer, July 23 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Manley Wetherfield, Gresham-st., London, scrivener, July 23 at 11, Court of Bankruptcy, London.—*R. White*, Gloucester-st., Curtain-road, Middlesex, and *John Bowler*, Wilkes-st., Spitalfields, Middlesex, scaleboard cutters, July 23 at half-past 1, Court of Bankruptcy, London.—*Edward Dubbins*, Colchester, Essex, common brewer, July 24 at 12, Court of Bankruptcy, London.—*John Iveson*, Stokesley, Yorkshire, builder, July 26 at 12, District Court of Bankruptcy, Leeds.—*Thos. Geo. Phillippis*, Newport, Monmouthshire, grocer, July 27 at 11, District Court of Bankruptcy, Bristol.—*Jos. Roberts*, Aberystwith, Cardiganshire, draper, Aug. 4 at 11, District Court of Bankruptcy, Bristol.—*John Davis*, Abergale, Denbighshire, grocer, July 23 at 12, District Court of Bankruptcy, Liverpool.—*Robert Johnston*, Macclesfield, Cheshire, silk manufacturer, July 26 at 12, District Court of Bankruptcy, Manchester.—*Josiah Bowers*, Walsall, Staffordshire, currier, July 28 at half-past 11, District Court of Bankruptcy, Birmingham.—*Thomas Bates*, *Schofield Sheard*, and *John Sheard*, Halifax, Yorkshire, engineers, July 26 at half-past 11, District Court of Bankruptcy, Leeds.—*Richard Chamberlain*, Uttoxeter, Staffordshire, draper, July 26 at half-past 10, District Court of Bankruptcy, Birmingham.—*Wm. Royde Fearn*, Dale-end, Birmingham, draper, July 28 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Bates, Higgate, and *Finchley-road*, Middlesex, plumber.—*Samuel Gask*, Hatcham New-town, Camberwell, Surrey, builder.—*Allen Colyer* the younger, Dover, Kent, jeweller.—*Thomas Hammond Fiske*, Portsmouth, Hampshire,

ironmonger.—*Thomas Lawson*, Bury, Lancashire, draper.—*Henry Bates* and *Henry Williamson*, Warley, Halifax, Yorkshire, common brewers.—*John Womersley* the younger, Huddersfield, Yorkshire, ironmonger.

PARTNERSHIP DISSOLVED.

George Croft Vernon and *Luke Minshall*, Bromsgrove, Worcestershire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Archibald Irvine, Glasgow, wine dealer.—*James Baird*, Hamilton, Lanarkshire, grocer.—*John Henderson*, sen., Chesterhill, near Blackshields, Haddingtonshire, cattle salesman.—*John Henderson*, Soutra Mains, Blackshields, farmer.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Clark, Fyfield, near Chipping Ongar, Essex, carpenter, July 23 at 10, County Court of Essex, at Brentwood.—*Charles Stewart Irvine*, Charlton, Shepton Mallet, Somersetshire, commercial traveller, July 31 at 10, County Court of Somersetshire, at Wells.—*James Clarkson*, Birmingham, labourer, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*John Bullock*, Birmingham, wire-blind manufacturer, July 17 at 10, County Court of Warwickshire, at Birmingham.—*Samuel Hurlay*, Bristol, baker, July 28 at 11, County Court of Gloucestershire, at Bristol.—*William Owen*, Bristol, biscuit baker, July 14 at 11, County Court of Gloucestershire, at Bristol.—*Henry George Williams*, Bristol, employed in a carpet warehouse, July 14 at 11, County Court of Gloucestershire, at Bristol.—*Richard Shuckforth Francis*, Ipswich, Suffolk, watchmaker, July 16 at 10, County Court of Suffolk, at Ipswich.—*Joseph Cook*, Sunderland, Durham, baker, July 21 at 10, County Court of Durham, at Sunderland.—*William Hall*, South Shields, Durham, shoemaker, July 19 at 10, County Court of Durham, at South Shields.—*George Mison*, Chelmsford, Essex, baker, July 22 at 12, County Court of Essex, at Chelmsford.—*Danzie Edward Murrell*, Burnham, Essex, shoemaker, July 20 at 12, County Court of Essex, at Maldon.—*John Hunt*, Fareham, Southampton, wheelwright, July 20 at 10, County Court of Hampshire, at Portsmouth.—*G. Sparkes*, Emsworth, Southampton, cordwainer, July 20 at 10, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 16 at 11, before the CHIEF COMMISSIONER.

George A. Batger, Park-place, Church-street, Chelsea, Middlesex, architect.

July 16 at 10, before Mr. Commissioner LAW.

Thomas Osborne Kempton, High-street, Uxbridge, Middlesex, bookseller.

July 17 at 11, before Mr. Commissioner PHILLIPS.

Henry Ross, Barrington-crescent, Loughborough-rd., Brixton, Surrey, out of employ.—*Richard Crafer*, White-street, Bethnal-green, Middlesex, undertaker.

July 19 at 10, before Mr. Commissioner LAW.

Wm. L. Ranking, Gloucester-street, Queen-square, Holborn, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 16 at 11, before the CHIEF COMMISSIONER.

Henry George Brasnell, Linton-street, New North-road, Islington, Middlesex, clergyman.

July 17 at 11, before Mr. Commissioner PHILLIPS.

John White, Little Cadogan-place, Pont-street, Belgrave-square, Middlesex, livery-stable keeper.—*John Marshall*, Little York-mews, Baker-street, Portman-square, Middlesex, coachman.

July 19 at 10, before Mr. Commissioner LAW.

Wm. Scott, Kilburn, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 16 at 11.

Alfred Hodgkinson, Harthead, near Stalybridge, manager at a bleach works.—*Samuel Brierley*, Preston, grocer.—*John M. P. Pladdy*, Cartmel, plumber.—*Jas. B. Davis*, Liverpool, provision dealer.—*Wm. Hartsig*, Manchester, out of business.—*Thos. Charnley*, Clitheroe, plumber.—*L. Hartley*, Burnley-lane, Head, near Burnley, provision-shop keeper.—*Mary Newton*, Manchester, out of business.—*Squire Clegg*, Manchester, grocer.—*John Lynch*, Liverpool, ship broker.—*Luke Cooks*, Ashton-under-Lyne, out of business.—*John Carver*, Manchester, out of business.—*Jonathan Hughes*, Liverpool, watchmaker.

At the County Court of Shropshire, at SHREWSBURY, July 13 at 10.

Joseph Stanford, Codsall, farmer.—*Wm. Hooper*, Oaken Gates, victualler.

At the County Court of Yorkshire, at YORK CASTLE, July 19 at 10.

George Ellison, Leeds, butcher.—*Charles Woodall*, Selby, printer.—*Anthony Hoggard*, York, in no business.—*Samuel Hirst*, Hanging Heaton, near Dewsbury, licensed retailer of beer.—*Henry N. Bradley*, Huddersfield, grocer.—*John Bagshaw*, Huddersfield, hatter.—*Samuel Smith*, Halifax, wool buyer.—*Wm. H. Catton*, Milnes-bridge, near Huddersfield, out of business.—*Thomas Shepherd*, Sheffield, manufacturer of table knives.—*John Roger Corker*, Leeds, and Churwell, gardener.—*O. G. Cockrem*, Barwick-in-Elmet, near Aberford, grocer.—*Arthur Iveson*, York, out of business.—*S. Craddock*, York, dealer in confectionery.—*John Singleton*, Manningham, near Bradford, stonemason.—*Nathan Jowitt*, Leeds, out of business.—*Joseph Brookes*, Leeds, out of business.—*Ottewill Lodge*, Bradford, tailor.—*John F. King*, Northalerton, farmer.—*J. Stocks*, Halifax, grocer.—*Edward Topham*, Halifax, grocer.—*Hatfield Singleton*, Bradford, stonemason.

At the County Court of Northamptonshire, at NORTHAMPTON, July 21.

Wm. Cunnan, Northampton, shoe manufacturer.

TUESDAY, JULY 6. BANKRUPTS.

JOHN ROBINSON, Nassau-place, Commercial-road East, and Cannon-street-road, Middlesex, (trading under the firm of John Robinson & Co.), wholesale clothier and general outfitter, dealer and chapman, July 14 at 1, and Aug. 18 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. & J. H. Linklater, 17, Sise-lane, City.—Petition filed July 3.

JAMES BLUCK, Bucklersbury, London, wine merchant, July 14 at 12, and Aug. 18 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Gregson & Co., Angel-court, Throgmorton-street.—Petition filed July 1.

SAMUEL KNIGHT, Fore-street, Cripplegate, London, cheesemonger, dealer and chapman, July 16 at 1, and Aug. 16 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition dated July 5.

EDWARD PALMER, Ware, Hertfordshire, maltster and flour dealer, July 20 at 1, and Aug. 17 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Nind, 25, Clement's-lane, Lombard-street.—Petition filed June 9.

ARCHIBALD CORKEN, Oswestry, Shropshire, watchmaker, jeweller, dealer and chapman, July 20 and Aug. 11 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Davies, Coventry; Hodgson, Birmingham; Weeks, 12, Cook's-court, Lincoln's-inn, London.—Petition dated May 28.

BENJAMIN FISHER, Gloucester, currier, dealer and chapman, July 19 and Aug. 16 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Smith, Newnham, Gloucestershire; Bridges, Bristol.—Petition filed July 3.

JAMES RICHARD BASKETT, Cardiff, Glamorganshire, corn factor, dealer and chapman, July 19 and Aug. 18 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed June 8.

MEETINGS.

Henry Thomas Watson, Liverpool, draper, July 16 at 11, District Court of Bankruptcy, Liverpool, last ex.—**William Lakin Bowyer**, Macclesfield, Cheshire, grocer, July 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 28 at 12, div.—**David Douglas**, Manchester, draper, July 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 29 at 12, div.—**Alexander Bristow Fraser** and **Charles Lightfoot**, Lime-street, London, merchants, July 27 at 1, Court of Bankruptcy, London, div. sep. est. of **Alexander Bristow Fraser**.—**John Passman**, Stockton-upon-Tees, Durham, carrier, July 27 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; July 28 at 11, div.—**Henry James Cook**, Hedge-row, High-street, Islington, Middlesex, linendraper, July 27 at half-past 11, Court of Bankruptcy, London, fin. div.—**T. Heard**, Woodbridge, Suffolk, brewer, July 27 at 12, Court of Bankruptcy, London, div.—**John Fuller**, Ely, Cambridgeshire, stonemason, July 27 at 11, Court of Bankruptcy, London, div.—**J. Roden**, Stamford, Lincolnshire, draper, July 27 at 11, Court of Bankruptcy, London, div.—**Wm. M'Case**, Liverpool, merchant, July 29 at 11, District Court of Bankruptcy, Liverpool, div.—**Chas. E. Wilson** and **Henry Wilson**, Rhosymedre, Ruabon, and Cefn Maur, Denbighshire, grocers, July 29 at 11, District Court of Bankruptcy, Liverpool, fin. div.—**J. Roberts**, Carnarvon, merchant, July 29 at 11, District Court of Bankruptcy, Liverpool, fin. div.—**J. Carter**, Liverpool, merchant, July 29 at 11, District Court of Bankruptcy, Liverpool, div.—**John Roberts**, Rhyll, Flintshire, innkeeper, July 29 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John H. Collins, Halifax, Yorkshire, draper, July 29 at 1, District Court of Bankruptcy, Leeds.—**Samuel H. Brookes**, Gwersyllt, Gresford, Denbighshire, wine merchant, July 29 at 12, District Court of Bankruptcy, Liverpool.—**John Passman**, Stockton-upon-Tees, Durham, carrier, July 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be granted, unless an Appeal be duly entered.

Edmund Spottiswoode and **George Ferrar**, Chancery-lane, Middlesex, booksellers.—**Thomas Pearman**, Cold Harbour-road, Brixton, Surrey, builder.—**George Hart** and **Thomas Hart**, Union-street, Southwark, Surrey, trimming manufacturers.—**Henry Lamplough**, Hamilton-place, New-road, Middlesex, chemist.—**Patrick Beirne**, Liverpool, tailor.

PETITION ANNULLED.

Joseph Sowerby, Oxford-street, Middlesex, silk mercer.

SCOTCH SEQUESTRATIONS.

James F. King, Glasgow, commission merchant.—**James Wilson**, Glasgow, tobaccoist.—**James Grieve**, Leith, manufacturer of soda.—**Joseph Phelps**, Edinburgh, floor cloth warehouseman.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Smedley, Liverpool, labourer, July 20 at 10, County Court of Lancashire, at Liverpool.—**Joseph Pickering**, Liverpool, butcher, July 20 at 10, County Court of Lancashire, at Liverpool.—**John Price**, Liverpool, sack dealer, July 20 at 10, County Court of Lancashire, at Liverpool.—**G. Richardson**, Balcott, Oxfordshire, out of business, July 14 at 11, County Court of Oxfordshire, at Banbury.—**James Parry**, Alton, Southampton, cordwainer, July 26 at 11, County Court of Hampshire, at Alton.—**Wm. Badger**, Brampton, Huntingdonshire, dealer in steel pens, July 21 at 10, County Court of Huntingdonshire, at Huntingdon.—**J. Onions**, Dudley, Worcestershire, boatman, July 23 at 12, County Court of Worcestershire, at Dudley.—**Philip Rees**, Cwmahwnt, Rhigos, Ystrad-vodog, Glamorganshire, mineral agent, July 9 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—**Richard Rees**, Baillyglass Farm, Rhigos, Ystrad-vodog, Glamorganshire,

July 9 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—**Llewellyn Rees**, Baillyglass Farm, Rhigos, Ystrad-vodog, Glamorganshire, coal contractor, July 9 at 10, County Court of Glamorganshire, at Merthyr Tydfil.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 21 at 11, before the CHIEF COMMISSIONER.

Philipp Korn, Holywell-st., Shoreditch, Middlesex, baker.

Saturday, July 3.

An Assignee has been appointed in the following Case. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Henry Barnes, Lilly-terrace, Hammersmith, clerk to an attorney, No. 63,063 T.; Joseph Lambert, assignee.

Saturday, July 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Edw. Henry Bramah, Great George-street, Westminster, Middlesex, managing clerk to an attorney: in the Queen's Prison.—**Allen Thomas**, Lisson-street, Lisson-grove, Marylebone, Middlesex, beer retailer: in the Debtors Prison for London and Middlesex.—**Thos. Perrin**, Edward-street, Caledonian-road, Islington, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—**Edward Austin Estall**, Wilton-terrace, Islington, Middlesex, builder: in the Debtors Prison for London and Middlesex.—**C. J. Culliford**, Southampton-st., Strand, Middlesex, lithographic draughtsman: in the Debtors Prison for London and Middlesex.—**J. Stokell**, Brownlow-road, Dalston, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—**H. Mapple**, Hendon, Middlesex, clock maker: in the Debtors Prison for London and Middlesex.—**Henry Rice**, Haberdasher-place East, Hoxton, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—**Geo. Nash**, West Ham, Essex, builder: in the Debtors Prison for London and Middlesex.—**Daniel Pilditch**, Rockingham-row West, New Kent-row, Surrey, carpenter: in the Queen's Prison.—**Jasper Geo. Coe**, Loughboro'-street, Upper Kennington-lane, Surrey, carpenter: in the Queen's Prison.—**Wm. Reed**, Webber-street, Blackfriars-road, Surrey, bargeman: in the Gaol of Horse-monger-lane.—**John Morgan Whitehurst**, Prospect-place, Maida-hill, Paddington, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—**R. Webb**, Macclesfield-st., Soho, Middlesex, jeweller: in the Debtors Prison for London and Middlesex.—**Isaac Thomas**, Liverpool-street, Bishopsgate, London, cheesemonger: in the Debtors Prison for London and Middlesex.—**Albert David Bottomley**, Lewisham, Kent, outfitter: in the Queen's Prison.—**Samuel Simon Abrahams**, Norwich, Norfolk, watchmaker: in the Gaol of Norwich.—**James Atkin**, Liverpool, chemist: in the Gaol of Lancaster.—**Benj. Bates**, Wood Bottom, Wooldale, Hem-firth, Yorkshire, farmer: in the Gaol of York.—**Luke Cook**, Ashton-under-Lyne, Lancashire, rope maker: in the Gaol of Lancaster.—**John Carver**, Deansgate, Manchester, licensed victualler: in the Gaol of Lancaster.—**Wm. Hartig**, Ardwick, Manchester, manufacturing chemist: in the Gaol of Lancaster.—**John Highfield**, Liverpool, shoemaker: in the Gaol of Lancaster.—**Jos. Harford**, Bristol, hairdresser: in the Gaol of Bristol.—**John Lynch**, Liverpool, ship broker: in the Gaol of Lancaster.—**James Harley Lindsay**, Hulme, Manchester, salesman: in the Gaol of Lancaster.—**J. Stock**, York, shoemaker: in the Gaol of York.—**Thos. White** the younger, Abberley, Worcestershire, farm bailiff: in the Gaol of Worcester.—**O. Lodge**, Bradford, Yorkshire, tailor: in the Gaol of York.—**Timothy East**, Spalding, Lincolnshire, chemist: in the Gaol of Lincoln.—**Loftus Stevens Gray**, Dover, Kent, no profession: in the Gaol of Dover.—**Alfred Hodgkinson**, Hartshead, near Stalybridge, Lancashire, manager at a bleach works: in the Gaol of Lancaster.—**James B. Davis**, Norton-street, Lancashire, provision dealer: in the Gaol of Lancaster.—**John Holmes**, Hulme, Manchester, cabinet maker: in the Gaol of Lancaster.—**Samuel Brierley**, Preston, Lancashire,

grocer: in the Gaol of Lancaster.—*Langley Banks*, Kingston-upon-Hull, architect: in the Gaol of Kingston-upon-Hull.—*Thomas B. Baker*, Hastings, Sussex, attorney-at-law: in the Gaol of Dover.—*Moses L. Franklin*, Shudehill, Manchester, hat trimming dealer: in the Gaol of Lancaster.—*William Henahan*, Edgely, near Stockport, Cheshire, joiner: in the Gaol of Lancaster.—*Sarah B. Lister*, Leeds, Yorkshire, milliner: in the Gaol of York.—*Aaron Rose*, Halesowen, Worcester-shire, licensed victualler: in the Gaol of Worcester.—*Edward Topham*, York, confectioner: in the Gaol of York.—*Benjamin M. Lam*, Blackburn, Lancashire, tea dealer: in the Gaol of Lancaster.—*Josiah Yates*, Salford, Lancashire, shoemaker: in the Gaol of Lancaster.—*Thomas Abolton*, Gadsden Hill, near Wallingford, Berkshire, baker: in the Gaol of Reading.—*Joseph Dale*, Barking, Essex, tailor's foreman: in the Gaol of Springfield.—*Wm. Jagger*, Dewsbury, Yorkshire, confectioner: in the Gaol of York.

(On Creditor's Petition).

Samuel Andrews, Hempstead, Essex, farmer: in the Gaol of Springfield.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 20 at 11, before the CHIEF COMMISSIONER.

Joseph Thomas Millard, Arlington-st., New North-road, Hoxton, Middlesex, attorney-at-law.—*John Powell*, Leadenhall-market, London, licensed victualler.—*Francis Martin Fletcher*, Adelaide-cottage, Grundy-street, Middlesex, ship joiner.

July 21. at 10, before Mr. Commissioner LAW.

Edward Palmer, William-st., Park-road, Islington, Middlesex, builder.

July 22 at 11, before Mr. Commissioner PHILLIPS.

Thomas Boucher the elder, London-road, Southwark, Surrey, broker.—*Louis A. Barbeau*, New Millman-st., Bedford-road, Middlesex, medical student.—*Thomas Smith*, Wanstead, Essex, farmer.—*Samuel E. Ambler*, Richard-st., Liverpool-road, Islington, Middlesex, bookbinder.—*John Dalton*, South-place, Finsbury, Middlesex, silk dresser.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, July 21 at 10.

Thomas B. Baker, Hastings, Sussex, attorney-at-law.—*Leftus S. Gray*, Dover, in no profession.

At the County Court of Essex, at CHELMSFORD, July 22.

Joseph Dale, Barking, tailor.—*Richard K. Doy*, Plaistow, out of business.

At the County Court of Herefordshire, at HEREFORD, July 22 at 10.

Wm. B. Price, Hatfield, labourer.

MIDDLE TEMPLE.—The Benchers of the Middle Temple, having reason to believe that some misapprehension has prevailed as to the existence of a vacancy in the readership of their Society, have adjourned the election of a Reader on Jurisprudence and the Civil Law until Wednesday, the 14th instant, and they have also enlarged the time for receiving the testimonials of candidates until Monday, July 12. Full particulars of the duties and salary of the Reader will be communicated by the Under-treasurer to all gentlemen desirous of becoming candidates.

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"Masters, give unto your servants that which is just and equal; knowing that ye also have a Master in Heaven."—Col. iv. 1.

"Servants, obey in all things your masters according to the flesh; not with eye-service, as men-pleasers; but in singleness of heart, fearing God."—Col. iii. 22.

"Servi sunt, imo homines: servi sunt, imo contubernales: servi sunt, imo humiles amici: servi sunt, imo conservi."—Senec. Ep. xlvii.

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LONDON, JULY 17, 1852.

THE CHANCERY PRACTICE AMENDMENT ACT, 15 & 16 VICT. c. 86.

On the 13th of this month the experiment, the first we believe of the kind, was made in the Court of Chancery, of the practice contemplated by the 39th section of the Chancery Practice Amendment Act, 15 & 16 Vict. c. 86. At the Rolls, in a suit commenced by claim, in which the plaintiff claimed a legacy, the defendant alleging an assignment of it by the plaintiff, and the plaintiff repudiating the deed as a forgery, witnesses for and against each party were orally examined, cross-examined, and re-examined. Of course, the Chancery Act not yet being in operation, this was done by consent; but it was precisely the course of proceeding which will, no doubt, frequently, after the 1st November, be resorted to compulsorily. The experiment appeared to us to be very successful. The time occupied in examining some seven or eight witnesses was under two hours, and the evidence elicited was such as it would have been quite impossible to have obtained either by affidavits or by depositions answering written interrogatories. Beyond all doubt, in such a case an issue would have been necessary, if the new practice had not been resorted to. Having always been, and being still, advocates for the oral examination of the witnesses in Chancery at the trial of the cause, we are rejoiced to see the practice commenced. We have little doubt that it will become universal, if once fairly tried, with a sincere endeavour to work it successfully. There are, however, some things in which, without saying whether the mode of proceeding at *Nisi Prius*

is or is not the best for *Nisi Prius* trials, it does not appear to be the best for Chancery trials. In particular, the mode of taking down the evidence appears to us to require alteration. It may be quite well that the judge and the counsel should take notes, if it is convenient to them to do so, but they ought not to be under the necessity of doing so. The judge, being jury as well as judge, ought not to have his attention distracted by the mere manual occupation of noting down evidence; and the authenticity of the evidence ought not to depend upon the notes of counsel, who frequently can only take very loose notes, their attention being required to many other matters. It appears to us, then, quite essential to the successful working of oral examination of witnesses in equity, that the evidence should be correctly taken down in writing by some person engaged in nothing else; the employment of a sworn short-hand writer would, probably, be the best course; but in some way or other an accurate record of the evidence should be preserved, independently of the judge and counsel.

There are many points upon which the act is not explicit. We presume the deficiencies can, and hope they will, be supplied by the General Orders that are to be framed; for if they are not, much doubt and confusion will ensue in practice. For instance, the 1st section, substituting a printed for an ingrossed bill or claim, says nothing about printing any other pleading. Printing the bill, unless the other proceedings may be printed, may turn out to be inconvenient; but unless the General Orders supply the deficiency, there is not enough in the act to enable one to say whether it would be regular to print any other portion of the proceedings except the bill or claim.

Again: as to the form of the bill. The 10th section very materially alters it, and leads one to suppose that it is to be very much what a well-drawn special claim now is; but we are left in the dark as to whether it is still to retain the antique form of a bill of complaint, viz. whether the suppliant is to be perpetually "showing further unto your Lordship," or whether the briefer form of the claim or petition is to be adopted. These things may be trifles, but as the scope of a great part of the act is to prune away useless trifles, and as many of these trifles are things which the draftsman can only take upon himself to despise, at the risk of a contest with the Clerks of Writs and Records, the Registrars, &c.; in fact, at the risk of having his client harassed by objections, and himself treated as a theorist; it will be well that he should be apprised by authority, what he may and what he may not do.

Statute.

CAP. LXXXVI.

An Act to amend the Practice and Course of Proceeding in the High Court of Chancery. [1st July 1852.]

- Sect. 1. *Practice of ingrossing Bills on Parchment discontinued, and a printed Bill to be filed instead.*
2. *Writs of Subpœna and Summons to be abolished.*
3. *Defendants to be served with a printed Bill in lieu of the Writs of Subpœna and Summons.*
4. *The filing and Service of a printed Bill or Claim to have the same Effect as the filing and issuing of Writs of Subpœna and Summons.*
5. *As to Service of printed Bill.*
6. *Written Copies of Bills may be served in certain Cases, upon Plaintiff undertaking to file a printed Copy in fourteen Days.*
7. *Plaintiff to deliver printed Copies of Bill or Claim at Rate prescribed by Lord Chancellor.*
8. *Provisions as to filing &c. Prints of original Bill extended to Amendments. In certain Cases a printed Bill may be wholly or partially amended.*
9. *Power to Lord Chancellor to revive the present Practice as to filing of Bills, &c.*
10. *Bills of Complaint to contain concise Narratives of material Facts, &c., divided into numbered Paragraphs, but not to contain Interrogatories.*
11. *Person whose Name is used as next Friend of any Infant, &c. in any Suit, &c. to sign a written Authority.*
12. *Interrogatories to be filed in Record-office by Plaintiff within Time prescribed.*
13. *Defendants may answer without Leave within the Times now allowed, though not required so to do by Plaintiff; but after that Time Defendant must have Leave.*
14. *Defendant's Answer may contain not only Answer to Interrogatories, but Statements material to his Case.*
15. *Plaintiff may, on Expiry of Time for answering, but before Replication, move for a Decree or decretal Order. Affidavits may be filed.*
16. *Court may refuse or grant such Motion, or make Order for further Prosecution, &c.*
17. *Practice of excepting to Bills, Answers, &c. for Impertinence abolished. Proviso as to Costs.*
18. *Court or Judge may order Defendant to produce Documents, &c. on Oath.*
19. *In certain Cases Defendant, after Answer, may file Interrogatories for Examination of Plaintiff. Defendant may exhibit a Cross Bill instead of filing Interrogatories.*
20. *Upon Application of Defendant after Answer, Plaintiff may be required to produce Documents upon Oath.*
21. *Practice of issuing Commissions to take Answers, &c. within the Jurisdiction of the Court abolished.*
22. *Pleas, Declarations, &c. in Chancery, how to be sworn and taken in Scotland, Ireland, the Channel Islands, &c.*
23. *Penalty for falsely swearing, &c.*
24. *Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.*
25. *Answers, &c. to be filed without Oath of Swearing.*
26. *Issue may be joined by filing Replication as at present.*
27. *Defendant not having been required to answer, and not answering, may move for Dismissal of Bill for Want of Prosecution.*
28. *Practice of Oaths as to, and Mode of examining Witnesses abolished. Court may order particular Witnesses to be examined upon Interrogatories as now practised.*
29. *Plaintiff, where Suits by Bill at issue, may give Notice to Defendant to adduce Evidence orally or by Affidavit.*
30. *Evidence may be taken orally if required, but the Court may in certain Cases make an Order, &c.*
31. *Witnesses to be examined by one of the Examiners of the Courts in the Presence of the Parties.*
32. *Depositions to be taken down in Writing and read over to the Witness, who shall sign the same in Presence of Parties, but if he refuse to sign, Examiner may, and state any special Matter he may think fit.*
33. *If Parties refuse to be sworn or to answer any lawful Questions, the same Course to be pursued as is now adopted. Proviso as to Witness demurring to Questions.*
34. *Original Depositions to be transmitted to the Record-office and filed.*
35. *Commission for Examination of Witnesses dispensed with, and Examiner empowered to administer Oaths.*
36. *Affidavits as to particular Facts, &c. may be used.*
37. *Affidavits to be divided into Paragraphs numbered.*
38. *Evidence, oral or by Affidavit on both Sides, to be closed within Time prescribed by General Order. Witnesses by Affidavit to be subject to oral Cross-examination, and afterwards to Re-examination. Witnesses bound to attend. As to Expenses attending Cross-examinations, &c.*
39. *Court may require the Production and oral Examination before itself of any Witness, &c., and determine Payment of the Costs.*
40. *Any Party in a Cause may by Subpœna require Attendance of any Witness before an Examiner.*
41. *Evidence subsequent to Hearing to be taken the same as prior to Hearing.*
42. *Defendant not to take Objection for Want of Parties in any Cause to which Rules herein set forth shall extend.*
43. *Practice of setting down a Cause on Objection for Want of Parties abolished.*
44. *Court may proceed in any Suit, &c. without Representative of deceased Person, or may appoint one.*
45. *Creditor, &c. may summon Executor, &c. to show Cause why an Order for Administration of Personal Estate should not be granted. Power to Judge to order Administration of such Estate.*
46. *Copy of Summons to be filed in Record-office of Court.*
47. *Creditor, &c. may obtain an Order for Administration of Real Estate.*
48. *Court may direct Sale of mortgaged Property instead of a Foreclosure, on such Terms as it may think fit.*
49. *Suit not to be dismissed for Misjoinder of Plaintiff, but Court may modify its Decree according to special Circumstances.*
50. *No Suit to be objected to because only declaratory Order sought.*
51. *Court may decide between some of the Parties without making others interested Parties to the Suit. Proviso.*

52. *In case of Abatement, &c. of Suit, an Order may be made, which shall have the same Effect as a Bill of Revivor.*
53. *New Facts, &c., after Commencement of Suit, to be introduced as Amendments to Bill, &c.*
54. *Where Account required to be taken, Court may give special Directions as to the Mode of taking same.*
55. *Court may order Real Estate to be sold, if required.*
56. *Before Sale of Estate, Abstract of Title to be laid before some Conveyancing Counsel. Time for Delivery of Abstract to be specified in Conditions of Sale.*
57. *Where Real or Personal Property is the Subject of Proceedings, Court may allow to Parties Part or the Whole of the annual Income.*
58. *Practice as to Injunctions to stay Proceedings at Law to be assimilated to Practice as to special Injunctions.*
59. *Answer of Defendant, on Motion for Injunction or Revivor, &c., to be regarded as an Affidavit.*
60. *In case Directions as to Practice, &c. not followed, Court may make Order and award Costs.*
61. *Court of Chancery not to direct Cases to be stated for Opinions of Court of Common Law, but to decide the same.*
62. *Court may determine legal Title of Party seeking Relief, without requiring Parties to proceed to Law.*
63. *Lord Chancellor and Judges to make General Rules and Orders for carrying Purposes of this Act into Effect.*
64. *Such General Rules and Orders to be laid before Parliament.*
65. *Power to Lord Chancellor to increase Salaries of Examiners. If Examiner decline to continue, Lord Chancellor may order a certain Annuity to be paid to him.*
66. *Construction of Terms.*
67. *Commencement of Act.*

Whereas it is expedient to amend the practice and course of proceeding in the High Court of Chancery: be it enacted &c. as follows:—

Sect. 1. From and after the time hereinafter appointed for the commencement of this act, the practice of ingrossing on parchment bills of complaint or claims to be filed in the said court, and of filing such ingrossment, shall be discontinued; and the Clerks of Records and Writs of the said court shall receive and file a printed bill of complaint or claim, in lieu of an ingrossment thereof, in like manner as they now receive and file such ingrossment.

2. The writ of subpoena to appear to and answer a bill of complaint in the said court, and the writ of summons upon a claim, shall respectively be abolished.

3. In lieu of serving the defendant to a bill of complaint in the said court with a writ of subpoena to appear to and answer the same, and in lieu of serving the defendant to a claim in the said court with a writ of summons upon such claim, in the mode and according to the practice now adopted in the said court with reference to such writs respectively, the defendant shall be served with a printed bill of complaint or claim, with an indorsement thereon, in the form or to the effect set out in the schedule to this act, with such variations as circumstances may require, such printed bill of complaint or claim so to be served being previously stamped with a proper stamp by one of the Clerks of Records and Writs, indicating the filing of such bill of complaint or claim, and the date of the filing thereof.

4. The filing of a printed bill of complaint or claim in the said court shall have the same effect as the filing of a bill of complaint or claim in the same court, and the issuing of a subpoena or writ of summons thereon respectively, now have, and the service upon the defendant of a printed bill of complaint or of a claim so filed, with such indorsement thereon, so stamped as aforesaid, shall have the same effect as the service on him of a writ of subpoena or writ of summons respectively now has, and shall entitle the plaintiff in such suit to such remedies for default of appearance and otherwise as he is now entitled to in case of due and proper service of a subpoena

to appear to and answer a bill of complaint or of a writ of summons upon a claim.

5. The service upon any defendant of a printed copy of a bill of complaint or of a claim in the said court shall be effected in the same manner as service of a writ of subpoena to appear to and answer a bill of complaint is now effected, save only that it shall not be necessary to produce the original bill or claim, which will be on the files of the court; provided that the Court shall be at liberty to direct substituted service of such printed bill or claim, in such manner and in such cases as it shall think fit.

6. Notwithstanding the provisions hereinbefore contained, the Clerks of Records and Writs of the said court may receive and file a written copy of any bill of complaint praying a writ of injunction or a writ of ne exeat regno, or filed for the purpose either solely or among other things of making an infant a ward of the said court, upon the personal undertaking of the plaintiff or his solicitor to file a printed copy of such bill within fourteen days, and every bill of complaint so filed shall be deemed and taken to have been filed at the time of filing the written copy thereof; and a written copy of any such bill of complaint, stamped as aforesaid, and with such indorsement thereon as aforesaid, may be served on any defendant thereto, and such service shall have the same effect as the service of a printed copy.

7. The plaintiff in any suit to be commenced in the said court after the time hereinafter appointed for the commencement of this act shall be bound to deliver to the defendant or his solicitor, upon application for the same, such a number of printed copies of his bill of complaint or claim as he shall have occasion for, upon being paid for the same at such rate as shall be prescribed by any General Order of the Lord Chancellor in that behalf.

8. Upon the amendment of any bill of complaint or claim to be filed in the said court after the time hereinafter appointed for the commencement of this act, the provisions hereinbefore contained with respect to filing and serving and delivering printed copies thereof shall, so far as may be, extend and be applicable to the bill or claim as amended; provided that where, according to the present practice of the said Court, an amendment of a bill or claim may be made without a new ingrossment thereof, or under such other circumstances as shall be prescribed by any General Order of the Lord Chancellor in that behalf, a bill or claim may be wholly or partially amended by written alterations in the printed bill of complaint or claim so to be filed as aforesaid.

9. It shall be lawful for the Lord Chancellor from time to time to make any order or orders directing that the provisions hereinbefore contained as to printing or otherwise shall be discontinued or suspended until further order, and to direct that all or any of the present practice as to the filing of bills and claims, and the issuing and service of subpoenas and writs of summons, may be revived and come into operation as if this act had not passed.

10. Every bill of complaint to be filed in the said court after the time hereinafter appointed for the commencement of this act shall contain as concisely as may be a narrative of the material facts, matters, and circumstances on which the plaintiff relies, such narrative being divided into paragraphs numbered consecutively, and each paragraph containing, as nearly as may be, a separate and distinct statement or allegation, and shall pray specifically for the relief which the plaintiff may conceive himself entitled to, and also for general relief; but such bill of complaint shall not contain any interrogatories for the examination of the defendant.

11. Before the name of any person shall be used in any suit to be instituted in the said court as next friend of any infant, married woman, or other party, or as relator in any information, such person shall sign a written authority to the solicitor for that purpose, and such authority shall be filed with the bill, information, or claim.

12. Within a time to be limited by a General Order of the Lord Chancellor in that behalf, the plaintiff in any suit in the said court commenced by bill may, if he requires an answer from any defendant thereto, file in the record-office of the said court interrogatories for the examination of the defendant or defendants, or such of them from whom he shall require an answer, and deliver to the defendant or defendants so required to answer, or to his or their solicitor, a copy of such interro-

gatories, or of such of them as shall be applicable to the particular defendant or defendants; and no defendant shall be called upon or required to put in any answer to a bill unless interrogatories shall have been so filed, and a copy thereof delivered to him or his solicitor, within the time so to be limited, or within such further time as the Court shall think fit to direct.

13. Whether the plaintiff in any suit in the said court commenced by bill does or does not require any answer from the defendant or any one or more of the defendants to the bill, such defendant or defendants may, without any leave of the Court, put in a plea, answer, or demurrer to the plaintiff's bill within the time now allowed to the defendant for demurring alone to a bill, or within such other time as shall be fixed by any General Order of the Lord Chancellor in that behalf; but after that time a defendant or defendants not required to answer the plaintiff's bill shall not be at liberty to put in a plea, answer, or demurrer to the bill, without leave of the Court; provided that the power of the Court to grant further time for pleading, answering, or demurring to any bill, upon the application of any defendant or defendants thereto, whether required to answer the bill or not, shall remain in full force, and shall not be in anywise prejudiced or affected; provided also, that if the Court shall grant any further time to any defendant for pleading, answering, or demurring to the bill, the plaintiff's right to move for a decree under the provisions herein-after contained shall in the meantime be suspended.

14. The answer of the defendant to any bill of complaint in the said court may contain, not only the answer of the defendant to the interrogatories so filed as aforesaid, but such statements material to the case as the defendant may think it necessary or advisable to set forth therein, and such answer shall also be divided into paragraphs numbered consecutively, each paragraph containing as nearly as may be a separate and distinct statement or allegation.

15. The plaintiff in any suit commenced by bill shall be at liberty, at any time after the time allowed to the defendant for answering the same shall have expired, (but before replication), to move the Court, upon such notice as shall in that behalf be prescribed by any General Order of the Lord Chancellor, for such decree or decretal order as he may think himself entitled to; and the plaintiff and defendant respectively shall be at liberty to file affidavits in support of and in opposition to the motion so to be made, and to use the same on the hearing of such motion; and if such motion shall be made after an answer filed in the cause, the answer shall, for the purposes of the motion, be treated as an affidavit.

16. Upon any such motion for a decree or decretal order it shall be discretionary with the Court to grant or refuse the motion, or to make an order giving such directions for or with respect to the further prosecution of the suit as the circumstances of the case may require, and to make such order as to costs as it may think right.

17. The practice of excepting to bills, answers, and other proceedings in the said court, for impertinence, shall be and the same is hereby abolished: provided always, that it shall be lawful for the Court to direct the costs occasioned by any impertinent matter introduced into any proceeding in the said court to be paid by the party introducing the same, upon application being made to the Court for that purpose.

18. It shall be lawful for the Court, upon the application of the plaintiff in any suit in the said court, whether commenced by bill or by claim, and as to a suit commenced by bill, whether the defendant may or may not have been required to answer the bill, or may or may not have been interrogated as to the possession of documents, to make an order for the production by any defendant, upon oath, of such of the documents in his possession or power relating to matters in question in the suit, as the Court shall think right; and the Court may deal with such documents, when produced, in such manner as shall appear just.

19. It shall be lawful for any defendant in any suit, whether commenced by bill or by claim, but in suits commenced by bill which the defendant is required to answer, not until after he shall have put in a sufficient answer to the bill, and without filing any cross bill of discovery, to file in the record-office of the said court interrogatories for the examination of the plaintiff, to which shall be prefixed a concise statement of the subjects on which a discovery is sought, and to deliver a copy of

such interrogatories to the plaintiff or his solicitor; and such plaintiff shall be bound to answer such interrogatories, in like manner as if the same had been contained in a bill of discovery filed by the defendant against him on the day when such interrogatories shall have been filed, and as if the defendant to such bill of discovery had on the same day duly appeared; and the practice of the Court with reference to excepting to answers for insufficiency, or for scandal, shall extend and be applicable to answers put in to such interrogatories; provided that in determining the materiality or relevancy of any such answer, or of any exception thereto, the Court is to have regard, in suits commenced by bill, to the statements contained in the original bill, and in the answer which may have been put in thereto by the defendant exhibiting such interrogatories for the examination of the plaintiff, and in suits commenced by claim, to the statements therein, and in any affidavits which may have been filed either in support thereof or in opposition thereto; provided also, that a defendant, if he shall think fit so to do, may exhibit a cross bill of discovery against the plaintiff, instead of filing interrogatories for his examination.

20. It shall be lawful for the Court, upon the application of any defendant in any suit, whether commenced by bill or by claim, but as to suits commenced by bill where the defendant is required to answer the plaintiff's bill, not until after he has put in a full and sufficient answer to the bill, unless the Court shall make any order to the contrary, to make an order for the production by the plaintiff in such suit, on oath, of such of the documents in his possession or power relating to the matters in question in the suit, as the Court shall think right; and the Court may deal with such documents, when produced, in such manner as shall appear just.

21. The practice of the said Court, of issuing commissions to take pleas, answers, disclaimers, and examinations in causes and matters pending in the said court shall, with respect to pleas, answers, disclaimers, and examinations taken within the jurisdiction of the Court, be and the same is hereby abolished; and any such plea, answer, disclaimer, or examination may be filed without any further or other formality than is required in the swearing and filing of an affidavit.

22. All pleas, answers, disclaimers, examinations, affidavits, declarations, affirmations, and attestations of honour in causes or matters depending in the High Court of Chancery, and also acknowledgments required for the purpose of inrolling any deed in the said court, shall and may be sworn and taken in Scotland or Ireland, or the Channel Islands, or in any colony, island, plantation, or place under the dominion of her Majesty in foreign parts, before any judge, court, notary public, or person lawfully authorised to administer oaths in such country, colony, plantation, or place respectively, or before any of her Majesty's consuls or vice-consuls in any foreign parts out of her Majesty's dominions; and the judges and other officers of the said Court of Chancery shall take judicial notice of the seal or signature, as the case may be, of any such court, judge, notary public, person, consul, or vice-consul attached, appended, or subscribed to any such pleas, answers, disclaimers, examinations, affidavits, affirmations, attestations of honour, declarations, acknowledgments, or other documents to be used in the said court.

23. All persons swearing, declaring, affirming, or attesting before any person authorised by this act to administer oaths and take declarations, affirmations, or attestations of honour shall be liable to all such penalties, punishments, and consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein as if the matter sworn, declared, affirmed, or attested had been sworn, declared, affirmed, or attested before any court or persons now by law authorised to administer oaths, and take declarations, affirmations, or attestations upon honour.

24. If any person shall forge the signature or the official seal of any such judge, notary public, or other person lawfully authorised to administer oaths under this act, or shall tender in evidence any plea, answer, disclaimer, examination, affidavit, or other judicial or official document, with a false or counterfeit signature or seal of any such judge, court, notary public, or other person authorised as aforesaid attached or appended thereto, knowing the same signature or seal to be false or counterfeit, every such person shall be guilty of felony, and shall be liable to the same punishment as any offender under an act passed in the 8 & 9 Vict., intitled "An Act to faci-

litate the Admission in Evidence of certain official and other Documents."

25. Pleas, answers, disclaimers, or examinations, whether taken by commission out of the jurisdiction of the said Court or otherwise, may be filed without the oath of a messenger, and any alterations made therein previously to the taking thereof shall be authenticated according to the practice now in use with respect to affidavits.

26. In suits in the said court commenced by bill, where notice of motion for a decree or decretal order shall not have been given, or, having been given, where a decree or decretal order shall not have been made thereon, issue shall be joined by filing a replication in the form or to the effect of the replication now in use in the said court; and where a defendant shall not have been required to answer and shall not have answered the plaintiff's bill, he shall be considered to have traversed the case made by the bill.

27. Where a defendant to a suit in the said court commenced by bill shall not have been required to answer the bill, and shall not have answered the same, such defendant shall be at liberty to move to dismiss the bill for want of prosecution, at such times, and under such circumstances, and subject to such restrictions as shall be in that behalf prescribed by any General Order of the Lord Chancellor.

28. The mode of examining witnesses in causes in the said court, and all the practice of the said court in relation thereto, so far as such practice shall be inconsistent with the mode hereinafter prescribed of examining such witnesses, and the practice in relation thereto, shall, from and after the time appointed for the commencement of this act, be abolished: provided always, that the Court may, if it shall think fit, order any particular witness or witnesses within the jurisdiction of the said Court, or any witness or witnesses out of the jurisdiction of the said Court, to be examined upon interrogatories in the mode now practised in the said court, and that with respect to such witness or witnesses the practice of the said Court in relation to the examination of witnesses shall continue in full force, save only so far as the same may be varied by any General Order of the Lord Chancellor in that behalf, or by any order of the Court with reference to any particular case.

29. When any suit commenced by bill shall be at issue, the plaintiff shall, within such time thereafter as shall be prescribed in that behalf by any General Order of the Lord Chancellor, give notice to the defendant that he desires that the evidence to be adduced in the cause shall be taken orally or upon affidavit, as the case may be; and if the plaintiff shall desire the evidence to be adduced upon affidavit, and the defendant, or some or one of the defendants, if more than one, shall not, within such time as shall be prescribed in that behalf by any General Order of the Lord Chancellor, give notice to the plaintiff or his solicitor that he or they desire the evidence to be oral, the plaintiff and defendants respectively shall be at liberty to verify their respective cases by affidavit.

30. When any of the parties to any suit commenced by bill desires that the evidence should be adduced orally, and gives notice thereof to the opposite party, as hereinbefore provided, the same shall be taken orally, in the manner hereinafter provided; provided, that if the evidence be required to be oral merely by a party without a sufficient interest in the matters in question, the Court may, upon application in a summary way, make such order as shall be just.

31. All witnesses to be examined orally, under the provisions of this act, shall be so examined by or before one of the examiners of the court, or by or before an examiner to be specially appointed by the Court, the examiner being furnished by the plaintiff with a copy of the bill, and of the answer, if any, in the cause; and such examination shall take place in the presence of the parties, their counsel, solicitors, or agents, and the witnesses so examined orally shall be subject to cross-examination and re-examination; and such examination, cross-examination, and re-examination shall be conducted, as nearly as may be, in the mode now in use in courts of common law with respect to a witness about to go abroad, and not expected to be present at the trial of a cause.

32. The depositions taken upon any such oral examination as aforesaid shall be taken down in writing by the examiner, not ordinarily by question and answer, but in the form of a narrative, and when completed shall be read over to the wit-

ness, and signed by him in the presence of the parties, or such of them as may think fit to attend: provided always, that in case the witness shall refuse to sign the said depositions, then the examiner shall sign the same, and such examiner may, upon all examinations, state any special matter to the Court as he shall think fit: provided also, that it shall be in the discretion of the examiner to put down any particular question or answer, if there should appear any special reason for doing so; and any question or questions which may be objected to shall be noticed or referred to by the examiner in or upon the depositions, and he shall state his opinion thereon to the counsel, solicitors, or parties, and shall refer to such statement on the face of the depositions, but he shall not have power to decide upon the materiality or relevancy of any question or questions; and the Court shall have power to deal with the costs of immaterial or irrelevant depositions as may be just.

33. If any person produced before any such examiner as a witness shall refuse to be sworn, or to answer any lawful question put to him by the examiner, or by either of the parties, or by his or their counsel, solicitor, or agent, the same course shall be adopted with respect to such witness as is now pursued in the case of a witness produced for examination before an examiner of the said court, upon written interrogatories, and refusing to be sworn, or to answer some lawful question: provided always, that if any witness shall demur or object to any question or questions which may be put to him, the question or questions so put, and the demurrer or objection of the witness thereto, shall be taken down by the examiner, and transmitted by him to the record-office of the said court, to be there filed; and the validity of such demurrer or objection shall be decided by the Court; and the costs of and occasioned by such demurrer or objection shall be in the discretion of the Court.

34. When the examination of witnesses before any examiner shall have been concluded, the original depositions, authenticated by the signature of such examiner, shall be transmitted by him to the record-office of the said court, to be there filed, and any party to the suit may have a copy thereof, or of any part or portion thereof, upon payment for the same in such manner as shall be provided by any General Order of the Lord Chancellor in that behalf.

35. It shall not be necessary to sue out any commission for the examination of any witnesses within the jurisdiction of the said Court; and any examiner appointed by any order of the Court shall have the like power of administering oaths as commissioners now have under commissions issued by the Court for the examination of witnesses.

36. Notwithstanding that the plaintiff or the defendant in any suit in the said court may have elected that the evidence in the cause should be taken orally, affidavits by particular witnesses, or affidavits as to particular facts or circumstances, may, by consent, or by leave of the Court obtained upon notice, be used on the hearing of any cause, and such consent, with the approbation of the Court, may be given by or on the part of married women or infants, or other persons under disability.

37. Every affidavit to be used in the said court shall be divided into paragraphs, and every paragraph shall be numbered consecutively, and, as nearly as may be, shall be confined to a distinct portion of the subject.

38. The evidence on both sides in any suit in the said court, whether taken orally or upon affidavit, shall be closed within such time or respective times after issue joined as shall in that behalf be prescribed by any General Order of the Lord Chancellor, but with power to the Court to enlarge the same as it may see fit; and after the time fixed for closing the evidence, no further evidence, whether oral or by affidavit, shall be receivable, without special leave of the Court previously obtained for that purpose: provided always, that any witness who has made an affidavit filed by any party to a cause shall be subject to oral cross-examination, within such time after the time fixed for closing the evidence as shall be prescribed in that behalf by any order of the Lord Chancellor, by or before an examiner, in the same manner as if the evidence given by him in his affidavit had been given by him orally before the examiner, and after such cross-examination may be re-examined orally, or by or on the part of the party by whom such affidavit was filed; and such witness shall be bound to attend before such examiner to be so cross-examined and re-examined, upon receiving due and proper notice, and payment of his reasonable expenses, in like

manner as if he had been duly served with a writ of subpoena ad testificandum before such examiner; and the expenses attending such cross-examination and re-examination shall be paid by the parties respectively, in like manner as if the witness so to be cross-examined were the witness of the party cross-examining, and shall be deemed costs in the cause of such parties respectively, unless the Court shall think fit otherwise to direct.

39. Upon the hearing of any cause depending in the said court, whether commenced by bill or by claim, the Court, if it shall see fit so to do, may require the production and oral examination before itself of any witness or party in the cause, and may direct the costs of and attending the production and examination of such witness or party to be paid by such of the parties to the suit or in such manner as it may think fit.

40. Any party in any cause or matter depending in the said court may, by a writ of subpoena ad testificandum or duces tecum, require the attendance of any witness before an examiner of the said court, or before an examiner specially appointed for the purpose, and examine such witness orally, for the purpose of using his evidence upon any claim, motion, petition, or other proceeding before the Court, in like manner as such witness would be bound to attend and be examined with a view to the hearing of a cause; and any party having made an affidavit to be used or which shall be used on any claim, motion, petition, or other proceeding before the Court shall be bound, on being served with such writ, to attend before an examiner, for the purpose of being cross-examined: provided always, that the Court shall always have a discretionary power of acting upon such evidence as may be before it at the time, and of making such interim orders, or otherwise, as may appear necessary to meet the justice of the case.

41. In cases where it shall be necessary for any party to any cause depending in the said court to go into evidence subsequently to the hearing of such cause, such evidence shall be taken, as nearly as may be, in the manner heretofore provided with reference to the taking of evidence with a view to such hearing.

42. It shall not be competent to any defendant in any suit in the said court to take any objection for want of parties to such suit, in any case to which the rules next hereinafter set forth extend; and such rules shall be deemed and taken as part of the law and practice of the said Court, and any law or practice of the said Court inconsistent therewith shall be and is hereby abrogated and annulled.

Rule 1. Any residuary legatee or next of kin may, without serving the remaining residuary legatees or next of kin, have a decree for the administration of the personal estate of a deceased person.

Rule 2. Any legatee interested in a legacy charged upon real estate, and any person interested in the proceeds of real estate directed to be sold, may, without serving any other legatee or person interested in the proceeds of the estate, have a decree for the administration of the estate of a deceased person.

Rule 3. Any residuary devisee or heir may, without serving any co-residuary devisee or co-heir, have the like decree.

Rule 4. Any one of several cestui que trust under the deed or instrument may, without serving any other of such cestui que trust, have a decree for the execution of the trusts of the deed or instrument.

Rule 5. In all cases of suits for the protection of property pending litigation, and in all cases in the nature of waste, one person may sue on behalf of himself and of all persons having the same interest.

Rule 6. Any executor, administrator, or trustee may obtain a decree against any one legatee, next of kin, or cestui que trust for the administration of the estate, or the execution of the trusts.

Rule 7. In all the above cases the Court, if it shall see fit, may require any other person or persons to be made a party or parties to the suit, and may, if it shall see fit, give the conduct of the suit to such person as it may deem proper, and may make such order in any particular case as it may deem just for placing the defendant on the record on the same footing in regard to costs as other parties having a common interest with him in the matters in question.

Rule 8. In all the above cases the persons who, according to the present practice of the Court, would be necessary

parties to the suit, shall be served with notice of the decree, and after such notice they shall be bound by the proceedings in the same manner as if they had been originally made parties to the suit, and they may by an order of course have liberty to attend the proceedings under the decree; and any party so served may, within such time as shall in that behalf be prescribed by the General Order of the Lord Chancellor, apply to the Court to add to the decree.

Rule 9. In all suits concerning real or personal estate which is vested in trustees under a will, settlement, or otherwise, such trustees shall represent the persons beneficially interested under the trust, in the same manner and to the same extent as the executors or administrators in suits concerning personal estate represent the persons beneficially interested in such personal estate; and in such cases it shall not be necessary to make the persons beneficially interested under the trusts parties to the suit, but the Court may, upon consideration of the matter, on the hearing, if it shall so think fit, order such persons, or any of them, to be made parties.

43. The practice of the said Court of setting down a cause merely on an objection for want of parties to the suit shall be abolished.

44. If in any suit or other proceeding before the Court it shall appear to the Court that any deceased person who was interested in the matters in question has no legal personal representative, it shall be lawful for the Court either to proceed in the absence of any person representing the estate of such deceased person, or to appoint some person to represent such estate for all the purposes of the suit or other proceeding, on such notice to such person or persons, if any, as the Court shall think fit, either specially or generally by public advertisements; and the order so made by the said Court, and any orders consequent thereon, shall bind the estate of such deceased person in the same manner in every respect as if there had been a duly constituted legal personal representative of such deceased person, and such legal personal representative had been a party to the suit or proceeding, and had duly appeared and submitted his rights and interests to the protection of the Court.

45. It shall be lawful for any person claiming to be a creditor, or a specific pecuniary or residuary legatee, or the next of kin, or some or one of the next of kin, of a deceased person, to apply for and obtain as of course, without bill or claim filed, or any other preliminary proceedings, a summons from the Master of the Rolls or any of the Vice-Chancellors, requiring the executor or administrator, as the case may be, of such deceased person, to attend before him at chambers, for the purpose of showing cause why an order for the administration of the personal estate of the deceased should not be granted; and upon proof by affidavit of the due service of such summons, or on the appearance in person or by his solicitor or counsel of such executor or administrator, and upon proof by affidavit of such other matters, if any, as such judge shall require, it shall be lawful for such judge, if in his discretion he shall think fit so to do, to make the usual order for the administration of the estate of the deceased, with such variations, if any, as the circumstances of the case may require; and the order so made shall have the force and effect of a decree to the like effect made on the hearing of a cause or claim between the same parties; provided that such judge shall have full discretionary power to grant or refuse such order, or to give any special directions touching the carriage or execution of such order, and in the case of applications for any such order by two or more different persons or classes of persons, to grant the same to such one or more of the claimants or of the classes of claimants as he may think fit; and if the judge shall think proper, the carriage of the order may subsequently be given to such party interested, and upon such terms as the judge may direct.

46. A duplicate or copy of such summons shall, previously to the service thereof, be filed in the record-office of the said court; and no service thereof upon any executor or administrator shall be of any validity unless the copy so served shall be stamped with a stamp of such office indicating the filing thereof; and the filing of such summons shall have the same effect with respect to his pendens as the filing of a bill or claim.

47. It shall be lawful for any person claiming to be a creditor of any deceased person, or interested under his will, to

apply for and obtain in a summary way, in the manner hereinbefore provided with respect to the personal estate of a deceased person, an order for the administration of the real estate of a deceased person where the whole of such real estate is by devise vested in trustees who are by the will empowered to sell such real estate, and authorised to give receipts for the rents and profits thereof, and for the produce of the sale of such real estate; and all the provisions hereinbefore contained with respect to the application for such order in relation to the personal estate of a deceased person, and consequent thereon, shall extend and be applicable to an application for such order as last hereinbefore mentioned with respect to real estate.

48. It shall be lawful for the Court in any suit for the foreclosure of the equity of redemption in any mortgaged property, upon the request of the mortgagee, or of any subsequent incumbrancer, or of the mortgagor, or any person claiming under them respectively, to direct a sale of such property, instead of a foreclosure of such equity of redemption, on such terms as the Court may think fit to direct, and if the Court shall so think fit, without previously determining the priorities of incumbrances, or giving the usual or any time to redeem; provided that if such request shall be made by any such subsequent incumbrancer, or by the mortgagor, or by any person claiming under them respectively, the Court shall not direct any such sale, without the consent of the mortgagee or the persons claiming under him, unless the party making such request shall deposit in court a reasonable sum of money, to be fixed by the Court, for the purpose of securing the performance of such terms as the Court may think fit to impose on the party making such request.

49. No suit in the said court shall be dismissed by reason only of the misjoinder of persons as plaintiffs therein, but wherever it shall appear to the Court that, notwithstanding the conflict of interest in the co-plaintiffs, or the want of interest in some of the plaintiffs, or the existence of some ground of defence affecting some or one of the plaintiffs, the plaintiffs, or some or one of them, are or is entitled to relief, the Court shall have power to grant such relief, and to modify its decree, according to the special circumstances of the case, and for that purpose to direct such amendments, if any, as may be necessary, and at the hearing, before such amendments are made, to treat any one or more of the plaintiffs as if he or they were or were a defendant or defendants in the suit, and the remaining or other plaintiff or plaintiffs was or were the only plaintiff or plaintiffs on the record; and where there is a misjoinder of plaintiffs, and the plaintiff having an interest shall have died leaving a plaintiff on the record without an interest, the Court may, at the hearing of the cause, order the cause to stand revived as may appear just, and proceed to a decision of the cause, if it shall see fit, and to give such directions as to costs or otherwise as may appear just and expedient.

50. No suit in the said court shall be open to objection on the ground that a merely declaratory decree or order is sought thereby, and it shall be lawful for the Court to make binding declarations of right without granting consequential relief.

51. It shall be lawful for the Court to adjudicate on questions arising between parties notwithstanding that they may be some only of the parties interested in the property respecting which the question may have arisen, or that the property in question is comprised with other property in the same settlement, will, or other instrument, without making the other parties interested in the property respecting which the question may have arisen, or interested under the same settlement, will, or other instrument, parties to the suit, and without requiring the whole trusts and purposes of the settlement, will, or other instrument to be executed under the direction of the Court, and without taking the accounts of the trustees or other accounting parties, or ascertaining the particulars or amount of the property touching which the question or questions may have arisen: provided always, that if the Court shall be of opinion that the application is fraudulent or collusive, or for some other reason ought not to be entertained, it shall have power to refuse to make the order prayed.

52. Upon any suit in the said court becoming abated by death, marriage, or otherwise, or defective by reason of some change or transmission of interest or liability, it shall not be necessary to exhibit any bill of revivor or supplemental bill in order to obtain the usual order to revive such suit, or the usual or necessary decree or order to carry on the proceedings; but an order to the effect of the usual order to revive or of the

usual supplemental decree may be obtained as of course upon an allegation of the abatement of such suit, or of the same having become defective, and of the change or transmission of interest or liability; and an order so obtained, when served upon the party or parties who according to the present practice of the said Court would be defendant or defendants to the bill of revivor or supplemental bill, shall from the time of such service be binding on such party or parties in the same manner in every respect as if such order had been regularly obtained according to the existing practice of the said Court; and such party or parties shall thenceforth become a party or parties to the suit, and shall be bound to enter an appearance thereto in the office of the Clerks of Records and Writs, within such time and in like manner as if he or they had been duly served with process to appear to a bill of revivor or supplemental bill filed against him; provided that it shall be open to the party or parties so served, within such time after service as shall be in that behalf prescribed by any General Order of the Lord Chancellor, to apply to the Court by motion or petition to discharge such order on any ground which would have been open to him on a bill of revivor or supplemental bill, stating the previous proceedings in the suit, and the alleged change or transmission of interest or liability, and praying the usual relief consequent thereon: provided also, that if any party so served shall be under any disability other than coverture, such order shall be of no force or effect as against such party until a guardian or guardians ad litem shall have been duly appointed for such party, and such time shall have elapsed thereafter as shall be prescribed by any General Order of the Lord Chancellor in that behalf.

53. It shall not be necessary to exhibit any supplemental bill in the said court for the purpose only of stating or putting in issue facts or circumstances which may have occurred after the institution of any suit; but such facts or circumstances may be introduced by way of amendment into the original bill of complaint in the suit if the cause is otherwise in such a state as to allow of an amendment being made in the bill, and if not, the plaintiff shall be at liberty to state such facts or circumstances on the record, in such manner, and subject to such rules and regulations with respect to the proof thereof, and the affording the defendant leave and opportunity of answering and meeting the same, as shall in that behalf be prescribed by any General Order of the Lord Chancellor.

54. It shall be lawful for the Court, in any case where any account is required to be taken, to give such special directions, if any, as it may think fit with respect to the mode in which the account should be taken or vouched, and such special directions may be given either by the decree or order directing such account, or by any subsequent order or orders, upon its appearing to the Court that the circumstances of the case are such as to require such special directions; and particularly it shall be lawful for the Court, in cases where it shall think fit so to do, to direct that in taking the account the books of account in which the accounts required to be taken have been kept, or any of them, shall be taken as *prima facie* evidence of the truth of the matters therein contained, with liberty to the parties interested to take such objections thereto as they may be advised.

55. If, after a suit shall have been instituted in the said court in relation to any real estate, it shall appear to the Court that it will be necessary or expedient that the said real estate, or any part thereof, should be sold for the purposes of such suit, it shall be lawful for the said Court to direct the same to be sold at any time after the institution thereof, and such sale shall be as valid, to all intents and purposes, as if directed to be made by a decree or decretal order on the hearing of such cause; and any party to the suit in possession of such estate, or in receipt of the rents and profits thereof, shall be compelled to deliver up such possession or receipt to the purchaser, or such other person as the Court shall direct.

56. Before any estate or interest shall be put up for sale under a decree or order of the Court of Chancery, an abstract of the title thereto shall, with the approbation of the Court, be laid before some conveyancing counsel, to be approved by the Court, for the opinion of such counsel thereon, to the intent that the said Court may be the better enabled to give such directions as may be necessary respecting the conditions of sale of such estate or interest, and other matters connected with the sale thereof; and when an estate or interest shall be so put up for sale, a time for the delivery of the abstract of

title thereto to the purchaser or his solicitor shall be specified in the said conditions of sale.

57. Where any real or personal property shall form the subject of any proceedings in the Court of Chancery, and the Court shall be satisfied that the same will be more than sufficient to answer all the claims thereon which ought to be provided for in such suit, it shall be lawful for the said Court, at any time after the commencement of such proceedings, to allow to the parties interested therein, or any one or more of them, the whole or part of the annual income of such real property, or a part of such personal property, or a part or the whole of the income thereof, up to such time as the said Court shall direct, and for that purpose to make such orders as may appear to the said Court necessary or expedient.

58. The practice of the Court of Chancery with respect to injunctions for the stay of proceedings at law shall, so far as the nature of the case will admit, be assimilated to the practice of such Court with respect to special injunctions generally, and such injunctions may be granted upon interlocutory applications supported by affidavit, in like manner as other special injunctions are granted by the said Court.

59. Upon application, by motion or petition, to the Court, in any suit depending therein, for an injunction or a receiver, or to dissolve an injunction, or discharge an order appointing a receiver, the answer of the defendant shall, for the purpose of evidence on such motion or petition, be regarded merely as an affidavit of the defendant, and affidavits may be received and read in opposition thereto.

60. In case any of the directions herein contained with respect to the practice and course of proceeding in the said Court of Chancery shall by mistake of parties fail to be followed in any suit or proceeding in the said court, it shall be lawful for the said Court, if it shall think fit, upon payment of such costs as such Court shall direct, to make such order giving effect to and rectifying such proceedings as may be justified by the merits of the case.

61. It shall not be lawful for the said Court of Chancery, in any cause or matter, to direct a case to be stated for the opinion of any Court of common law, but the said Court of Chancery shall have full power to determine any questions of law which in the judgment of the said Court of Chancery shall be necessary to be decided previously to the decision of the equitable question at issue between the parties.

62. In cases where, according to the present practice of the Court of Chancery, such Court declines to grant equitable relief until the legal title or right of the party or parties seeking such relief shall have been established in a proceeding at law, the said Court may itself determine such title or right without requiring the parties to proceed at law to establish the same.

63. The Lord Chancellor, with the advice and assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal of Chancery, and the Vice-Chancellors, or any three of them, may and they are hereby required from time to time to make General Rules and Orders for carrying the purposes of this act into effect, and for regulating the times and form and mode of procedure, and generally the practice of the said Court, in respect of the matters to which this act relates, and for regulating the fees and allowances to all officers of the said Court and solicitors thereof in respect to such matters, and so far as may be found expedient for altering the course of proceeding hereinbefore prescribed in respect to the matters to which this act relates, or any of them; and such rules and orders may from time to time be rescinded or altered by the like authority; and all such rules and orders shall take effect as General Orders of the said Court.

64. All General Rules and Orders of the Lord Chancellor, with such advice and assistance as aforesaid, shall immediately after the making and issuing thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, within five days after the next meeting thereof: provided always, that if either of the Houses of Parliament shall, by any resolution passed within thirty-six days after such rules or orders have been laid before such Houses of Parliament, resolve that the whole or any part of such rules or orders ought not to continue in force, in such case the whole, or such part thereof as shall be so included in such resolution, shall, from and after such resolution, cease to be binding.

65. And whereas the present examiners of the Court have been heretofore appointed for the purpose only of taking the

depositions of witnesses in private, and upon written interrogatories prepared by counsel; and whereas the public examination of witnesses orally, under the provisions of this act, will materially alter the nature of the duties and increase the responsibility of the said examiners: be it therefore enacted, that it shall be lawful for the Lord Chancellor, and he is hereby empowered, to order and direct a sum to be paid to each of the said examiners, out of the fund intitled "The Sutors Fee Fund," from and after the 1st November, 1852, such a sum as shall together with the sums now payable make up the annual sum of 1500*l.*: provided always, that if either of the present examiners should feel himself unable or should decline to continue his services in the same office upon the conditions provided under this act, it shall be lawful for the Lord Chancellor to order to be paid to such examiner retiring an annuity of an amount not exceeding three-fourths of the salary which he has hitherto received.

66. In the construction of this act the words "bill of complaint" shall mean also and include information; the word "affidavit" shall mean also and include affirmation; the expression "Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners of the Great Seal of the United Kingdom for the time being; and the expression "General Order of the Lord Chancellor" shall mean General Order of the Lord Chancellor with such advice and assistance as aforesaid.

67. This act shall commence and take effect from and after the 1st November, 1852; provided that it shall be lawful for the Lord Chancellor, with such advice and assistance as aforesaid, to make and issue any such General Rules or Orders as aforesaid at any time after the passing of this act, so as the same be not made to take effect before the time appointed for the commencement of this act.

SCHEDULE.

Form of Indorsement on Bill of Complaint.

Victoria R.

To the within-named defendant C. D., greeting.

We command you, ["and every of you," *where there is more than one defendant*], that within eight days after service hereof on you, exclusive of the day of such service, you cause an appearance to be entered for you in our High Court of Chancery to the within bill of complaint of the within-named A. B., and that you observe what our said Court shall direct. Witness ourself at Westminster, the — day of —, in the — year of our reign.

Note.—If you fail to comply with the above directions you will be liable to be arrested and imprisoned. Appearances are to be entered at the Record and Writ Clerks Office, Chancery-lane, London.

Form of Indorsement on Claim.

Victoria R.

To the within-named defendant C. D., greeting.

We command you, ["and every of you," *where there is more than one defendant*], that within eight days after service hereof on you, exclusive of the day of such service, you cause an appearance to be entered for you in our High Court of Chancery to the within claim of the within-named A. B.; and further, that on the fourteenth day after the service hereof, or on the seal or motion day then next following, you do personally or by counsel appear in the court of our Lord Chancellor before the Vice-Chancellor, [*naming him*], [*or, in the court of our Master of the Rolls*], at ten of the clock in the forenoon, and then and there shew cause if you can why the said A. B. should not have such relief against you as is within claimed, or why such order as shall be just with reference to the claim should not be made. Witness ourself at Westminster, the — day of —, in the — year of our reign.

Note.—Appearances are to be entered at the Record and Writ Clerks Office, Chancery-lane, London; and if you neglect to enter your appearance, and either personally or by your counsel to appear in the High Court of Chancery at the place and on the day and hour above mentioned, you will be subject to such order as the Court may think fit to make against you in your absence for payment or satisfaction of the said claim, or as the nature and circumstances of the case may require.

London Gazettes.

FRIDAY, JULY 9.

BANKRUPTS.

- THOMAS WEBBER RICHARDS**, Goswell-road, Middlesex, linendrapery, dealer and chapman, July 17 and Aug. 18 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hardwick & Co., Weavers'-hall, Basinghall-street.—Petition filed July 3.
- WILLIAM SCOTT**, Percival-street, Clerkenwell, Middlesex, clock and clock-case maker, dealer and chapman, July 20 at half-past 1, and Aug. 23 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Buchanan, 8, Basinghall-st.—Petition filed July 5.
- JOSIAH PERRY** and **WILLIAM KNIGHT BROADHURST**, Penton, Stoke-upon-Trent, Staffordshire, earthenware manufacturers, July 19 and Aug. 9 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. W. & E. Clarke, Longton, Staffordshire; Motteram & Co., Birmingham.—Petition dated June 29.
- HENRY JACKAMAN**, Birmingham, builder, July 20 and Aug. 19 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Hodgson, Birmingham.—Petition dated July 5.
- CHARLES BELTON**, Birmingham, chemist and druggist, July 20 and Aug. 19 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Christian & Jones, Liverpool; Hodgson, Birmingham.—Petition dated July 3.
- ANN HASWELL**, Bath, Somersetshire, milliner, dealer and chapwoman, July 20 and Aug. 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Hellings, Bath.—Petition filed June 29.
- GEORGE SMITH**, Leeds, Yorkshire, flax spinner and patent thread maker, dealer and chapman, July 29 and Aug. 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Shackleton, Leeds.—Petition dated July 6.
- JAMES WOODHOUSE SPIVEY**, now or late of Huddersfield, Yorkshire, cloth merchant, dealer and chapman, Aug. 3 at 12, and Aug. 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds.—Petition dated July 1.
- ROBERT PACE** the elder, Liverpool, shipowner, Aug. 2 and 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Harvey & Co., Liverpool.—Petition filed May 4.
- JOHN TIMOTHY**, Liverpool, flour and provender dealer, baker, and beer-house keeper, July 21 and Aug. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Taylor, Liverpool.—Petition filed July 6.
- JULIUS HARRIS**, Liverpool, jeweller, dealer and chapman, July 21 and Aug. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Dodge, Liverpool.—Petition filed July 6.
- SAMUEL PADGET**, Preston, Lancashire, draper, dealer and chapman, July 23 and Aug. 13 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Sale & Co., Manchester.—Petition filed July 1.

MEETINGS.

William Henry Bridge the younger, Warnborough, near Odiham, Hampshire, butcher, July 19 at half-past 11, Court of Bankruptcy, London, and ac.—*Adolf Heilbrons* and *J. Harrison*, Great St. Helen's, London, drysalers, July 22 at half-past 11, Court of Bankruptcy, London, and ac.—*Thos. Harris* and *John Burls*, Eagle Brewery, Hampstead-road, Middlesex, brewers, July 22 at 12, Court of Bankruptcy, London, and ac.—*Robert White*, Gloucester-street, Curtain-road, and *John Bowler*, Wilkes-st., Spitalfields, Middlesex, scaleboard cutters, July 19 at half-past 11, Court of Bankruptcy, London, and ac.—*Henry Brett*, Portsea, Southampton, grocer, July 22 at 1, Court of Bankruptcy, London, and ac.—*Francis Sadler*, Fors-st., London, furnishing undertaker, July 19 at 12, Court of Bankruptcy, London, and ac.—*Diadrich Carsten Hermann Lomer*, London-st., London, merchant, July 19 at half-past 12, Court of Bankruptcy, London, and ac.—*Thos. Lord*, Ashton-under-Lyne, Lancashire, boot maker, July 27 at 12, District Court of Bankruptcy, Manchester, and ac.; Aug. 3 at 12, div.—*John Greenhalgh*,

Radcliffe-bridge, Lancashire, draper, July 27 at 12, District Court of Bankruptcy, Manchester, and ac.; Aug. 3 at 12, div.—*Daniel Jas. Field* and *Boulton Molineaux* the younger, Manchester, corn dealers, July 27 at 12, District Court of Bankruptcy, Manchester, and ac. joint est. and sep. est.; Aug. 3 at 12, div. sep. est. of *Boulton Molineaux* the younger.—*Thos. Dalton*, Coventry, silk dyer, July 29 at half-past 11, District Court of Bankruptcy, Birmingham, and ac. and fin. div.—*Edward Tinsley*, Cradley-heath, Rowley Regis, Staffordshire, cooper, Aug. 3 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.; Aug. 11 at half-past 11, div.—*Philip Hitchmough*, Liverpool, corn dealer, July 19 at 11, District Court of Bankruptcy, Liverpool, and ac.—*William Aisop Massey*, Liverpool, licensed victualler, July 19 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Patrick Beirne*, Liverpool, tailor, July 19 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Richard Middleton Lloyd*, Wrexham, Denbighshire, banker, July 26 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Edward Hindley*, Liverpool, coal merchant, July 19 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Charles Ward*, Liverpool, miller, July 22 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thos. Hughes*, Liverpool, woollendrapery, July 22 at 12, District Court of Bankruptcy, Liverpool, and ac.—*Charles Edwin Wilson* and *Henry Wilson*, Rhosymedre, and Cefn Maur, Denbighshire, grocers, July 22 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Jesse Wilkinson*, Lindley, Huddersfield, Yorkshire, woollen cloth manufacturer, July 22 at 11, District Court of Bankruptcy, Leeds, and ac.—*Joseph Wood Ackroyd*, Bradford, Yorkshire, worsted spinner, July 22 at 11, District Court of Bankruptcy, Leeds, and ac.—*Wm. Starkey*, Huddersfield, Yorkshire, woolstapler, July 22 at 11, District Court of Bankruptcy, Leeds, and ac.—*James Ackroyd*, Bailley, Yorkshire, carpenter, July 22 at 10, District Court of Bankruptcy, Leeds, and ac.—*Richard Pope* and *John Buckingham Pope*, Adelaide-place, London-bridge, London, and Craggleton, Yorkshire, brick manufacturers, July 30 at half-past 1, Court of Bankruptcy, London, div.—*John Douglas Cooper* and *Chas. Kelley Cooper*, Woodcaves, Tippington, Derbyshire, cotton spinners, July 30 at half-past 1, Court of Bankruptcy, London, fin. div. sep. est. of *John Douglas Cooper*.—*George Turnbull*, Coxhoe, Durham, draper, Aug. 3 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*William Byrom*, *Henry Taylor*, and *Thomas Byrom*, Manchester, Liverpool, and Wigan, Lancashire, coal proprietors, July 30 at 12, District Court of Bankruptcy, Manchester, div.—*William Belshaw*, Ancoats, Manchester, joiner, Aug. 3 at 12, District Court of Bankruptcy, Manchester, div.—*John Ridgway*, Liverpool, merchant, July 30 at 11, District Court of Bankruptcy, Liverpool, div.—*John Winder* and *Rich. Fishers*, Liverpool, merchants, July 30 at 11, District Court of Bankruptcy, Liverpool, fin. div.—*John James* and *Wm. Seddon*, Liverpool, shipbuilders, (carrying on trade with *John Allen James*, a minor, under the firm of James and Seddon), July 30 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *John Allen James*.—*Charles Frederick Carne* and *Maurice Telo*, Liverpool, merchants, July 30 at 11, District Court of Bankruptcy, Liverpool, fin. div.—*Robert Welsh*, Huddersfield, Yorkshire, woollen cloth merchant, July 30 at 11, District Court of Bankruptcy, Leeds, div.—*John Firth*, Leeds, Yorkshire, linendrapery, July 30 at 11, District Court of Bankruptcy, Leeds, div.—*John Oyston*, Wakefield, Yorkshire, linendrapery, July 30 at 11, District Court of Bankruptcy, Leeds, div.—*Labon Longley* the elder, *Benjamin Longley*, *Labon Longley* the younger, and *Joseph Longley*, Aldmond-bury, near Huddersfield, Yorkshire, woollen manufacturers, July 30 at 11, District Court of Bankruptcy, Leeds, div.—*James Sykes* and *Thomas Sykes*, Soyland, Halifax, Yorkshire, woollen manufacturers, July 30 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Gullick, Yalding, Kent, licensed common brewer, July 30 at half-past 11, Court of Bankruptcy, London.—*Charles W. Woodworth*, Liverpool, licensed victualler, July 30 at 11, District Court of Bankruptcy, Liverpool.—*Hiram Broadbent*, Dakinfield, Cheshire, grocer, July 30 at 11, District Court of Bankruptcy, Manchester.—*John Oyston*, Wake-

field, Yorkshire, linendraper, July 30 at 11, District Court of Bankruptcy, Leeds. — *John Matthew Healey*, Dewsbury, Yorkshire, draper, July 30 at 11, District Court of Bankruptcy, Leeds. — *James Thomas Woodhouse*, Leominster, Herefordshire, scrivener, Aug. 2 at half-past 10, District Court of Bankruptcy, Birmingham. — *James Banister*, Birmingham, brass founder, Aug. 2 at half-past 10, District Court of Bankruptcy, Birmingham.

SCOTCH SEQUESTRATIONS.

John Mc Clumpna & Son, Edinburgh, tailors. — *Charles John Pullar*, Glasgow, ham curer. — *James Scott*, Gourrock, innkeeper. — *John Hutton*, Edinburgh, fisher. — *David Thomson*, Shalloch-mill, near Girvan, Ayrshire, miller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Drake, Cowlinge, Suffolk, butcher, July 20 at 11, County Court of Suffolk, at Haverhill. — *George Dickie*, Liverpool, butcher, July 19 at 10, County Court of Lancashire, at Liverpool. — *William Bonner*, King's Lynn, Norfolk, merchant, July 21 at 4, County Court of Norfolk, at King's Lynn. — *Wm. Miller*, Castleacre, Norfolk, blacksmith, July 21 at 4, County Court of Norfolk, at King's Lynn. — *J. Long*, Bristol, marble mason, July 14 at 11, County Court of Gloucestershire, at Bristol. — *J. G. Bindon*, Bristol, grocer, July 14 at 11, County Court of Gloucestershire, at Bristol. — *John Mahlacc Dodds*, Newcastle-upon-Tyne, painter, July 28 at 10, County Court of Northumberland, at Newcastle-upon-Tyne. — *Thomas Nickless*, Oldbury, Worcestershire, collier, July 24 at 2, County Court of Staffordshire, at Oldbury. — *T. Timmins*, Oldbury, Worcestershire, boat loader, July 24 at 2, County Court of Staffordshire, at Oldbury. — *Henry Jones*, Bristol, manager to a bread and biscuit baker, July 14 at 11, County Court of Gloucestershire, at Bristol. — *Jas. Spurvey*, Bristol, bread and biscuit baker, Aug. 25 at 11, County Court of Gloucestershire, at Bristol. — *Isaac Pritchard*, Walsall, Staffordshire, fishmonger, July 29 at 12, County Court of Staffordshire, at Walsall. — *Charles Dixon*, Walsall, Staffordshire, shoe manufacturer, July 29 at 12, County Court of Staffordshire, at Walsall. — *Humphrey Gims*, Pipwell, Northamptonshire, farmer, July 23 at 10, County Court of Northamptonshire, at Kettering.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 23 at 10, before Mr. Commissioner LAW.

Richard H. Morgan, Bath-place, Old-street, Shoreditch, Middlesex, barman to a licensed victualler.

July 24 at 11, before Mr. Commissioner PHILLIPS.

Wm. James Hutton, Ordnance-terrace, St. John's-wood, Middlesex, bookseller.

July 26 at 10, before Mr. Commissioner LAW.

James Allen, Newnham-street, Queen-street, Edgware-rd., Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 23 at 11, before the CHIEF COMMISSIONER.

John Benton, Acton-street, Gray's-inn-road, Middlesex, in no employment.

July 23 at 10, before Mr. Commissioner LAW.

John Goodwin, Godstone, Surrey, grocer. — *George Hall Buckton*, Holles-street, Cavendish-square, Middlesex, lodging-house keeper.

July 24 at 11, before Mr. Commissioner PHILLIPS.

Alex. John Wallace, Queen-street, Golden-square, Middlesex. — *Wm. H. W. Calder*, Leatherhead, Surrey, not in any employment.

July 26 at 11, before Mr. Commissioner PHILLIPS.

Henry Reid, Cheyne-barrace, Manor-street, Chelsea, Middlesex, pianoforte case maker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at BRISTOL, July 28 at 11.

Joseph Harford, Bristol, out of business.

At the County Court of Carnarvonshire, at CARNARVON, July 28 at 10.

David Thomas, Bangor, coal merchant.

At the County Court of Norfolk, at the Guildhall, NORWICH, July 30 at 10.

Samuel S. Abrahams, Norwich, watchmaker.

TUESDAY, JULY 13.

BANKRUPTCY.

CHARLES EDWARD BINGHAM, Mount-street, Grosvenor-square, Middlesex, printer, newspaper agent, dealer and chapman, July 21 at 1, and Aug. 25 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Marrough, 5, New-inn, Strand.—Petition filed July 2.

SAMUEL MITCHELL, Waterloo House, Stepney-gate, Commercial-road East, Middlesex, boot and shoe maker, dealer and chapman, July 28 at 1, and Aug. 23 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Miller & Horn, 78, King William-street, City.—Petition filed July 3.

GEORGE EDWARD HIRST, Halifax, Yorkshire, cloth merchant, dealer and chapman, July 29 and Aug. 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. G. & G. H. Edwards, Halifax; Bond & Barwick, Leeds.—Petition dated July 5.

ROBERT PEARCE STEPHENS, Liverpool, shipowner, dealer and chapman, July 28 and Aug. 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Thompson, Liverpool.—Petition filed July 6.

JAMES BUCK, Manchester, engraver and printer, July 26 and Aug. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Vickers & Diggles, Manchester.—Petition filed July 10.

MEETINGS.

Thomas C. Jones, Blackfriars-road, Surrey, linendraper, July 23 at 12, Court of Bankruptcy, London, pr. d.—*Hell Taylor*, Irwell-terrace, Waterfoot, near Newchurch, Lancashire, coal dealer, July 24 at 11, District Court of Bankruptcy, Manchester, ch. ass.—*Robert Brierley*, Rochdale, Lancashire, innkeeper, July 24 at 11, District Court of Bankruptcy, Manchester, last ex.—*Chas. F. Carne* and *M. Tho.*, Liverpool, merchants, July 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. James* and *W. Seddon*, Liverpool, shipbuilders, (carrying on business in partnership with *John Allen James*, a minor), July 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *J. A. James*.—*J. Ridgway*, Liverpool, merchant, July 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Winder* and *Richard Fisher*, Liverpool, merchants, July 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Byrom*, *Henry Taylor*, and *Thomas Byrom*, Manchester, Liverpool, and Wigan, Lancashire, coal proprietors, July 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*H. G. Stahschmidt*, Fenchurch-street, London, merchant, Aug. 3 at half-past 12, Court of Bankruptcy, London, div.—*Hugh Dixon* and *L. Dixon*, Liverpool, merchants, Aug. 2 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *H. Dixon*.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Jas. Emmins, Princess-road, Notting-hill, Middlesex, bricklayer, Aug. 4 at 1, Court of Bankruptcy, London.—*James Laing*, Southampton, coal merchant, Aug. 4 at 12, Court of Bankruptcy, London.—*Wm. Hoblyn*, Cambridge, surgeon, Aug. 3 at half-past 12, Court of Bankruptcy, London.—*F. P. Hoblyn*, Cambridge, surgeon, Aug. 3 at half-past 12, Court of Bankruptcy, London.—*Henry Banks*, Bethnal-green-road, Middlesex, carpenter, Aug. 3 at 1, Court of Bankruptcy, London.—*Francis Sadler*, Fore-street, London, furnishing undertaker, Aug. 5 at half-past 12, Court of Bankruptcy,

London.—*Henry Bridges*, Canterbury, Kent, licensed victualler, Aug. 5 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

John George Lacy, Great St. Helen's, London, gun manufacturer.—*William Buchanan*, Gerard-street, Soho, Middlesex, picture dealer.—*Thomas Buxton Barnes*, Thaxted, Essex, surgeon.—*Thomas Wakefield*, Cadogan-place, and Halkin-terrace, Chelsea, Middlesex, silk mercer.—*Frederick Winch*, Margate, Kent, tailor.—*John Slater Marshall*, Goswell-road, Clerkenwell, Middlesex, shoe dealer.—*Joseph Wood Achroyd*, Bradford, Yorkshire, worsted spinner.—*John Scora*, Pontefract, Yorkshire, seed merchant.—*Benjamin Crossland*, Fenay-bridge, near Huddersfield, Yorkshire, head knitter.—*Isaac Normington*, Bradford, Yorkshire, stuff manufacturer.—*John Child*, Wakefield, Yorkshire, railway contractor.—*James Bertram*, Sheffield, Yorkshire, ironmonger.

PETITION ANNULLLED.

Alex. Fenton, Coventry-street, Haymarket, St. James's, Westminster, Middlesex, stationer.

SCOTCH SEQUESTRATIONS.

William M'Neil, Glasgow, shoe manufacturer.—*Alexander M'Gregor*, Dall, Rannoch, Perthshire, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Michael Hoyme, Birkenhead, Cheshire, dealer in wine, July 23 at 10, County Court of Cheshire, at Birkenhead.—*William Atkinson*, Clayton, Bradford, Yorkshire, out of business, July 27 at 11, County Court of Yorkshire, at Bradford.—*Charles Parratt*, Manningham, Bradford, Yorkshire, shoemaker, July 27 at 11, County Court of Yorkshire, at Bradford.—*Matthew Morton*, Bradford, Yorkshire, shopkeeper, July 27 at 11, County Court of Yorkshire, at Bradford.—*John Blaymires*, Bradford, Yorkshire, quarryman, July 27 at 11, County Court of Yorkshire, at Bradford.—*George Hodgson Roberts*, Bowing, near Bradford, Yorkshire, millwright, July 27 at 11, County Court of Yorkshire, at Bradford.—*Joseph Core*, Bradford, Yorkshire, grocer, July 27 at 11, County Court of Yorkshire, at Bradford.—*John Collins*, Harleston, Norfolk, cordwainer, July 19 at 1, County Court of Norfolk, at Harleston.—*Abraham Warren*, Bury St. Edmund's, Suffolk, baker, July 26 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Benjamin Smith*, Sutton-bridge, Sutton St. Mary, Lincolnshire, beer-house keeper, Aug. 12 at 11, County Court of Lincolnshire, at Holbeach.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 27 at 11, before Mr. Commissioner PHILLIPS.

Henry Arnold Heath, Vauxhall-street, Lambeth, Surrey, baker.—*William Joseph Edwards*, Northampton-place, St. John-street, Middlesex, clerk in the Money Order-office, General Post-office.

July 28 at 11, before the CHIEF COMMISSIONER.

Robert Asker Snow, Southampton-place, Southampton-st., Camberwell, Surrey, printer.—*Henry Dalton*, Churton-st., Pimlico, Middlesex, assistant to a draper.—*George William Neales*, Stucley-terrace, Camden-town, Middlesex, upholsterer.—*Herbert Salmon*, Watling-st., London, coffee-house keeper.—*Wm. Scarlett*, Sparrow-corner, Minories, London, butcher.

July 28 at 10, before Mr. Commissioner LAW.

John Carborn Barr, Old Bailey, London, hatter.—*Francis James Wheeler*, Trinity-street, Newington, Surrey, out of business.

July 29 at 11, before Mr. Commissioner PHILLIPS.

John Gerratt, Aldous-terrace, Hemingford-road, Islington, Middlesex, butcher.—*Wm. Standish*, Queen's-terrace, Marlborough-road, Brompton, Middlesex, artist.

Saturday, July 16.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Job Ross, Stanningley, near Bradford, Yorkshire, clothier, No. 75,093 C.; *Carl Wilhelm Crudelius*, assignee.—*Alas. Johnston*, Stroud, Gloucestershire, draper, No. 75,122 C.; *Jas. Thompson*, assignee.—*Wm. Parmenter*, Norwich, corn merchant, No. 75,207 C.; the Rev. Samuel Rees, assignee.—*Wm. Burnley Holdsworth*, Birstall, near Leeds, Yorkshire, shoemaker, No. 75,225 C.; *Joseph Preston*, assignee.—*Wm. Cooper Robinson*, York, attorney-at-law, No. 75,254 C.; *T. Feetham and Robert Wells*, assignees.—*Peter M'Clean*, Newton Heath, near Manchester, blacksmith, No. 69,989 C.; *Jas. Pickles*, assignee.

Saturday, July 10.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Fuller Coker, South Molton-street, Oxford-st., Middlesex, surveyor: in the Queen's Prison.—*Samuel Mitchell*, Waterloo House, Stepney-gate, Commercial-road East, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Chas. De Thomas*, Clapham-road-place, Clapham-road, Surrey, perfumer: in the Queen's Prison.—*Etienne Aujard*, Great Castle-street, Regent-st., Middlesex, perfumer: in the Debtors Prison for London and Middlesex.—*Frederick Coventry*, Swan-place, Old Kent-road, Sazrey, builder: in the Gaol of Horse-monger-lane.—*Lodewyk Havokes*, Cross-lane, Eastcheap, London, provision merchant: in the Debtors Prison for London and Middlesex.—*Thos. Terry*, Cross-lane, Eastcheap, London, provision merchant: in the Debtors Prison for London and Middlesex.—*Jas. Hobbs* the younger, King-st., Lee-st., Kingsland-road, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Henry Bailes*, Tottenham-st., Tottenham-ocurb-road, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Jas. Cannon*, South Lambeth-place, South Lambeth, Surrey, lieutenant on half-pay: in the Gaol of Horse-monger-lane.—*John Hare Welsh*, Wellington-place, Poplar, Middlesex, attorney: in the Debtors Prison for London and Middlesex.—*Alexander Reid*, Thames-parade, Thames-bank, Pimlico, Middlesex, merchant's clerk: in the Debtors Prison for London and Middlesex.—*Frederick Vaudrey*, Wilson-st., Gray's-inn-road, Middlesex, out of business: in the Queen's Prison.—*Wm. Byford*, Wilderess-lane, Salisbury-square, Fleet-st., London, publican: in the Debtors Prison for London and Middlesex.—*John Brookes*, Brynbo, Wrexham, Denbighshire, accountant: in the Gaol of Rathin.—*George Brooker*, Cambridge, confectioner: in the Gaol of Cambridge.—*Richard Kenney Day*, Plaistow, Essex, publisher: in the Gaol of Springfield.—*John Heslop*, Shotley Bridge, Durham, builder: in the Gaol of Newcastle-upon-Tyne.—*John P. Jarvis*, Barking, Essex, licensed victualler: in the Gaol of Springfield.—*George Pringle*, Sunderland, Durham, dining-rooms keeper: in the Gaol of Durham.—*John Thomas*, Pontypridd, Glamorganshire, mineral surveyor: in the Gaol of Cardiff.—*Wm. Williams*, Merthyr Tydvil, Glamorganshire, butcher: in the Gaol of Cardiff.—*George Donovan*, Kingston-upon-Hull, provision merchant: in the Gaol of Kingston-upon-Hull.—*Michael Hutkinson*, Sizergh, near Milnthorpe, Westmoreland, licensed victualler: in the Gaol of Lancaster.—*Richard Hailwood*, Hulme, Manchester, dealer in ale: in the Gaol of Lancaster.—*Robert Wake*, Brompton, Middlesex, commission agent: in the Gaol of Kingston-upon-Hull.—*G. Bainbridge*, North Hylton, Durham, shipowner: in the Gaol of Durham.—*George Stead*, Leeds, Yorkshire, butcher: in the Gaol of York.—*James Barnes*, Great Yarmouth, Norfolk, licensed victualler: in the Gaol of Norwich.—*Wm. Horobin*, Chorlton-upon-Medlock, Manchester, baker: in the Gaol of Lancaster.—*James Seddon*, Stretford, near Manchester, shoemaker: in the Gaol of Lancaster.—*Roger Coupe*, Goosnargh, near Preston, Lancashire, farmer: in the Gaol of Lancaster.—*Joseph Davis*, Bristol, licensed victualler: in the Gaol of Bristol.—*Edward Hancock*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Wm. Jackson*, Liverpool, commercial traveller: in the Gaol of Lancaster.—*Samuel Morley*, Chorlton-upon-Medlock, Manchester, locksmith: in the Gaol

of Lancaster.—*Stephen Pearson*, Manchester, stage-coach driver: in the Gaol of Lancaster.—*Abraham Saxon*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 27 at 11, before the CHIEF COMMISSIONER.

George Burdis the younger, Arbour-square, Stepney, Middlesex, coal merchant.—*Wm. Reed*, Webber-st., Blackfriars-road, Surrey, out of business.—*John Wretton*, North-street, Moorfields, London, carpenter.

July 27 at 11, before Mr. Commissioner PHILLIPS.

Henry Rice, Percy-circus, Clerkenwell, Middlesex, manufacturer of fancy lace goods.—*Robert Webb*, Maccolesfield-st., Soho, Middlesex, jeweller.—*Charles Patterson*, Stratford New-town, Essex, carpenter.

July 28 at 10, before Mr. Commissioner LAW.

Edwin A. Estall, Wilton-terrace, New North-road, Islington, Middlesex, builder.—*Albert D. Bottomley*, Lewisham, Kent, Custom-house broker.

July 29 at 11, before Mr. Commissioner PHILLIPS.

Wm. Cooper, Blackfriars-road, Surrey, common brewer.—*Jasper G. Coe*, Loughborough-street, Upper Kennington-lane, Surrey, carpenter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE, July 28 at 10.

John Heslop, Shotley Bridge, builder.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, July 30 at 10.

James Barnes, Great Yarmouth, licensed victualler.—*Geo. Ellett*, Great Yarmouth, out of business.—*W. Goldspink*, Fulham, St. Mary Magdalen, cattle dealer.

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LONDON, JULY 24, 1852.

LORD LANGDALE, in 1847, stated the rule as to a wife's equity to a settlement thus:—"When a husband applies for payment of money, either principal or interest, to which he is entitled in right of his wife, the first questions are, whether the money for which he asks is subject to any settlement already made, and if not, whether the wife consents to the payment desired being made to her husband; if she does not, the next question is, what settlement should be made, and, if necessary, it is referred to the Master to inquire into the subject. Except under special circumstances, she has not been held entitled to have the whole of the capital fund settled upon herself and her children, or to have the whole of her income secured to be paid to herself alone, wholly excluding the husband; and there may be cases in which she may not be held entitled to have any settlement made of the particular fund in question. The amount or proportion of the sum to be settled or secured is not subject to any fixed rule, although it seems not unusual to agree to a certain proportion." (*Wilkinson v. Charlesworth*, 10 Beav. 326). In a previous case, (*Brett v. Greenwell*, 3 Y. & C. 230), the husband being insolvent, and no settlement having ever been made upon the wife, the whole of the fund was ordered to be applied for the benefit of the wife and her children. The amount of the fund is not stated in the

report of that case. In *Foden v. Finney*, (4 Russ. 428), on the other hand, although there was the special circumstance that the husband had deserted the wife, the whole of the fund, amounting only to 84*l.* 8*s.* 9*d.*, was ordered to be paid to the husband. Moreover, in *Napier v. Napier*, (1 Dru. & W. 407), Lord St. Leonard's disapproved of *Brett v. Greenwell*, saying that he thought it could not be supported; and he directed part of a fund of 1000*l.* to be settled on the wife, and the rest to be given to the assignees of the insolvent husband; and there being in the wife's favour the circumstance, that the husband had previously received 1500*l.* in her right, his Lordship directed the larger proportion to be given to her, dividing the fund unequally, by allotting 600*l.* to the wife, and 400*l.* to the husband's creditors. Lord St. Leonard's, in that case, recognised as the rule, that in the absence of special circumstances, half the fund was to be settled on the wife and children, and the other half to go to the husband. This rule has been acknowledged in other cases, and most recently, by a judge whose opinion deserves great respect, in *Bagshaw v. Winter*, (16 Jur., part 1, p. 561).

How are we to reconcile with this rule the case of *In re Outler*, (14 Beav. 220)? There the husband was insolvent, and we are left to suppose that there had not been any settlement, as the report is silent on that point. No special circumstance is stated, and yet

whole fund was settled on the wife. It is true, it only amounted to 140*l.*; but in *Foden v. Finney* a smaller sum was given entirely to the husband; and if we may form any opinion from the arguments in that case, one of the reasons that the wife's equity did not attach was, that the sum was under 200*l.*; and this was so strong a motive with the Court, that it was allowed to prevail, even though the husband had deserted the wife. The decision in *Outler's case* appears to be rested upon *Brett v. Greenwell*; but it is not possible to consider that case as of any authority after the remark made upon it by the present Lord Chancellor; and among the many reported decisions on this subject, we do not know of any other which has carried the wife's equity so far*.

The decision appears to be as inconsistent with principle as it is with precedent. If the principle be considered, the rule laid down in *Napier v. Napier* seems perfectly reasonable. This equity, to use Lord Cottenham's words, (5 My. & C. 57), "is founded upon the well-known rule of compelling a party who seeks equity to do equity." The husband's right at law is conceded, and but for the assistance of a Court of equity, the wife, in these cases, would have no claim to any part of the fund. If there be any special reason, such as the husband having expended other property of the wife which had previously come to his hands, it may be that the husband's claim is altogether inequitable, and the circumstances may justify a settlement of the whole fund on the wife. (*Scott v. Spashett*, 3 Mac. & G. 599). In the absence of any such reason, it is surely an illogical conclusion, that the husband seeking equity must do equity by giving up the whole of that which he is endeavouring to obtain.

Another of the recent cases on the subject of a wife's equity to a settlement deserves some remark. Lord Truro has given the weight of his authority, in *Scott v. Spashett*, (3 Mac. & G. 599), to the doctrine, that this equity will prevail against a purchaser for value from the husband, who must take subject to the equities of the assignor. This rule, notwithstanding *Stanton v. Hale*, (2 Russ. & M. 175), *Elliott v. Cordell*, (5 Mad. 149), and some other cases, is now well settled. It has often occurred to us to wonder how far it would be carried in practice. Suppose a husband executed an assignment for value of his wife's equitable property, being at the time able to maintain her, and that there had been no settlement, nor had he received any property in right of his wife previously—suppose that after the assignment made the husband were to receive a much larger amount of property in right of his wife than that which he had sold, would this be a special circumstance in the wife's favour to enable her to claim the whole of the property sold against the purchaser?

* In a case, however, recently decided by Sir R. T. Kindersley, V. C., and not yet reported, a very unequal division was made, as between the wife and the husband's creditors, in favour of the wife and children; the only special circumstance being, that the wife had been at the time of her marriage, and was for a long time afterwards, in the enjoyment of considerable means, and had been reduced to distress by her husband's embarrassments. This case seems midway between *Brett v. Greenwell* and *Napier v. Napier*.

In any other case it undoubtedly would, but in the supposed case the purchaser might have some equity to say that the circumstance could not have been foreseen at the time of the purchase, and that to give it this effect afterwards would be to make a subsequent act of the vendor invalidate his own sale. We do not mean to say that this argument should prevail against the wife's equity; but if not, an actuary, in valuing this kind of property for a purchaser, and presuming, as he naturally would, that the husband, desiring to sell, must be under some pecuniary pressure, and would probably at some future time be unable to support his wife, must, in addition to the common contingencies, take into consideration the further chance suggested by our supposition, which, in many cases, would reduce very materially the value of such a property.

PURCHASES BY SOLICITORS FROM THEIR CLIENTS.

ALTHOUGH a solicitor is not under any actual incapacity to purchase from his client, yet, as the parties stand in a relation to each other which gives or may give the solicitor an advantage over the client, the solicitor is required to prove that the transaction was fair; that he took no advantage of his position as solicitor; that he gave his client all that reasonable advice against himself which he would have given him against a third party, and also the full benefit of all the knowledge which he had acquired in his professional capacity. (*Gibson v. Jeyes*, 6 Ves. 267; *Edwards v. Meyrick*, 2 Hare, 60; *Jones v. Thomas*, 2 Y. & C. 498; *Cutts v. Salmon*, 15 Jur., part 1, p. 615; *Champion v. Rigby*, 1 Russ. & M. 539; *Hunter v. Atkins*, 3 Moo. & R. 113; *Higgins v. Joyce*, 2 Jo. & Lat. 282; *Montesquieu v. Sandys*, 18 Ves. 302).

The solicitor is in this situation—being the person who is to acquire the interest, and also the person who ought to advise the client, he imposes upon himself the duty of ascertaining the full value of the subject of contract, and of acting in favour of his employer adversely against himself, as he would have acted against any other person with whom, acting fairly for his employer, he was making the best bargain he possibly could; (*Harris v. Tremethure*, 15 Ves. 34; *Lawless v. Mansfield*, 1 Dru. & W. 557; *Gibson v. Jeyes*, 6 Ves. 267); and if the solicitor will mix with the character of solicitor that of purchaser, the Court expects him, if the propriety of the transaction comes in question, to prove its fairness and validity. "The rule," said Sir Edward Sugden in *Lawless v. Mansfield*, (1 Dru. & W. 630), "is a very simple one, and grounded upon this, that no man can serve two masters. If a party undertakes to act for another, he must act for his benefit, and cannot in the same transaction act for himself as a principal."

The nature of the proof of the fairness of the transaction must depend upon the circumstances of each case, accordingly as they may have placed the solicitor in a position in which his duties and his pecuniary interests would conflict; or may have given him a knowledge which his client did not possess, or some influence, or ascendancy, or other advantage over the client; or, notwithstanding the existence of the relation of solicitor and client, may have left the parties substantially at arm's length, and on an equal footing. (*Edwards v. Meyrick*, 2 Hare, 60).

If the solicitor, being employed to sell, becomes himself the purchaser, his duties and his interests are directly opposed to each other; (*Austin v. Chambers*, 6 Cl. & Fin. 1; *Chester v. Trevelyan*, 11 Cl. & Fin. 714;

Bellew v. Russell, 1 Ball & B. 96; *Hall v. Hallett*, 1 Cox, 134; *Ex parte James*, 8 Ves. 337; *Owen v. Foulkes*, in note to *Ex parte Lacey*, 6 Ves. 625; see also *Carter v. Palmer*, 8 Cl. & Fin. 657; and it would be difficult, and indeed, without the clearest evidence that no advantage was taken by the solicitor of his position, and that the client had the full benefit of all the knowledge acquired by the solicitor in his professional capacity, given him in order to form a judgment, it would be impossible, to support such a transaction: (*Edwards v. Meyrick*, 2 Hare, 60); and where a solicitor is unable to purchase for himself, he cannot buy for a third party, all the same mischief attending the latter case as if he was buying for himself; for though the temptation to act wrong may be less when he buys for another, yet, as he cannot use the information he has for his own benefit, it is too delicate to hold, that the temptation to misuse that information for another person is so much weaker, that he should be at liberty to bid for him. That distinction is too thin to form a safe rule of justice. In the principle creating the difficulty of the solicitor to purchase there is something that will also reach any person whom he employs to bid even for a third party, though the facts demonstrate that he did no more than say, "there is a person who will give a particular sum," with a direction to bid to that sum; and it is implied that the person employed is to get it for as little as he can; for though, in the particular case, there may be the most satisfactory evidence that the transaction amounts to no more than what the general interests of justice require, yet the solicitor is not to be permitted to purchase for himself or for another, as, in several cases, the powers of the Court would not be equal to protect it against deception, from the impossibility of knowing the truth in every case. That is the principle upon which Courts of equity have held that trustees shall not buy. Lord Rosslyn said more than once, that to affect the sale the trustee must make an advantage. That, however, is not necessary; the principle is deeper; because, if a trustee could buy in an honest case, he might in a case having that appearance, but which, from the infirmity of human testimony, might be grossly otherwise: (per Lord Eldon in *Ex parte Bennett*, 10 Ves. 381); neither can a solicitor purchase for himself through an agent; for to hold that a party incapacitated to purchase directly for himself could effect that object indirectly, by employing an agent to purchase for him, would be the most absurd distinction in the world. (*In re Bloye's Trust*, 1 Mac. & G. 488; *Downes v. Grazebrook*, 3 Mer. 200; *Woodhouse v. Meredith*, 1 J. & W. 204; *Whitcombe v. Minchin*, 5 Mad. 91).

In other cases, the relation between the parties may simply produce a degree of influence and ascendancy, placing the client in circumstances of disadvantage, as where he is indebted to the solicitor, and is unable to discharge the debt, when, in order to sustain the transaction, the solicitor must prove that he gave the client the full value of the subject-matter of the dealing; if he proves that, the ground of any unfavourable influence is removed. (*Nokes v. Warton*, 5 Beav. 448; *Edwards v. Meyrick*, 2 Hare, 60).

Lastly, in the simple case, where, though the relation of solicitor and client existed in one transaction, and therefore personal influence or ascendancy might operate in another, yet, if the solicitor had not any previous concern with the subject-matter respecting which the question arises, the particular duties to which any given situation of confidence might give rise cannot, of course, as respects that subject, attach upon him, whatever may be the other duties which the mere office of solicitor may impose; and therefore the rule of equity respecting transactions between a solicitor and his client may no longer apply; or, in other words, if, under the circumstances, the solicitor does not act as the solicitor

of the party "in hac re," in the particular matter of the dealing between them, and is not, therefore, under any duty to advise the client against the act, he may become the purchaser. (*Montesquieu v. Sandys*, 18 Ves. 302; *Edwards v. Meyrick*, 2 Hare, 60; *Jones v. Thomas*, 2 Y. & C. 498).

The rule of equity, said Sir J. Wigram, V. C., in *Edwards v. Meyrick*, which subjects transactions between a solicitor and his client to other and stricter tests than those which are applied to ordinary transactions, is not an isolated rule, but a branch of a rule applicable to all transactions between man and man, in which the relation between the contracting parties is such as to destroy the equal footing in which such parties should stand; and therefore, where the solicitor can prove that he dealt with his client upon an equal footing and at arm's length, the difficulty of supporting the transaction is removed.

An agreement between a solicitor and client, for taking a fixed sum in satisfaction of all demands for costs, may be perfectly fair and right; but the Court looks upon it with suspicion, and is vigilant to protect the interests of the client. (*In re Whitcombe*, 8 Beav. 140).

It has already been stated that transactions between a solicitor and client in the course of their professional connexion, or even after that has ceased, if its influence remains, however suspicious in their origin, are not absolutely void, but voidable only; and therefore, if they are confirmed by the subsequent deliberate act of the client, when free from the influence of the solicitor, and especially if confirmed after investigation, and upon the advice of other and independent solicitors, they cannot be successfully impeached. (*De Montmorency v. Devereux*, 7 Cl. & Fin. 188, and the cases there cited).

Reviews.

A Manual of the Parliamentary Election Law, &c. By S. WARREN, Esq., Q. C. [Butterworths, London.]

THIS work makes its appearance very opportunely, on the occasion of a general election, when, although corruption is a thing of course gone by, if not by force of the improved virtue of constituents and candidates, at least by force of the example made of St. Alban's, and of the dread of the new Bribery Act, it may be expected that an average quantity of returns will be petitioned against, and well-considered legal information on the subject will be required by the Profession.

The plan of the work is best explained by the author himself, in p. 9 of the Preface:—

"The general plan of this work is as follows:—
 'After a history of the progress of election law during the last twenty years, and a condensed statement of the existing position of it in Scotland and Ireland respectively, that of England and Wales is considered in detail—first, as to the present arrangement of places returning members; secondly, the constitution of the franchise; thirdly, the method of ascertaining it, by registration; fourthly, the incapacities for electing; fifthly, the qualifications and disqualifications for being elected; sixthly, the mode of exercising the franchise, through the agency of the returning officer and his staff of functionaries; seventhly, the mode in which a voter may throw his vote; eighthly, disturbing forces by which the exercise of the franchise may be disturbed and defeated, viz. by undue interference, by intimidation, violence, bribery, and treating; lastly, the ultimate adjudication upon the exercise of the franchise, when impeached by electors or candidates, by the House of Commons."

The extent of the work makes it impossible for us to do more, in the limited space which can be occupied,

than to refer to a proportion of it, and select a few specimens of its style. We will take, therefore, by way of such specimens, the 7th and 8th chapters, which treat of "incapacities to elect," and "disqualifications for being elected."

In both the author commences by a short outline of the subject, concluding by an alphabetically arranged table of the incapacities and disqualifications. Mr. Warren says, (p. 140), speaking, of course, with reference to his particular subject:—

"Legal incapacities appear generally to range themselves under three heads: those respectively founded on the want of intelligence, independence, and integrity; and under this division the subject will be treated. Those cases of incapacity, which do not fall obviously under any of these divisions, will be found disposed under one or two others, at the close of the chapter. In stating these various instances of incapacity, the reader will find occasional conflict between the decisions of election committees; in which cases, and indeed in all decisions of those tribunals, though entitled to the utmost respect and consideration, it is open to subsequent committees to decide according to their own view of the law of Parliament. In one or two of the ensuing cases, however, this will be found otherwise, namely, in those decided by the Court of Common Pleas, whose decisions, we have seen, are conclusively binding upon both revising barristers and committees. Questions of incapacity fall exclusively within the province of these three tribunals—the Court of the Revising Barrister, of the Common Pleas, and a Committee of the House of Commons, to which they have been withdrawn from the polling-booths."

The subject of the 8th chapter is dealt with upon the same plan; and in the latter part of this will be found some useful observations on the property qualification of members—a subject which, however, one can scarcely refrain from smiling at seeing gravely treated in any book, the frequent practical evasion of the rules on the subject being as notorious as the existence of Parliament.

The reader will also find in the 12th chapter very fully condensed information on the important question of bribery—a question, the grave discussion of which also frequently provokes a smile in those who reflect, that though now and then a gross case of wholesale bribery causes the unseating of a member, or even the disfranchisement of a borough, yet not an election passes without an amount of money being spent, which, as it cannot by any possibility be spent in the legal expenses of the election, must necessarily, notwithstanding the thunder of the Legislature, have been expended in corrupting the voters. On this subject the following passage in Mr. Warren's work will point out to candidates and their friends the perils which now threaten the corrupter of electors:—

"Within the last eleven years the Legislature has directed its efforts very anxiously against bribery, and placed upon the statute-book several statutes of a far more sweeping and stringent character than had ever been ventured upon before; but there is one statute capable, it is believed, of reaching closer to the very heart of corruption than perhaps any of its framers contemplated; it is the act which will be found in the Appendix, enabling parties, and compelling them, to be examined for and against themselves—a statute earnestly commended to the attention of all who may be weak enough even to entertain the idea of yielding to such derogatory practices as are now under consideration.

"The position, indeed, of all parties intrusted with the electoral franchise, and all places where they exercise it, has become exceedingly critical, in consequence of the recent and greatly-augmented facilities which now

'exist for detecting bribery in even its subtlest and most varied forms. Devices hitherto successful in the hands of those characterised by a corrupt but consummate astuteness will be henceforth found shorn of almost all their efficacy; for it is, perhaps, not going too far to say that impunity may be regarded as comparatively annihilated. The universal spirit of indignation against this opprobrium of the age, to which impressive utterance has been given by the most eminent statesmen belonging to all parties, and also, with a marvellous concurrence, by all the leading organs of public opinion, will not suffer itself to be baffled during the inquiries into corrupt practices which may henceforth be instituted. Candidates themselves can now be compelled to come before committees, or it may be into a court of law, there to be exposed to an acute and merciless examination, from which they cannot shelter themselves, except by the ignominious, perilous, and even fatal plea, that they decline to answer, on the ground that their answers may tend to criminate themselves. All their agents, friends, and acquaintances, moreover, especially those most intimate, and in any way taking part in the election, will be subjected to similar scrutiny; as will be also every elector whom vigilant and unsuspected observation may detect in a suspicious or equivocal position. While candidates, voters, and those who communicate with them, are thus imperilled, it must be borne in mind that places themselves which are the scenes of bribery and corruption will henceforth be subjected to the unsparing and rigorous scrutiny of Parliament, with the great additional powers conferred by the act which has just received the assent of an expiring Parliament. It is possible that more than one borough may ere long find itself in the melancholy position of Sudbury and St. Alban's, or their freemen follow the fate of many of their brethren disfranchised during the last few years for systematic corruption, and whose doings, as exhibited in the catalogue of statutes given in this volume, have too often inflicted an indelible stigma upon their order."

We shall conclude this short notice of a work, which appears to be executed with great care, by stating, that its practical utility is much increased by the introduction of a digest of the decisions of the Court of Common Pleas on appeals from the revising barristers.

London Gazettes.

FRIDAY, JULY 16.

BANKRUPTS.

JONATHAN STREETER, Brighton, Sussex, corn and coal merchant, dealer and chapman, July 30 at 1, and Sept. 2 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Kennett, Brighton; Sowton, 6, Great James-street, Bedford-row, London.—Petition filed June 15.

JOHN HENRY MORRIS, late of Staple-street, Long-lane, Bermondsey, and Railway Arches, Rotherhithe, Surrey, and then of King William-st., Strand, Middlesex, manufacturer of India rubber pavement and matting, and rectifier of naphtha, dealer and chapman, July 26 at 12, and Sept. 2 at 1, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Buchanan, 8, Basinghall-street, City.—Petition filed July 16.

JOHN WILLIAM EDWARDS, Marchmont-st., Brunswick-square, Middlesex, cheesemonger, dealer and chapman, July 24 at 11, and Sept. 1 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition filed July 14.

ROBERT PEARE STEPHENS, (and not ROBERT PEARCE STEPHENS, as before advertised), Liverpool, shipowner, dealer and chapman, July 28 and Aug. 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Thomson, Liverpool.—Petition filed July 6.

WILLIAM NICHOLSON, Shotley Bridge, Durham, timber merchant, ironmonger, joiner, and builder, dealer and chapman, July 23 and Sept. 3 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Joel, Newcastle-upon-Tyne; Hodgson & Burton, 10, Salisbury-street, Strand, London.—Petition filed July 6.

JOHN WILSON, Gateshead, Durham, coach proprietor, July 21 at 11, and Aug. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Watson, Newcastle-upon-Tyne; Shield & Harwood, 10, Clement's-lane, Lombard-street, London.—Petition filed July 12.

MEETINGS.

John Greener the younger, Wigan, Lancashire, ironmonger, July 28 at 12, District Court of Bankruptcy, Manchester, ch. ass.—**Matthew Slade Hooper**, Billiter-street, London, tea dealer, July 31 at 12, Court of Bankruptcy, London, last ex.—**John Douglas Cooper** and **Charles Kelley Cooper**, Woodcaves, Tippington, Derbyshire, cotton spinners, July 29 at half-past 11, Court of Bankruptcy, London, aud. ac. sep. est. of **John Douglas Cooper**.—**Richard Pope** and **John Buckingham Pope**, Adelaide-place, London-bridge, London, and Criggleston, Yorkshire, brick manufacturers, July 29 at 11, Court of Bankruptcy, London, aud. ac.—**Edward Dobbins**, Colchester, Essex, common brewer, July 28 at 12, Court of Bankruptcy, London, aud. ac.—**James Laing**, Southampton, coal merchant, July 28 at 12, Court of Bankruptcy, London, aud. ac.—**John Geo. Marsh**, Church-st., Minorities, London, carpenter, July 28 at 12, Court of Bankruptcy, London, aud. ac.—**Henry Banks**, Bethnal-green-road, Middlesex, carpenter, Aug. 3 at 1, Court of Bankruptcy, London, aud. ac.—**Richard Hansell Bell** and **Errington Bell**, South Shields, Durham, paper manufacturers, Aug. 5 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Aug. 6 at 12, div.—**Robert Welsh**, Huddersfield, Yorkshire, woollen cloth merchant, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**John Oyston**, Wakefield, Yorkshire, linen-draper, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**James Sykes** and **Thomas Sykes**, Halifax, Yorkshire, woollen manufacturers, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**Laban Longley** the elder, **Benjamin Longley**, **Laban Longley** the younger, and **Joseph Longley**, Almondbury, near Huddersfield, Yorkshire, woollen manufacturers, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**John Firth**, Leeds, Yorkshire, linen-draper, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**Richard M. Lloyd**, Wrexham, Denbighshire, banker, Aug. 11 at 11, District Court of Bankruptcy, Liverpool, div.—**Wm. J. Foulkes**, Birkenhead, Cheshire, druggist, Aug. 10 at 11, District Court of Bankruptcy, Liverpool, div.—**John Ellison**, Liverpool, ironmonger, Aug. 10 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Pearce and **Wm. Thackray**, Sunderland, Durham, timber merchants, Aug. 6 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—**Henry Evans**, Ilchester, Somersetshire, carpenter, Aug. 11 at 1, District Court of Bankruptcy, Exeter.—**Wm. V. Matthews**, Yeovil, Somersetshire, druggist, Aug. 11 at 1, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Thomas Roberts, Minorities, London, grocer.—**Wm. Henry Oram**, Noble-st., London, trader.—**Charles James Sanders**, Collingwood-st., Blackfriars-road, Surrey, provision merchant.—**Wm. Jones**, High-st., Islington, Middlesex, plumber.—**Wm. Steel**, Fenchurch-st., London, tailor.—**Wm. Thomas Gibson**, High-street, Islington, Middlesex, baker.—**William Williams**, **Wm. Williams** the younger, and **Thomas Robert Williams**, Newport, Monmouthshire, bankers.—**Philip Jones**, Llangatock, Monmouthshire, banker.—**Abraham Solomons**, Basinghall-st., London, merchant.

PETITION ANNULLED.

James Challen, Brixton, Surrey, brewer.

PARTNERSHIP DISSOLVED.

Wm. Gregory and **John H. Gregory**, Liverpool, attorneys at law and solicitors.

SCOTCH SEQUESTRATIONS.

James Wallace, Glasgow, contractor.—**Wm. Foster**, Dumfries, joiner.—**James Scott**, Edinburgh, brush manufacturer.—**Wm. Connell**, Edinburgh, coachbuilder.—**Wm. Buchanan**, Dunfermline, wright.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robt. B. Bullen, Liverpool, beer retailer, July 20 at 10, County Court of Lancashire, at Liverpool.—**A. H. Fryer**, Welwyn, Hertfordshire, cordwainer, July 30 at 11, County Court of Hertfordshire, at Hertford.—**William Webb**, St. Alban's, Hertfordshire, grocer, July 28 at half-past 10, County Court of Hertfordshire, at St. Alban's.—**James Womwell**, Slow-hill, Ippollits, near Hitchin, Hertfordshire, miller, July 22 at 10, County Court of Hertfordshire, at Hitchin.—**Hartwell Corbyn**, Great Yarmouth, Norfolk, tailor, Aug. 2 at 10, County Court of Norfolk, at Great Yarmouth.—**J. H. Brock**, Great Yarmouth, Norfolk, iron plate worker, Aug. 2 at 10, County Court of Norfolk, at Great Yarmouth.—**P. Crispin**, Bristol, undertaker, Aug. 25 at 11, County Court of Gloucestershire, at Bristol.—**H. T. Ridley**, Dover, Kent, cutler, July 21 at 10, County Court of Kent, at Dover.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Aug. 2 at 11, before the CHIEF COMMISSIONER.

Geo. Manley, Dover-place, New Kent-road, Surrey, gauger.

Aug. 2 at 10, before Mr. Commissioner LAW.

George D. Dempsey, Great Ormond-street, Queen-square, Middlesex, civil engineer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 30 at 11, before the CHIEF COMMISSIONER.

Robert Baxter, Sussex-place, Southgate-road, Kingsland, Middlesex, secretary to the Devon United Copper Mining Company.—**Isaac Thomas**, Liverpool-street, Bishopsgate-street, London, chesemonger.—**Wm. Greenland**, Crutchedfriars, and Leadenhall-market, London, poulterer.—**J. Potter**, Guildford-place, Lower Kennington-lane, Lambeth, Surrey, clerk to an attorney.—**Thomas Perrin**, Edward-street, Caledonian-road, Islington, Middlesex, tailor.

July 30 at 10, before Mr. Commissioner LAW.

Richard Watkins the younger, Clapham-road, Lower-road, Islington, Middlesex, tailor.

July 31 at 11, before Mr. Commissioner PHILLIPS.

James Hobbs the younger, King-street, Lee-street, Kingsland-road, Middlesex, out of business.—**William Chapman**, Plumstead, near Woolwich, Kent, out of business.—**J. Homer**, George-street, Wyndham-road, Camberwell, Surrey, commission agent.—**Etienne Aujard**, Great Castle-street, Regent-street, Middlesex, dealer in brushes.—**Edw. Casner**, Hawley-crecent, Camden-town, Middlesex, assistant to a veterinary surgeon.—**Fuller Coker**, South Molton-street, Oxford-street, Middlesex, out of business.

Aug. 2 at 10, before Mr. Commissioner LAW.

John Hare Welsh, Wellington-place, Poplar, Middlesex, attorney.—**Wm. Byford**, Wilderness-lane, Salisbury-square, Fleet-street, London, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Caldecutt, Heaton Norris, out of business, No. 75,018; **William Marriott**, assignee.—**Jas. Bradley**, Bolton-le-Moors, out of business, No. 75,185; **George Salt**, assignee.—**Thomas Hughes**, Liverpool, butcher, No. 75,153; **Thomas Archer**, assignee.—**Thomas Holme**, Liverpool, out of business, No. 75,190; **Thomas Stymy**, assignee.—**Anthony Brunt**, Chorlton-upon-Medlock, Manchester, milk seller, No. 75,247; **Joseph Bleachley**, assignee.—**James Peak**, Pilkington, near

Bury, dyer, No. 75,259; Robert Charles James, assignee.—*Benjamin Hoyle*, Pilkington, near Bury, dyer, No. 75,258; Robert Charles James, assignee.—*Philip Harper*, Liverpool, agent for the sale of potatoes by commission, No. 75,265; Thomas Armstrong, assignee.—*Isaac Knowles*, Liverpool, assistant butcher, No. 75,156; John Taylor, assignee.—*Christopher Dixon*, Birkenhead, Cheshire, cooper, No. 75,201; Jonas Reis, assignee.—*Charles Bedford*, Manchester, brick-maker, No. 75,293; Hartley Milman, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 30 at 11.

Josiah Yates, Salford, shoemaker.—*James Seddon*, Stretford, near Manchester, shoemaker.—*John Walsh*, Nova Scotia, Blackburn, grocer.—*Abraham Saxon*, Ashton-under-Lyne, licensed victualler.—*Benjamin M'Lean*, Blackburn, dealer in butter.—*Edward Hancock*, Hulme, Manchester, out of business.—*James Atkins*, Liverpool, out of business.—*Stephen Pearson*, Manchester, stage-coach driver.—*David Hayes*, Balderstone, near Blackburn, farmer.—*James Trickett*, Salford, shopman.—*James Sutton*, Gorton, near Manchester, limestone burner.—*Samuel Morley*, Chorlton-upon-Medlock, Manchester, out of business.—*John Highfield*, Liverpool, out of business.—*Roger Coupe*, Goosnargh, near Preston, out of business.

At the County Court of Devonshire, at EXETER, July 31 at 10.

Edward Amery, Newton Abbott, ironmonger.—*Louisa Burge*, Exeter, dressmaker.

At the County Court of Norfolk, at the Guildhall, NORWICH, Aug. 3 at 10.

Robert Howes Belson, Norwich, plumber.

At the County Court of Brecknockshire, at BRECKNOCK, Aug. 3.

Thomas Jones, Upper-mill, Llanelly, beer-house keeper.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Aug. 4.

Robert Wake, Kingston-upon-Hull, general merchant.—*Langley Banks*, Kingston-upon-Hull, architect.

TUESDAY, JULY 20.

BANKRUPTS.

THOMAS MEESON, Fenchurch-street, London, coal merchant, dealer and chapman, July 26 at half-past 11, and Sept. 2 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Co., 14, Old Jewry-chambers, Old Jewry.—Petition dated July 17.

SAMUEL POWNCEBY, High-street, Shadwell, Middlesex, stationer, and the Duke of Clarence, Munster-street, Regent's-park, Middlesex, victualler, dealer and chapman, July 29 at 12, and Sept. 2 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. France, 10, Godliman-street, Doctors'-commons.—Petition filed July 17.

DANIEL MEREWETHER FORD, Lawrence-lane, Cheap-side, London, carrier, Aug. 2 and Sept. 8 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Dalton & Hall, 49, Coleman-street, London.—Petition filed July 17.

THOMAS BROOKS, Lye, near Stourbridge, Worcestershire, nail manufacturer, July 31 at 1, and Aug. 23 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Prescott, Stourbridge; Robinson & Fletcher, Dudley; Motteram & Co., Birmingham.—Petition dated July 9.

JOHN HAYMAN, Carbeale-mills, near Torpoint, Cornwall, miller, dealer and chapman, July 22 and Aug. 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Herniman; Sols. Edmonds & Sons, Plymouth; Stogdon, Exeter.—Petition filed July 10.

GEORGE ASHBURNER, Bolton-le-Moors, Lancashire, ironmonger, dealer and chapman, July 30 and Aug. 20 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Reese, Birmingham; Blair, Manchester.—Petition filed July 15.

MEETINGS.

Edward Dobbins, Colchester, Essex, common brewer, Aug. 10 at 12, Court of Bankruptcy, London, div.—*James Laing*, Southampton, coal merchant, Aug. 10 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Pearman*, Cold Harbour-road, Brixton, Surrey, builder, Aug. 10 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Brett, Portsea, Southampton, grocer, Aug. 12 at 12, Court of Bankruptcy, London.—*William Wymark*, Mistley, near Manningtree, Essex, wharfinger, Aug. 11 at 12, Court of Bankruptcy, London.—*John Thomas*, Little Stanhope-street, May-fair, Middlesex, builder, Aug. 11 at 1, Court of Bankruptcy, London.—*John Custance*, Greenwich, Kent, miller, Aug. 11 at 12, Court of Bankruptcy, London.—*Geo. Dorer*, Cheltenham, Gloucestershire, builder, Aug. 12 at 12, District Court of Bankruptcy, Bristol.—*Daniel M'Connell*, Liverpool, joiner, Aug. 12 at 11, District Court of Bankruptcy, Liverpool.—*John Marsden*, Manchester, laceman, Aug. 11 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Robert Harding, Road, near Beckington, Somersetshire, grocer.—*W. Williams*, Pentwyn Golyngs and Pontnewydd, Monmouthshire, iron manufacturer.—*John Warren*, High-street, Old Brentford, Middlesex, manufacturer of brass.—*Wm. Foster*, Great Bolton, Lancashire, confectioner.—*Isaac Timmins*, Dudley, Worcestershire, charter master.—*George Henney*, Elmley Lovett, Worcestershire, victualler.—*Wm. Malliband*, Great Claybrook, Leicestershire, fellmonger.—*Samuel Beniams the younger*, Hereford, grocer.

PETITION ANNULLED.

Samuel Horton, Carlton-road, Asylum-road, Old Kent-road, Surrey, builder and tavern keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George D. Baker, Worcester, bookseller, Aug. 11 at 10, County Court of Worcestershire, at Worcester.—*John Boston*, Ashford, Kent, bookseller, July 26 at 10, County Court of Kent, at Ashford.—*Henry Hawken*, Melorn Cross, Minster, Cornwall, farm labourer, Aug. 4 at 10, County Court of Cornwall, at Bodmin.—*Wm. Cofield*, Great Malvern, Worcestershire, labourer, Aug. 9 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Walter Jenkins*, Caerwent, Monmouthshire, boot maker, Aug. 9 at 10, County Court of Monmouthshire, at Chepstow.—*Joseph Moyle*, Wyre Fiddle, Fladbury, Worcestershire, tailor, Aug. 12 at 10, County Court of Worcestershire, at Pershore.—*Elijah Watkins*, Wyre Fiddle, Fladbury, Worcestershire, agricultural implement maker, Aug. 12 at 10, County Court of Worcestershire, at Pershore.—*Henry Marking*, Elmdon, Essex, butcher, July 29 at 11, County Court of Essex, at Saffron Walden.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Aug. 3 at 11, before the CHIEF COMMISSIONER.

Richard Johnson, King-street, Hammersmith, Middlesex, carpenter.

Aug. 3 at 11, before Mr. Commissioner PHILLIPS.

Joseph Edis, Shoe-lane, Fleet-st., London, butcher.

Aug. 4 at 11, before the CHIEF COMMISSIONER.

William Allen, Green Arbour-court, Old Bailey, London, edge tool maker.

Aug. 4 at 10, before Mr. Commissioner LAW.

Edward Simmons, Pelham-st., Mile-end New-town, St. Dunstan's, Stepney, Middlesex, carver.

Aug. 4 at 11, before Mr. Commissioner PHILLIPS.

Wm. H. Morgan, St. George's-st. East, Middlesex, gunsmith.

Saturday, July 17.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Wm. B. Cliffe, Cradley, Herefordshire, in no business, No. 74,443 C.; William Reece, assignee.—John Mellor, Halifax, Yorkshire, innkeeper, No. 75,124 C.; William Murgatroyd, assignee.—J. Caldecutt, Heaton Norris, Lancashire, licensed victualler, No. 75,188 C.; Wm. Marriott, assignee.—George Sayers, Guildford, Surrey, farmer, No. 62,995 T.; J. Smith, assignee.

Saturday, July 17.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. B. Gunning, Twickenham, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—Benj. W. Nind, Clement's-lane, Lombard-street, London, attorney at law: in the Debtors Prison for London and Middlesex.—G. M. Horton, Hatton-garden, Holborn, Middlesex, dealer in jewellery: in the Debtors Prison for London and Middlesex.—Edgar G. Papworth, Newman-street, Oxford-street, Middlesex, artists' modeller: in the Debtors Prison for London and Middlesex.—Henry Grafton, Gate-street, Lincoln's-inn-fields, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—James Ayres, Hammersmith, Middlesex, shoe manufacturer: in the Debtors Prison for London and Middlesex.—J. Whittle, Cold Bath-fields Prison, Middlesex, dealer in musical strings: in the Queen's Prison.—Geo. H. Wilson, Hammersmith, Middlesex, merchant: in the Debtors Prison for London and Middlesex.—Robt. M. Blaquiere, Regent-square, St. Pancras, Middlesex, in no business: in the Queen's Prison.—Edw. Taylor, Noel-street, Islington, Middlesex, linen draper: in the Debtors Prison for London and Middlesex.—George Henry de Strabolgie N. P. Harrison, North-bank, Regent's-park, Middlesex, in no business: in the Queen's Prison.—John E. Ball, St. David-street, Dover-rd., Surrey, mill sawyer: in the Debtors Prison for London and Middlesex.—Daniel Pinkstone, Hutchinson-street, Aldgate, London, licensed victualler: in the Debtors Prison for London and Middlesex.—Robert Wilson, Hatton-place, Cross-street, Islington, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—Reuben Michael, City-terrace, City-road, Middlesex, of no trade: in the Debtors Prison for London and Middlesex.—Wm. Cottam, Old Bailey, London, out of business: in the Debtors Prison for London and Middlesex.—E. Hallett, Noble-street, Falcon-square, London, lodging-house keeper: in the Debtors Prison for London and Middlesex.—Newman Sapsford, Gloucester-place, Portland-street, Walworth, Surrey, foreman to a bookbinder: in the Debtors Prison for London and Middlesex.—William Bray, Bodmin, Cornwall, street keeper: in the Gaol of Bodmin.—S. S. Crabb, Bodmin, Cornwall, mine agent: in the Gaol of Bodmin.—F. Dodds, Newcastle-upon-Tyne, butcher: in the Gaol of Durham.—W. Goldspink, Falham St. Mary Magdalen, Norfolk, cattle dealer: in the Gaol of Norwich.—Jas. Sutton, Gorton, near Manchester, lime burner: in the Gaol of Lancaster.—James Trickett, Salford, Lancashire, shopman: in the Gaol of Lancaster.—G. J. Morris, Matlock Bath, Derbyshire, captain on half-pay: in the Gaol of Derby.—Miles Reynolds, Manchester, licensed victualler: in the Gaol of Lancaster.—Samuel Brownfoot, Leeds, Yorkshire, cabinet maker: in the Gaol of York.—Daniel Cook, Chatham, Kent, beer retailer: in the Gaol of Maidstone.—Joseph Nicholson, Shotley-bridge, Durham, ironmonger: in the Gaol of Durham.—J. Watts, Norwich, engineer: in the Gaol of Norwich.—E. F. Woolton, Derby, horse dealer: in the Gaol of Derby.—John Busher Duncan, Norfolk-st., Strand, Middlesex, barrister-at-law: in the Gaol of Dover.—Wm. Best, Tunbridge-wells, Kent, greengrocer: in the Gaol of Maidstone.—John Clements, Ramsey, Huntingdonshire, miller: in the Gaol of Huntingdon.—Ebeneser Morgan, Cwmnantdu, Treveithin, Monmouthshire, contractor: in the Gaol of Monmouth.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 3 at 11, before the CHIEF COMMISSIONER.

Henry Bailes, Tottenham-st., Fitzroy-square, Middlesex,

cabinet maker.—Frederick Vowdrey, Wilson-st., Gray's-inn-road, Middlesex, in no profession.—John Stokell, Brownlow-road, Dalston, Middlesex, commission agent.—George Nash, Wanstead Flatts, near Forest Gate, West Ham, Essex, builder.—Henry Coleman, Albert-road, Queen's-road, Dalston, Middlesex, lodging-house keeper.

Aug. 3 at 10, before Mr. Commissioner LAW.

Thos. Shotton, Jermyn-st., St. James's, Middlesex, tailor.—George Butler, Coburgh-terrace, Coburgh-road, Old Kent-road, Surrey, shipping agent.

Aug. 4 at 11, before the CHIEF COMMISSIONER.

Benjamin Wharton Nind, Clement's-lane, Lombard-street, London, attorney-at-law.—W. Pollard, Glebe-place, King's-road, Chelsea, Middlesex, grocer.

Aug. 4 at 10, before Mr. Commissioner LAW.

Daniel Pidditch, Rockingham-row West, New Kent-road, Surrey, carpenter.—Edward Henry Braham, Great George-street, Westminster, Middlesex, attorney-at-law.—Septimus Watts, Ranelagh-st., Pimlico, Middlesex, surgeon.—John Omeara, Gunter's-grove, Brompton, Middlesex, gentleman.—George Melville Horton, Hatton-garden, Holborn, Middlesex, dealer in jewellery.—Chas. De Thomis, Chapman-road-place, Kennington, Surrey, perfumer.

Aug. 4 at 11, before Mr. Commissioner PHILLIPS.

Joseph Thomas Beck, York-st., Kingsland-road, Middlesex, general dealer.—Alex. Reid, Cullum-st., Fenchurch-street, City, clerk to a ship broker.—Daniel Pinkstone, Hutchinson-st., Aldgate, London, licensed victualler.—Wm. Cottam, Old Bailey, London, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Aug. 3 at 12.

Wm. Best, Tunbridge-wells, greengrocer.—D. Cook, Chatham, retailer of beer.

At the County Court of Cornwall, at BODMIN, Aug. 4 at 10.

Wm. Bray, Bodmin, constable.—Samuel Stephens Crabb, Bodmin, mine agent.

At the County Court of Denbighshire, at RUTHIN, Aug. 11 at 11.

Jehu Brookes, Brymbo, Wrexham, accountant.

At the County Court of Lincolnshire, at LINCOLN, Aug. 17 at 12.

Thomas Bucknall, widow, East Halton, near Barton-upon-Humber, in no business.—Timothy East, Spalding, chemist.

MASTERS IN CHANCERY.—The following notification was published in the London Gazette of the 16th inst.:—"Masters Extraordinary in Chancery are requested to transmit to the Principal Secretary of the Lord Chancellor, Quality-court, Chancery-lane, on or before the last day of August next, a statement, in writing, mentioning their names, their place of residence, their actual occupation, and the date of their appointment."

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JULY 31, 1852.

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LONDON, JULY 31, 1852.

THE Chancery Practice Act, in terms, appears to contemplate the preservation of claims, while, in substance, it seems to us that it gives them their death-blow. The proceeding by claim has for a long time, it is well known, been confined by most practitioners to cases of the simplest character, travelling very little indeed out of the common administration of an estate. There have been, indeed, a few suits for the administration of incumbered estates, involving the settling of priorities between very numerous incumbrancers, where the proceeding by claim has been successfully used; but generally the ill-success of that mode of proceeding, where there is anything to be done beyond taking accounts and making ordinary inquiries in the Master's office, has not justified the resort to it; and it has accordingly been all but abandoned for everything, as we have said, except purely administration suits of a simple character.

Now, what the Chancery Act does is this—by the simplification of the proceeding by bill, that is, by requiring the bill to be a succinct statement of facts without interrogatories, (sect. 10), and by the improvements in the mode of obtaining evidence, it will, in effect, utterly extinguish the special claim; for the bill will henceforth be, in form and in unprolixity, very little different from a special claim, and therefore will have for the suitor all the attractions of that form of pleading, while there will be preserved to it all those advantages, in respect of obtaining interlocutory relief, and working out evidence, of which the proceeding by claim is deprived. There can scarcely, then, be a doubt that not one special claim in a term will be drawn after the new act is understood.

Then by the 45th section it is enacted, "that it shall be lawful for any person claiming to be a creditor, or a specific pecuniary or residuary legatee, or the next of kin, or some or one of the next of kin, of a deceased person, to apply for and obtain as of course, without bill or claim filed, or any other preliminary proceedings, a summons from the Master of the Rolls or any of the Vice-Chancellors requiring the executor or administrator, as the case may be, of such deceased person, to attend before him at chambers, for the purpose of shewing cause why an order for the administration of the personal estate of the deceased should not be granted; and upon proof by affidavit of the due service of such summons, or on the appearance in person or by his solicitor or counsel of such executor or administrator, and upon proof by affidavit of such other matters, if any, as such judge shall require, it shall be lawful for such judge, if in his discretion he shall think fit so to do, to make the usual order for the administration of the estate of the deceased, with such variations, if any, as the circumstances of the case may require; and the order so made shall have the force and effect of a decree to the like effect made on the hearing of a cause or claim between the same parties; provided that such judge shall have full discretionary power to grant or refuse such order, or to give any special directions touching the carriage or execution of such order, and in the case of applications for any such order by two or more different persons or classes of persons, to grant the same to such one or more of the claimants or of the classes of claimants, as he may think fit; and if the judge shall think proper, the carriage of the order may subsequently be given to such party interested, and upon such terms as the judge may direct."

Now; the effect of this clause will be, as it seems to



us, to enable a claimant on an estate to take at once such a decree as he can now obtain by means of a common claim, or a special claim where mere administration is the object; and if so, there is an end of common claims as well as of special claims. It is to be regretted that the Legislature did not at once abolish the proceeding by claim, while it was revising the system of pleading; as the mere theoretical existence of various modes of proceeding is an evil, even where their practical application is ignored. However, it has not done so, but has left the abolition of the proceeding by claim to be worked out by the Profession.

The same doom of extinction will probably fall, by virtue of this act, upon special cases; such, at least, would seem to be the probable consequence of the 50th and 51st sections, which enact—Sect. 50. "No suit in the said court shall be open to objection on the ground that a merely declaratory decree or order is sought thereby, and it shall be lawful for the Court to make binding declarations of right without granting consequential relief." Sect. 51. "It shall be lawful for the Court to adjudicate on questions arising between parties, notwithstanding that they may be some only of the parties interested in the property respecting which the question may have arisen, or that the property in question is comprised with other property in the same settlement, will, or other instrument, without making the other parties interested in the property respecting which the question may have arisen, or interested under the same settlement, will, or other instrument, parties to the suit, and without requiring the whole trusts and purposes of the settlement, will, or other instrument to be executed under the direction of the Court, and without taking the accounts of the trustees or other accounting parties, or ascertaining the particulars or amount of the property touching which the question or questions may have arisen: provided always, that if the Court shall be of opinion that the application is fraudulent or collusive, or for some other reason ought not to be entertained, it shall have power to refuse to make the order prayed."

Now, these sections enable parties to do all that could be done by a special case, but with this difference—that a special case can only be applied to an agreed state of facts, and that the proceeding by it has been surrounded, by the caution of the Legislature, with so many specific guards and checks, that it has been found very difficult to extend the use of special claims beyond the simple case of a question on the construction of an instrument arising between a very limited number of parties.

The Chancery Act appears to extend to almost any kind of suit, friendly and simple, or hostile and complicated, the principle of declaring rights, without granting relief—that is, the principle of special claims, without the practical clogs that have incumbered the proceeding by special case.

With regard to the new mode of taking evidence, the act is rather obscure upon these points, viz. whether the right of the plaintiff, under the 29th section, which entitles him to give notice to the defendant to adduce evidence orally, extends to evidence on interlocutory proceedings, such as a motion for an injunction, a receiver, or the like; and if not, whether the power

of cross-examining orally any witness who has made an affidavit (under the 38th section) extends to such interlocutory proceedings.

It seems, to our apprehension, that both the sections referred to contemplate only the evidence to be used at the hearing or trial of the cause—the 38th particularly, as in that section the main object is the regulation of the time for closing evidence; and the proviso enabling the cross-examination of a witness appears to be introduced only with reference to the period fixed for closing evidence. If we are right in the construction of the act, it seems to us that there has been a serious oversight in not giving at least the power, on a motion, of orally cross-examining the witnesses who have made affidavits. It is every day's experience, on motions for injunctions, that the truth is not accessible, because the witnesses can go on making affidavits ad libitum, from which can be and are studiously excluded just those very matters which would be got out on cross-examination; and unless there is power so to examine, on motions, witnesses who have made affidavits, the proceeding by motion will still remain very imperfect, and many cases will have to be sent, as at present, at great expense, to juries, which might be quite as well dealt with at once by the judge sitting in equity.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIA.—SESSION 5.

CAP. I.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year 1852.
[30th March, 1852.]

CAP. II.

An Act to authorise the Inclosure of certain Lands, in pursuance of the Seventh Annual and also of a special Report of the Inclosure Commissioners for England and Wales.
[20th April, 1852.]

CAP. III.

An Act to provide for the Administration of Personal Estates of Intestates and others to which her Majesty may be entitled in Right of her Prerogative or in Right of her Duchy of Lancaster.
[20th April, 1852.]

CAP. IV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.
[20th April, 1852.]

CAP. V.

An Act further to explain and amend the Acts for the Regulation of Municipal Corporations in England and Wales, and in Ireland.
[20th April, 1852.]

Sect. 1. Proprietors of newspapers not to be deemed contractors by reason of advertisements.

2. Suits commenced for certain penalties under recited acts may be stayed on payment of costs out of pocket.

3. Suits, &c. renewed or continued may be discontinued on payment of costs out of pocket.

4. Court may make order for discontinuing suit, without payment of costs.

5. Judgments not to be affected.

6. Proprietors of newspapers not disqualified from election to municipal offices by reason of advertisements, &c.

CAP. VI.

An Act for extending the Term of the provisional Registration of Inventions under "The Protection of Inventions Act, 1851."
[20th April, 1852.]

Sect. 1. *Provisional Registration under the recited Act to continue in Force till 1st February, 1853.*

Whereas by "The Protection of Inventions Act, 1851,"

[14 Vict. c. 8.] it was provided, that the provisional registration of any new invention registered thereunder should continue in force for the term of one year from the time of the same being so registered: and whereas it is expedient that the said term should be extended: be it therefore enacted &c. as follows:—

Sect. 1. The registration of every invention provisionally registered under the said act shall continue in force until the 1st day of February, 1853, in like manner, and with the like effect and consequences, as if every such registration had been continued in force till that day by the said act, instead of for the term of one year from the time of the invention being registered as therein mentioned.

CAP. VII.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

[20th April, 1852.]

CAP. VIII.

An Act for the Regulation of her Majesty's Royal Marine Forces while on Shore.

[20th April, 1852.]

CAP. IX.

An Act to disfranchise the Borough of St. Alban.

[3rd May, 1852.]

CAP. X.

An Act for raising the Sum of Seventeen millions seven hundred and forty-two thousand eight hundred Pounds by Exchequer Bills, for the Service of the Year 1852.

[3rd May, 1852.]

CAP. XI.

An Act to continue an Act of the twelfth Year of her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.

[3rd May, 1852.]

CAP. XII.

An Act to enable her Majesty to carry into effect a Convention with France on the Subject of Copyright; to extend and explain the International Copyright Acts; and to explain the Acts relating to Copyright in Engravings.

[28th May, 1852.]

Translations.

- Sect. 1. *Partial Repeal of 7 & 8 Vict. c. 12, s. 18.*
2. *Her Majesty may by Order in Council direct that the Authors of Books published in Foreign Countries may for a limited Time prevent unauthorised Translations.*
3. *Thereupon the Law of Copyright shall extend to prevent such Translations.*
4. *Her Majesty may by Order in Council direct that the Authors of Dramatic Works represented in Foreign Countries may for a limited Time prevent unauthorised Translations.*
5. *Thereupon the Law for protecting the Representation of such Pieces shall extend to prevent unauthorised Translations.*
6. *Adaptations, &c. of Dramatic Pieces to the English Stage not prevented.*
7. *All Articles in Newspapers, &c. relating to Politics may be republished or translated, and also all similar Articles on any Subject, unless the Author has notified his Intention to reserve the Right.*
8. *No Author to be entitled to Benefit of this Act without complying with the Requisitions herein specified.*
9. *Pirated Copies prohibited to be imported, except with Consent of Proprietor; Provisions of 5 & 6 Vict. c. 45, as to Forfeiture, &c. of pirated Works, &c. to extend to Works prohibited to be imported under this Act.*
10. *Foregoing Provisions and 7 & 8 Vict. c. 12, to be read as one Act.*
11. *French Translations to be protected as hereinbefore mentioned, without further Order in Council.*

Reduction of Duties.

12. *Recital of 9 & 10 Vict. c. 58. Rates of Duty not to be raised during Continuance of Treaty, and if further Reduction is made for other Countries it may be extended to France.*
13. *For Removal of Doubts as to Construction of Schedule to 9 & 10 Vict. c. 58.*

Lithographs, &c.

14. *Recital of 8 Geo. 2, c. 13; 7 Geo. 3, c. 38; 17 Geo. 3, c. 57; 6 & 7 Will. 4, c. 59. For Removal of Doubts as to the Provisions of the said Acts including Lithographs, Prints, &c.*

Whereas an act was passed in the 7 & 8 Vict. [c. 12.] intitled "An Act to amend the Law relating to International Copyright, hereinafter called 'The International Copyright Act:'" and whereas a convention has lately been concluded between her Majesty and the French Republic, for extending in each country the enjoyment of copyright in works of literature and the fine arts first published in the other, and for certain reductions of duties now levied on books, prints, and musical works published in France: and whereas certain of the stipulations on the part of her Majesty contained in the said treaty require the authority of Parliament: and whereas it is expedient that such authority should be given, and that her Majesty should be enabled to make similar stipulations in any treaty on the subject of copyright which may hereafter be concluded with any foreign power: be it enacted &c. as follows:—

Sect. 1. The 18th section of the 7 & 8 Vict. c. 12, shall be repealed, so far as the same is inconsistent with the provisions hereinafter contained.

2. Her Majesty may, by Order in Council, direct that the authors of books which are, after a future time, to be specified in such order, published in any foreign country, to be named in such order, their executors, administrators, and assigns, shall, subject to the provisions hereinafter contained or referred to, be empowered to prevent the publication in the British dominions of any translations of such books not authorised by them, for such time as may be specified in such order, not extending beyond the expiration of five years from the time at which the authorised translations of such books hereinafter mentioned are respectively first published, and in the case of books published in parts, not extending as to each part beyond the expiration of five years from the time at which the authorised translation of such part is first published.

3. Subject to any provisions or qualifications contained in such order, and to the provisions herein contained or referred to, the laws and enactments for the time being in force for the purpose of preventing the infringement of copyright in books published in the British dominions shall be applied for the purpose of preventing the publication of translations of the books to which such order extends which are not sanctioned by the authors of such books, except only such parts of the said enactments as relate to the delivery of copies of books for the use of the British Museum, and for the use of the other libraries therein referred to.

4. Her Majesty may, by Order in Council, direct that authors of dramatic pieces which are, after a future time, to be specified in such order, first publicly represented in any foreign country, to be named in such order, their executors, administrators, and assigns, shall, subject to the provisions hereinafter mentioned or referred to, be empowered to prevent the representation in the British dominions of any translation of such dramatic pieces not authorised by them, for such time as may be specified in such order, not extending beyond the expiration of five years from the time at which the authorised translations of such dramatic pieces hereinafter mentioned are first published or publicly represented.

5. Subject to any provisions or qualifications contained in such last-mentioned order, and to the provisions hereinafter contained or referred to, the laws and enactments for the time being in force for insuring to the author of any dramatic piece first publicly represented in the British dominions the sole liberty of representing the same shall be applied for the purpose of preventing the representation of any translations of the dramatic pieces to which such last-mentioned order extends, which are not sanctioned by the authors thereof.

6. Nothing herein contained shall be so construed as to

prevent fair imitations or adaptations to the English stage of any dramatic piece or musical composition published in any foreign country.

7. Notwithstanding anything in the said International Copyright Act or in this act contained, any article of political discussion which has been published in any newspaper or periodical in a foreign country may, if the source from which the same is taken be acknowledged, be republished or translated in any newspaper or periodical in this country; and any article relating to any other subject which has been so published as aforesaid may, if the source from which the same is taken be acknowledged, be republished or translated in like manner, unless the author has signified his intention of preserving the copyright therein, and the right of translating the same, in some conspicuous part of the newspaper or periodical in which the same was first published, in which case the same shall, without the formalities required by the next following section, receive the same protection as is by virtue of the International Copyright Act or this act extended to books.

8. No author, or his executors, administrators, or assigns, shall be entitled to the benefit of this act, or of any Order in Council issued in pursuance thereof, in respect of the translation of any book or dramatic piece, if the following requisitions are not complied with, (that is to say)—

1. The original work from which the translation is to be made must be registered, and a copy thereof deposited in the United Kingdom in the manner required for original works by the said International Copyright Act, within three calendar months of its first publication in the foreign country;
2. The author must notify on the title-page of the original work, or if it is published in parts, on the title-page of the first part, or if there is no title-page, on some conspicuous part of the work, that it is his intention to reserve the right of translating it;
3. The translation sanctioned by the author, or a part thereof, must be published either in the country mentioned in the Order in Council by virtue of which it is to be protected, or in the British dominions, not later than one year after the registration and deposit in the United Kingdom of the original work, and the whole of such translation must be published within three years of such registration and deposit;
4. Such translation must be registered and a copy thereof deposited in the United Kingdom within a time to be mentioned in that behalf in the order by which it is protected, and in the manner provided by the said International Copyright Act for the registration and deposit of original works;
5. In the case of books published in parts, each part of the original work must be registered and deposited in this country in the manner required by the said International Copyright Act within three months after the first publication thereof in the foreign country;
6. In the case of dramatic pieces the translation sanctioned by the author must be published within three calendar months of the registration of the original work;
7. The above requisitions shall apply to articles originally published in newspapers or periodicals if the same be afterwards published in a separate form, but shall not apply to such articles as originally published.
9. All copies of any works of literature or art wherein there is any subsisting copyright by virtue of the International Copyright Act and this act, or of any Order in Council made in pursuance of such acts or either of them, and which are printed, reprinted, or made in any foreign country except that in which such work shall be first published, and all unauthorised translations of any book or dramatic piece the publication or public representation in the British dominions of translations whereof not authorised as in this act mentioned shall for the time being be prevented under any Order in Council made in pursuance of this act, are hereby absolutely prohibited to be imported into any part of the British dominions, except by or with the consent of the registered proprietor of the copyright of such work or of such book or piece, or his agent, authorised in writing; and the provision of the act of the 5 & 6 Vict. [c. 45], "to amend the Law of Copyright," for the forfeiture, seizure, and destruction of any printed book first published in the United Kingdom wherein there shall be copyright, and reprinted in any country out of the British dominions, and imported into

any part of the British dominions by any person not being the proprietor of the copyright, or a person authorised by such proprietor, shall extend and be applicable to all copies of any works of literature and art, and to all translations the importation whereof into any part of the British dominions is prohibited under this act.

10. The provisions hereinbefore contained shall be incorporated with the International Copyright Act, and shall be read and construed therewith as one act.

11. And whereas her Majesty has already, by Order in Council under the said International Copyright Act, given effect to certain stipulations contained in the said convention with the French Republic; and it is expedient that the remainder of the stipulations on the part of her Majesty in the said convention contained should take effect from the passing of this act without any further Order in Council; during the continuance of the said convention, and so long as the Order in Council already made under the said International Copyright Act remains in force, the provisions hereinbefore contained shall apply to the said convention, and to translations of books and dramatic pieces which are, after the passing of this act, published or represented in France, in the same manner as if her Majesty had issued her Order in Council in pursuance of this act for giving effect to such convention, and had therein directed that such translations should be protected as hereinbefore mentioned for a period of five years from the date of the first publication or public representation thereof respectively, and as if a period of three months from the publication of such translation were the time mentioned in such order as the time within which the same must be registered and a copy thereof deposited in the United Kingdom.

12. And whereas an act was passed in the 9 & 10 Vict. [c. 58], intituled "An Act to amend an Act of the seventh and eighth Years of her present Majesty, for reducing, under certain Circumstances, the Duties payable upon Books and Engravings;" and whereas by the said convention with the French Republic it was stipulated that the duties on books, prints, and drawings published in the territories of the French Republic should be reduced to the amounts specified in the schedule to the said act of the 9 & 10 Vict. [c. 58]; and whereas her Majesty has, in pursuance of the said convention, and in exercise of the powers given by the said act, by Order in Council declared that such duties shall be reduced accordingly; and whereas by the said convention it was further stipulated that the said rates of duty should not be raised during the continuance of the said convention; and that if during the continuance of the said convention any reduction of those rates should be made in favour of books, prints, or drawings published in any other country, such reduction should be at the same time extended to similar articles published in France; and whereas doubts are entertained whether such last-mentioned stipulations can be carried into effect without the authority of Parliament: be it enacted, that the said rates of duty so reduced as aforesaid shall not be raised during the continuance of the said convention; and that if during the continuance of the said convention any further reduction of such rates is made in favour of books, prints, or drawings published in any other foreign country, her Majesty may, by Order in Council, declare that such reduction shall be extended to similar articles published in France, such order to be made and published in the same manner and to be subject to the same provisions as orders made in pursuance of the said act of the 9 & 10 Vict. c. 58.

13. And whereas doubts have arisen as to the construction of the schedule of the act of the 9 & 10 Vict. c. 58: it is hereby declared, that for the purposes of the said act every work published in the country of export, of which part has been originally produced in the United Kingdom, shall be deemed to be and be subject to the duty payable on "works originally produced in the United Kingdom, and republished in the country of export," although it contains also original matter not produced in the United Kingdom, unless it shall be proved to the satisfaction of the Commissioners of her Majesty's Customs by the importer, consignee, or other person entering the same that such original matter is at least equal to the part of the work produced in the United Kingdom, in which case the work shall be subject only to the duty on "works not originally produced in the United Kingdom."

14. And whereas by the four several acts of Parliament following, that is to say, an act of the 8 Geo. 2, c. 13; an act of

the 7 Geo. 3, c. 38; an act of the 17 Geo. 3, c. 57; and an act of the 6 & 7 Will. 4, c. 59, provision is made for securing to every person who invents, or designs, engraves, etches, or works in mezzotinto or chiaro-oscuro, or, from his own work, design, or invention, causes or procures to be designed, engraved, etched, or worked in mezzotinto or chiaro-oscuro, any historical print or prints, or any print or prints of any portrait, conversation, landscape, or architecture, map, chart, or plan, or any other print or prints whatsoever, and to every person who engraves, etches, or works in mezzotinto or chiaro-oscuro, or causes to be engraved, etched, or worked any print taken from any picture, drawing, model, or sculpture, notwithstanding such print has not been graven or drawn from his own original design, certain copyrights therein defined: and whereas doubts are entertained whether the provisions of the said acts extend to lithographs and certain other impressions, and it is expedient to remove such doubts:

It is hereby declared, that the provisions of the said acts are intended to include prints taken by lithography, or any other mechanical process by which prints or impressions of drawings or designs are capable of being multiplied indefinitely, and the said acts shall be construed accordingly.

CAP. XIII.

An Act to amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in Ireland.

[28th May, 1852.]

CAP. XIV.

An Act to continue an Act of the fifteenth Year of her present Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the common Fund.

[28th May, 1852.]

CAP. XV.

An Act to continue an Act to amend the Laws relating to Loan Societies.

[28th May, 1852.]

Whereas an act was passed in the 3 & 4 Vict. [c. 110.] intitled "An Act to amend the Laws relating to Loan Societies," which act has been continued by sundry acts until the 1st October, 1852, and to the end of the then next session of Parliament; and it is expedient that the same should be further continued: be it enacted &c., that the said act shall be further continued to the 1st October, 1853, and to the end of the then next session of Parliament.

CAP. XVI.

An Act to amend the Acts relating to the Repayment of Advances made to Districts in Ireland.

[28th May, 1852.]

CAP. XVII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.

[28th May, 1852.]

CAP. XVIII.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in Respect of Stock-in-Trade or other Property to the Relief of the Poor.

[28th May, 1852.]

Whereas an act was passed in the 3 & 4 Vict. [c. 89.] intitled "An Act to exempt until the 31st December, 1841, Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in Respect of Stock-in-Trade or other Property to the Relief of the Poor:" and whereas the said act has been since continued by sundry acts until the 1st October, 1852, and to the end of the then next session of Parliament; and it is expedient that the said act should be further continued: be it enacted &c., that the said act shall continue in force until the 1st October, 1853, and to the end of the then next session of Parliament.

CAP. XIX.

An Act to continue an Act for authorising the Application of Highway Rates to Turnpike Roads.

[28th May, 1852.]

(To be continued).

London Gazettes.

FRIDAY, JULY 23.

BANKRUPTS.

GEORGE CLARK, Old-street, St. Luke's, Middlesex, draper, dealer and chapman, July 29 and Sept. 2 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed July 13.

HENRY GURNEY, Pitfield-street, Hoxton, Middlesex, victualler, dealer and chapman, July 31 and Sept. 8 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Patten, 41, Ely-place, Holborn.—Petition filed July 15.

HENRY ADDIS, WILLIAM ONIONS, and EDMUND LLOYD, (trading under the style or firm of Addis, Onions, & Co.), Gloucester, vinegar manufacturers, Aug. 3 and 31 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Wilkes, Gloucester; Bevan, Bristol.—Petition filed July 9.

CHARLES ROGERS, Camborne, Cornwall, draper, dealer and chapman, Aug. 4 at 11, and Aug. 24 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Stogdon, Exeter; Sole & Co. 68, Aldermanbury, London.—Petition filed July 9.

THOMAS LISTER the younger, Long Preston, Yorkshire, cotton spinner, Aug. 2 and 31 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Harie, Leeds.—Petition dated July 6.

JOHN RAMPOLDI, Newcastle-upon-Tyne, toyman and jeweller, dealer and chapman, Aug. 3 at 11, and Sept. 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed July 19.

MEETINGS.

Sarah Clabbon, Stapleford, Cambridgeshire, newspaper proprietor, Aug. 5 at 1, Court of Bankruptcy, London, ch. ass.—*Thomas Cowdrey*, Brighton, wine merchant, Aug. 2 at 11, Court of Bankruptcy, London, last ex.—*Wm. Parsons*, Merton, Surrey, retailer of beer, Aug. 4 at 12, Court of Bankruptcy, London, last ex.—*Thomas Pearman*, Cold Harbour-road, Brixton, Surrey, builder, Aug. 4 at 12, Court of Bankruptcy, London, aud. ac.—*John Ashcroft*, Toxteth-park, Liverpool, timber broker, Aug. 3 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. N. Monies*, Liverpool, wine merchant, Aug. 3 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 16 at 11, div.—*John Marsden*, Manchester, laceman, Aug. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Joshua Shaw*, Manchester, warehouseman, Aug. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Gullick*, Yalding, Kent, licensed common brewer, Aug. 13 at 12, Court of Bankruptcy, London, div.—*Henry Madworth*, Wisbech St. Peter, Cambridgeshire, grocer, Aug. 13 at half-past 11, Court of Bankruptcy, London, div.—*Benjamin Baylis*, Gloucester, woolstapler, Aug. 16 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Julsum, Trafalgar-road, Greenwich, Kent, licensed victualler, Aug. 17 at 1, Court of Bankruptcy, London.—*Robert Buck*, Church-street, Hackney, Middlesex, builder, Aug. 13 at 11, Court of Bankruptcy, London.—*Thomas F. Millar*, Bath, Somersetshire, publisher, Aug. 17 at 11, District Court of Bankruptcy, Bristol.—*Elizabeth Ann Yandall*, Bath, Somersetshire, innkeeper, Aug. 16 at 11, District Court of Bankruptcy, Bristol.—*Richard Peacock*, Gateshead, Durham, carpenter, Aug. 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Webb*, Rugby, Warwickshire, brazier, Aug. 19 at half-past 11, District Court of Bankruptcy, Birmingham.—*John Burlingham*, Worcester, milliner, Aug. 19 at half-past 11, District Court of Bankruptcy, Birmingham.—*William Rowland Hill*, Birmingham, silversmith, Aug. 14 at 1, District Court of Bankruptcy, Birmingham.—*Robert James*, Lenton, Nottinghamshire, lace maker, Aug. 19 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Richard Wilson Todd and Richard Hobbs, Bath, Somersetshire, ironmongers.—*Errington Bell*, South Shields, Durham, paper manufacturer.—*George Turnbull*, Coxhoe, Durham, draper.—*Michael Lees*, Halifax, Yorkshire, woollen manufacturer.

SCOTCH SEQUESTRATIONS.

Edward Wilson Bruce, South Bridge, Edinburgh, hat manufacturer.—*Harry Pearson*, Glasgow, hotel keeper.—*Walter Peacock How*, Dundee, ironmonger.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Riley, Halifax, Yorkshire, shopkeeper, Aug. 6 at 10, County Court of Yorkshire, at Halifax.—*Geo. Chittenden*, Maidstone, Kent, upholsterer, Aug. 3 at 12, County Court of Kent, at Maidstone.—*William Dalzell*, Sheffield, Yorkshire, grocer, Aug. 4 at 12, County Court of Yorkshire, at Sheffield.—*Jos. Rickaby*, Darlington, Durham, corn merchant, Aug. 11 at 10, County Court of Durham, at Darlington.—*Stephen Hart*, Bristol, confectioner, July 28 at 11, County Court of Gloucestershire, at Bristol.—*Wm. E. Mason*, Bristol, retailer of beer, July 28 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Head*, Bristol, attorney's clerk, July 28 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Scott*, Bedlington, Northumberland, grocer, Aug. 13 at 10, County Court of Northumberland, at Morpeth.—*John Hopper*, Rothbury, Northumberland, relieving officer of the Rothbury Poor-law Union, Sept. 11 at 12, County Court of Northumberland, at Rothbury.—*J. Burge*, Wombourne, Staffordshire, grocer, July 31 at 12, County Court of Staffordshire, at Wolverhampton.—*Eliza Stittle*, spinster, Cambridge, dealer in seed, Aug. 6 at 10, County Court of Cambridgeshire, at Cambridge.—*Alfred Darby*, Cambridge, attorney's clerk, Aug. 6 at 10, County Court of Cambridgeshire, at Cambridge.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, Aug. 6.

George Bainbridge, South Hylton, shipbuilder.—*F. Dodds*, Burn-hall Farm, near Sunderland-bridge, farmer.

At the County Court of Cambridgeshire, at CAMBRIDGE, Aug. 6 at 10.

George Brooker, Cambridge, confectioner.

At the County Court of Sussex, at LEWES, Aug. 10.

George Plummer, Hastings, carpenter.—*Wm. Evans*, Buttons, Mayfield, farm bailiff.

At the County Court of Nottinghamshire, at NOTTINGHAM, Aug. 12 at 9.

George Moline Cowley, Nottingham, attorney at law.

At the County Court of Kent, at DOVER, Aug. 18 at 10.

John Busher Duncan, Child's-place, Temple-bar, London, barrister at law.

TUESDAY, JULY 27.

BANKRUPTS.

MACKNESS BRANSON, Stratford, Essex, stationer, dealer and chapman, Aug. 5 at 12, and Sept. 6 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Duffield, 14, Devonshire-st., Bishopsgate-st., and Chelmsford, Essex.—Petition filed July 19.

JOHN LEE, Brooks-mews, Gloucester-place, Paddington, Middlesex, cab proprietor, dealer and chapman, Aug. 5 at half-past 1, and Sept. 6 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Young & Son, 29, Mark-lane, London.—Petition filed July 17.

WILLIAM BURMAN, Birmingham, brickmaker, dealer and chapman, Aug. 9 at half-past 10, and Aug. 30 at 1, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. East, Birmingham.—Petition dated July 24.

JOHN SWIFT, Staveley, Derbyshire, grocer and draper, Aug. 14 at 12, and Oct. 9 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Hoole & Yeomans, Sheffield.—Petition dated July 20; filed July 21.

JAMES BURROWS DAVIES, Liverpool, provision merchant, dealer and chapman, Aug. 5 and Sept. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Yates, jun., Liverpool.—Petition filed July 16.

DAVID GIBSON, Newcastle-upon-Tyne, grocer, dealer and chapman, Aug. 3 at 1, and Sept. 3 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Bownas, Newcastle-upon-Tyne; Starmy & Co., 14 A, Philpot-lane, Eastcheap, London.—Petition filed July 17.

MEETINGS.

John Barrell, Billericay, Essex, grocer, Aug. 7 at half-past 1, Court of Bankruptcy, London, last ex.—*William Hodge*, Great Marlborough-st., Westminster, Middlesex, wholesale manufacturing stationer, Aug. 10 at 1, Court of Bankruptcy, London, last ex.; Aug. 9 at 12, aud. ac.—*George Baker* and *George Baker* the younger, Threadneedle-st., London, stock-brokers, Aug. 10 at 11, Court of Bankruptcy, London, last ex.—*Stephen Nelson*, Sowerby, near Thirsk, Yorkshire, builder, Aug. 6 at 11, District Court of Bankruptcy, Leeds, last ex.—*Robert Sewell*, Swaffham, Norfolk, scrivener, Aug. 6 at 1, Court of Bankruptcy, London, aud. ac.—*James Bluck*, Bucklersbury, London, wine merchant, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*John Thomas*, Little Stanhope-street, May-fair, Middlesex, builder, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Cowdry*, Brighton, Sussex, wine merchant, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Wymark*, Mistley, near Manningtree, Essex, wharfinger, Aug. 9 at 12, Court of Bankruptcy, London, aud. ac.—*J. Wood*, Putney, Surrey, brewer, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Martin Ward*, Mark-lane, London, corn and malt merchant, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*William Parsons*, Merton, Surrey, retailer of beer, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*William Russell*, Bethnal-green-road, Middlesex, draper, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*William Davison*, Newcastle-upon-Tyne, spirit merchant, Aug. 20 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Philip Rufford*, *Francis Rufford*, and *Charles John Wragge*, Stourbridge, Worcestershire, bankers, Aug. 7 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac. sep. est. of *Philip Rufford* and *Charles John Wragge*.—*James Guest*, Birmingham, commission agent, Aug. 14 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*William Lewis*, Plymouth, Devonshire, grocer, Aug. 26 at 11, District Court of Bankruptcy, Plymouth, aud. ac. and div.—*Matthew Chapman*, Devonport, painter, Aug. 26 at 11, District Court of Bankruptcy, Plymouth, aud. ac. and div.—*George William Corrie*, Plymouth, Devonshire, wine merchant, Aug. 26 at 11, District Court of Bankruptcy, Plymouth, aud. ac. and div.—*John Clarke* and *George Clarke*, Market Harborough, Leicestershire, and Ropemaker-street, London, and Burton Lattimer, Isham, and Spratton, Northamptonshire, carpet and rug manufacturers, Aug. 14 at half-past 10, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Frederick Sutton, Kingston-upon-Hull, ironmonger, Aug. 18 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Robert White, Gloucester-street, Curtain-road, and *John Bowler*, Wilkes-street, Spitalfields, Middlesex, scale-board cutters.—*Francis Woolhouse Saunders*, Thame, Oxfordshire, harness maker.—*Samuel Moyer*, Old-street, St. Luke's, Middlesex, linendraper.—*Wm. Bridges* the younger, Whiteless, Cambridgeshire, farmer.—*Elijah Solomon*, Haydon-square, Minories, Middlesex, jeweller.—*Wm. Chadwick*, Manchester, paper manufacturer.—*John Cuff*, Manchester, hotel keeper.—*Thomas Head*, Hanley, Staffordshire, apothecary.—*George Herbert*, York, linendraper.

PARTNERSHIP DISSOLVED.

John Edward Colville Husband and *Thomas Vernon Royle*, Chester, attorneys at law.

SCOTCH SEQUESTRATIONS.

John O'Neil, Glasgow, contractor.—*Horatio Frederick Lloyd*, Edinburgh, comedian.—*Cunningham & Collins*, Glasgow, contractors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Isaac Senior, Newcastle-under-Lyme, Staffordshire, wire worker, Aug. 25 at 12, County Court of Staffordshire, at Newcastle-under-Lyme.—*Henry Packer*, PITCHCOMBE, Gloucestershire, publican, Aug. 25 at half-past 10, County Court of Gloucestershire, at Stroud.—*Robert Thompson*, Sheffield, Yorkshire, file manufacturer, Aug. 4 at 12, County Court of Yorkshire, at Sheffield.—*Thomas Thomas*, Swansea, Glamorganshire, licensed victualler, Aug. 18 at 10, County Court of Glamorganshire, at Swansea.—*James Coleman*, Coventry, Warwickshire, ribbon weaver, Aug. 18 at 10, County Court of Warwickshire, at Coventry.—*Henry Cook*, Berkeley, Gloucestershire, licensed victualler, Aug. 23 at 10, County Court of Gloucestershire, at Dursley.—*James Bushell*, Preston, next Wingham, Kent, saddler, July 31 at 11, County Court of Kent, at Sandwich.—*Thomas Tomlin Bushell*, Wingham, Kent, out of business, July 31 at 11, County Court of Kent, at Sandwich.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 2 at 11, before Mr. Commissioner PHILLIPS.

George Drew, High-st., Epsom, Surrey, shoemaker.—*J. Verrall* the younger, Charles-street, Old Gravel-lane, St. George's-in-the-East, Middlesex, schoolmaster.—*Geo. Clark*, Princes-st., Dunston-road, Kingland-road, Middlesex, carpenter.—*Wm. Lyes*, Union-st., South Mimms, Middlesex, police constable.—*Edmond St. John*, North-place, Lower Edmondton, Middlesex, omnibus driver.—*Charles Prudames*, Cross-st., Blackfriars-road, Surrey, fishmonger.

Nov. 4 at 10, before Mr. Commissioner LAW.

Edward Thomas, High-road, Merton, Surrey, dealer in corn.—*Elizabeth Eleanor Cockram*, White Horse-yard, Holborn, Middlesex, cab proprietor.—*Robert Lee*, Bayat-terrace, Bethnal-green, Middlesex, silk manufacturer.—*John Storey*, Bush-lane, Cannon-street, London, manufacturer of portmanteaus.

Nov. 9 at 11, before the CHIEF COMMISSIONER.

George Glaentzer, Richmond-st., Soho, Middlesex, hatter.—*Kate Wright*, Nichol's-square, Hackney-road, Middlesex, out of business.—*James Sears*, Chapel-place, Islington, Middlesex, carpenter.—*John Wakelin*, York-road, King's-cross, Middlesex, potato merchant.—*Thomas Black*, Upper Park-st., Islington, Middlesex, out of business.

Nov. 10 at 11, before the CHIEF COMMISSIONER.

John Sherwood Withey, Mount-cottage, Furze-lane, Edmondton, Middlesex, florist.

Saturday, July 24.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Sarah Browne, Swansea, Glamorganshire, huckster, No. 67,793 C.; *Thos. Brown*, new assignee, Thomas Francis, late assignee, removed.—*Thos. Edwards*, Hastings, Sussex, boot maker, No. 74,679 C.; *Wm. Potter Noakes*, new assignee, W. Noakes, late assignee, deceased.—*Jas. Butcher*, Lower Marsh, Lambeth, Surrey, beer-shop keeper, No. 62,085 T.; *William Winfield*, assignee.—*John Wood*, Manchester, eating-house keeper, No. 75,106 C.; *Richard Starkie*, assignee.

Saturday, July 24.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Zachariah Lloyd, Tyssen-place, Shacklewell-green, Middlesex, carpenter in the Debtors Prison for London and Middlesex.—*Charles Blackburn Fletcher*, Tyssen-place, Shacklewell-green, Middlesex, carpenter in the Debtors Prison for London and Middlesex.—*James Teale Lingham*, Paradise-row, Clapham-road, Surrey, clerk in the Solicitor's

office, Somerset-house, Strand; in the Debtors Prison for London and Middlesex.—*George Ramsden*, Sophia-terrace, Basing-yard, Peckham, Surrey, out of business: in the Debtors Prison for London and Middlesex.—*Richard Perkins*, Burton-st., Compton-st., Walworth-common, Surrey, plasterer: in the Gaol of Surrey.—*George Johnson*, Jacob's-well-mews, Manchester-sq., Middlesex, licensed cabriolet driver: in the Gaol of Horsemonger-lane.—*Thomas Dewey*, Gresham-st., London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Elizabeth Grant*, Bedford-street, Strand, Middlesex, dairywoman: in the Debtors Prison for London and Middlesex.—*Frederick Upton*, Great James-st., Lisson-grove, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*James Peris Stevens*, St. Andrew's-road, Newington, Surrey, isinglass manufacturer: in the Gaol of Surrey.—*Robert Rogers*, Frimley, Surrey, out of business: in the Gaol of Surrey.—*Robert Ellis*, Totnes, Devonshire, cordwainer: in the Gaol of St. Thomas the Apostle.—*George Plummer*, Hastings, Sussex, carpenter: in the Gaol of Lewes.—*J. L. Williams*, Llandovery, Carmarthenshire, victualler: in the Gaol of Carmarthen.—*H. J. Braham*, Bristol, out of business: in the Gaol of Bristol.—*G. Dutton*, Gorton, Manchester: in the Gaol of Lancaster.—*S. A. Cooke*, Cawston, near Reepham, Norfolk, clerk: in the Gaol of Norwich.—*John Wright*, Liverpool, master of the barque Senator, lying in the Salthouse Dock, Liverpool: in the Gaol of Lancaster.—*George Crosby*, Pendleton, near Salford, Lancashire, cotton skein dyer: in the Gaol of Lancaster.—*Frederick Maggi*, Chapeltown, near Leeds, Yorkshire, surgeon: in the Gaol of York.—*Thomas Bendow*, Cheltenham, Gloucestershire, out of business: in the Gaol of Coventry.—*Wm. Brown*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*John Beckett*, Davy-hulme, near Manchester, out of business: in the Gaol of Lancaster.—*Thomas Buller*, Manchester, butcher: in the Gaol of Lancaster.—*Denis Donovan*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Daniel Douglas*, Hulme, Manchester, joiner: in the Gaol of Lancaster.—*John Green*, Yatton, Somersetshire, mason: in the Gaol of Bristol.—*John Herman*, Kingston-upon-Hull, out of business: in the Gaol of Hull.—*D. Quigley*, Liverpool, shoemaker: in the Gaol of Lancaster.—*Henry Rogers*, Hulme, Manchester, out of business: in the Gaol of Lancaster.—*G. Rouse*, Hulme, Manchester, provision-shop keeper: in the Gaol of Lancaster.—*Wm. Scott*, Manchester, egg dealer: in the Gaol of Lancaster.—*John Silbouldin*, Liverpool, auctioneer: in the Gaol of Lancaster.—*Joseph Thompson*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*George H. Webb*, Liverpool, bookkeeper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, Aug. 11 at 10.

Aaron Rose, Halesowen, out of business.

At the County Court of Suffolk, at IPWICH, Aug. 13 at 10.

John Bull, Elmwell, near Stowmarket, tailor.

At the County Court of Warwickshire, at COVENTRY, Aug. 18 at 10.

Richard Baker, Birmingham, manufacturer of umbrella furniture.—*Edward Allen*, Birmingham, out of business.—*R. Blackwell*, Birmingham, out of business.

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LONDON, AUGUST 7, 1852.

THE opinion of the common-law judges delivered in the House of Lords, in the case of *Hutton v. Bright**, turned upon the applicability of the Winding-up Acts to companies which are only provisionally registered, and upon the liability of their members as contributories to preliminary expenses. The subjects themselves are of much practical importance, and the judicial opinion expressed in regard to them will, in the words of Lord Cranworth, "go far to settle doubts that have created enormous expense and anxiety beyond measure in the winding up of these several abortive companies." The facts of the case before the House were simply these:—The Direct Birmingham, Oxford, Reading, and Brighton Railway Company was provisionally registered in 1845. A prospectus had been published containing the names of the provisional committee, (more than seven in number), who had been appointed with their own consent, and it was thereby proposed to establish the company with a capital of 2,000,000*l.*, in 80,000 shares of 25*l.* each, upon which the deposit was to be 2*l.* 12*s.* 6*d.* Mr. Bright was one of the said provisional committee. A meeting (which Bright did not attend) was afterwards held, when the appointment of the provisional committee was ratified, a managing committee was appointed, and resolutions were passed to the effect that an act of Parliament should be applied for; that the necessary plans, &c. should be obtained; that the managing committee should superintend the affairs of the company, allot shares, and

apply the funds in payment of the expenses. 100 shares were then allotted to and accepted by Mr. Bright, who paid the deposit thereon, (262*l.* 10*s.*) Only a portion of the 80,000 shares were allotted, and deposits on only 4296 were paid; no act of Parliament was applied for, and the undertaking was abandoned. Expenses to a large amount, however, had been incurred, but Bright never directly authorised the incurring of them, nor was he ever present at any meeting of the company, nor did he in any manner become a party to any contract under which any of such expenses were incurred. An order was made for winding up the company; Mr. Hutton was appointed official manager; Mr. Bright was declared to be a contributory from the time when he united in his own person the characters of provisional committeeman and allottee, and a call of 10*l.* per share was made upon him. On appeal by him to the House of Lords, the first question proposed to the judges was, whether such an association came within the scope of the several Winding-up Acts. They were unanimously of opinion that it did, although they admitted that many of the provisions of those acts were applicable only to such companies as were completely, and not provisionally, formed. They considered it to be doubtful whether the company came within the 7 & 8 Vict. c. 111, as its immediate object was to obtain an act of Parliament, which could not be said to be a "commercial or trading purpose," although its ultimate object was of that character*; but they

* If it ever becomes necessary to decide this question, we think that the Courts will hold a railway company to be formed for a "commercial or trading purpose," and that the obtaining the act of Parliament will be regarded simply as a step towards the accomplishment of this purpose, not as an

* June 21, 22, and 28, 1852. There was also a cross-appeal of *Bright v. Hutton*, but the two appeals, in fact, involved the same questions.

thought that it was clearly an "association" within the meaning of the 12 & 13 Vict. c. 108. Adverting to the inapplicability of portions of the Winding-up Acts to companies only provisionally registered, Parke, B., in delivering the opinion of the judges, said, "It is now perfectly settled law, and acted upon in every court of law in Westminster Hall, that there is no partnership between provisional committeemen or the projectors of a company—no common power of binding each other merely by such a relation; each binds himself by his own acts only. Therefore there are very few creditors of such a body collectively, though many of one, two, or three of the acting individuals who compose the committee or are projectors; and so there may be a series of contracts, to which there are different contributories, according as they have been authorised by different persons; very few binding all, and those only upon the rare accident of each individual authorising that particular contract. These inchoate undertakings have generally no joint estate, effects, or credits, of which there can be a manager, (11 & 12 Vict. c. 45, ss. 19, 20); nor, except in the case above mentioned, can there be a judgment or decree against the whole body, (sect. 5); nor, except in such case, can there be contributories of the entire company, because contributories are only those who have contracted by themselves or their agents with a creditor, or have agreed to indemnify or repay, in part or in the whole, those who have contracted. The law upon the subject is most correctly laid down by Lord Cranworth in *Carrick's case*, (1 Sim., N.S., 505). All the questions of contributories resolve themselves into two simple questions of fact: first, (and by far the most frequent), did the alleged contributory make, or authorise to be made, the contract? or, secondly, if any one or more entered into the contract, did he agree to indemnify, in part or in the whole, against its consequences?"

These important observations lead us to the second question put to the judges, namely, whether the facts above stated afford sufficient evidence at law to warrant (in an action against A.—i. e. Mr. Bright) a verdict that A. is liable to contribute to expenses incurred beyond the amount of his deposit? The judges were unanimous, that, but for *Upfill's case*, (2 H. L. C. 674), the evidence would not have warranted a verdict against A.; and the House* thereupon, in effect, though not in express terms, reversed the decision in *Upfill's case*, and held that the mere combination of provisional committeeman and allottee of shares in one person does not render him liable as a contributory. Lord Cranworth, alluding to one of the arguments addressed from the Bar, namely, that, although not responsible at law, Mr. Bright might be so in equity, said—"I know of no such possible distinction; he was liable, if at all, by virtue of a contract. If there was a contract, he

was liable at law; if there was no contract, he was not liable at law or in equity." The Lord Chancellor, after stating that *Upfill's case* might, perhaps, be distinguished in some degree from the one then before the House, expressed his opinion, that although the House was bound by its own decisions, so that it could not reverse its decision in any particular case, yet that it was not bound by any rule of law which it might lay down, if on a subsequent occasion it found reason to differ from that rule; but it is inherent in the nature of every court of justice, that it should have liberty to correct any error into which it may have fallen. Lord Campbell appeared to differ from this view, but the point itself was not expressly decided. It cannot, however, be doubted that *Upfill's case* is no longer law. The effect of this decision has been to cause the revision of numerous lists of contributories, and the striking off of many who had before been declared liable to contribute to the expenses of abortive schemes.

LIABILITY OF TRUSTEES FOR IMPROPER INVESTMENTS.

THE judgment of the Court of Appeal in Chancery in the case of *Robinson v. Robinson* (16 Jur., part 1, p. 255) has set at rest a question upon which considerable conflict of authority had previously existed, namely, the extent of the liability of trustees, who, being authorised to invest trust funds, at their discretion, in either Government or real securities, are guilty of a breach of trust. In *Marsh v. Hunter*, (6 Mad. 295), Sir J. Leach held, that in such a case the trustees were answerable, not for the amount of stock which might have been purchased, but for the principal money lost, on the ground that if real security had been taken, the principal money only would have been forthcoming to the trust, and that therefore the want of real security was all that could be imputed to the trustees. On the other hand, in a similar case of *Hockley v. Bantock*, (1 Russ. 141), in which, however, the previous case of *Marsh v. Hunter* was not cited, Lord Gifford directed an inquiry as to the price of 3l. per Cent. stock at the respective times when any balances should be found to have been in the hands of the trustees; which shews, that in his opinion the trustees were liable to be charged with the value of the stock, and not merely with the amount of the principal money lost, for otherwise such an inquiry would have been improper. In *Watts v. Girdlestone*, (6 Beav. 188), which is the next reported case upon this subject, Lord Langdale, after admitting that the question whether the trustees were to be charged with the money or stock was of great importance, and taking time to consider his judgment, decided that the trustees were answerable, at the option of the cestui que trust, either for the sum which was to have been invested, or for such an amount of Bank 3l. per Cent. Annuities as might have been purchased with the sum at the time when it ought to have been invested, according to the trust. And in *Ames v. Parkinson*, (7 Beav. 379), upon reconsideration, he retained the opinion he had expressed in *Watts v. Girdlestone*, and thought that case had been rightly decided. Subsequently the same question called for a decision in a case before Sir J. Wigram, late Vice-Chancellor, (*Shepherd v. Mouis*, 4 Hare, 500), who said that the discretion given to the trustees to select an investment among several securities made it impossible to ascertain the amount of the loss which had arisen to the trust fund from the omission to invest; and that, unless some reason could be shewn why the trustees should, at any

* The Lord Chancellor, Lord Brougham, Lord Campbell, and Lord Cranworth.

given moment, have chosen one kind of investment rather than another, it seemed impossible to say there had been a default by the trustees in not having made a particular investment, or what had been the definite loss to the trust fund from the omission so to do; that the breach of trust consisted in having made no proper investment—not in having omitted to choose the one rather than the other; and he could not see upon what principle the Court was to charge the trustees with an accidental improvement in value of one of several securities, where the trustees were not bound, in the execution of the trust, to select that particular security rather than another; and after remarking that the case was very different from that of giving the cestui que trust the option of electing between the interest and the profits which a trustee might have made—because in one case the Court pursued the actual consequences of the breach of trust—in the other, by going beyond the recovery of the trust monies and interest, it proceeded on grounds purely hypothetical—said that he should follow the authority of *Marsh v. Hunter*; and Sir J. L. Knight Bruce, V. C., in *Ross v. Williams*, (1 De G. & S. 314), also decided in accordance with the last case. However, Lord Langdale, in *Ouseley v. Anstruther*, (10 Beav. 456), refused to deviate from his former decisions, and reiterated his opinion, that where an option was given to invest either in mortgage or in the funds, and the trustee, acting in complete violation of his duty, did neither, the cestui que trust had a right to select that investment which would be most advantageous to him; and again, in *Robinson v. Robinson*, (11 Beav. 371), he decided the same point in a similar way. In this state of the authorities the last case was carried before the Lords Justices of Appeal, and fully argued, when Lord Cranworth delivered an elaborate judgment, in which he went very fully into the principles involved in the question, and after shewing that the ground upon which a trustee, who had improperly retained trust monies in his hands, or by neglect had allowed them to be lost, was liable, at the option of the cestui que trust, either for the principal sum retained or lost, and interest, or for the amount of 3*l.* per Cent. stock that would have arisen if the investment had been properly made, in cases where he was bound to secure the trust monies permanently for the benefit of the cestui que trust, and therefore, in the absence of express authority or direction to the contrary, to invest in the 3*l.* per Cents. according to a well-established rule of the Court, and in cases where the duty of investing in the 3*l.* per Cents. was expressly imposed upon him by the terms of his trust, was, that the trustee should not profit by his wrong, said—"If he had done what he was bound to do, a certain amount of 3*l.* per Cents. would have been forthcoming for the cestui que trust, and therefore, if called on to have such 3*l.* per Cents. forthcoming, he is bound to do so, just as, in an ordinary case, every wrongdoer is bound to put the party injured, so far as the nature of the case allows, in the same situation in which he would have stood if the wrong had not been done;" and also shewing that, where the trustee lent or used trust monies in trade, the cestui que trust had a right to charge him not only with the sum lent or used, and interest, but also for the profits made in the trade, if it was for his interest to do so, on the ground that the employment of the trust funds in trade was unwarrantable; and therefore the trustee should not be permitted to rely on his own misconduct in having exposed the funds to the risks of trade, as a reason for retaining the extra profits, beyond interest, for his own benefit; proceeded to observe, that the ground on which, in all these cases, the right of election in the cestui que trust rested wholly failed in the case where a trustee, having an option to invest either in the 3*l.* per Cents. or in real securities, neglected his duty, and carelessly left the trust fund in some other state of

investment. In such a case, said his Lordship, the cestui que trust cannot say to the trustee, "If you had done your duty I should have a certain amount of 3*l.* per Cents.," or "the trust fund would now consist of a certain amount of 3*l.* per Cents." It is obvious that the trustee might have duly discharged his duty, and yet no such result would have ensued. Where a man is bound by covenant to do one or two things, and does neither, there an action lies by the covenantee; the measure of damage is the loss arising by reason of the covenantor having failed to do that which is most, not that which is least, beneficial to the covenantee; and the same principles may, perhaps, be applied by analogy to the case of a trustee failing to invest in either of two modes equally lawful by the terms of the trust. It was contended at the bar, that in such a case the trustee has by his neglect lost his right of electing between the two modes of investment; that he was always bound by the trust to exercise his discretion in the mode most beneficial for the objects of the trust, and that having omitted to do so at the time when the option was open to him, he can no longer do it when he is called on to account for his neglect, and when he can no longer exercise an unbiased and impartial option. The fallacy of this argument consists in assuming that, in the case supposed, the trustee is called on to exercise any option at all. He is not called on to exercise any option retrospectively, but is made responsible for not having exercised it at the proper time—for not having made one of two several kinds of investments; and a reason for his being, in such a case, chargeable only with the money which should have been invested, and not with the 3*l.* per Cents. which might have been purchased, is, that there never was any right in the cestui que trust to compel the purchase of the 3*l.* per Cents. The trustee is answerable for not having done what he was bound to do, and the measure of his responsibility should be what the cestui que trust must have been entitled to, in whatever mode that duty was performed; and after examining into the ground upon which Lord Langdale is supposed to have proceeded in the several cases before him, the Court arrived at the conclusion that no such right of option as had been contended for by the cestui que trust existed, and that the trustee was liable only for the principal monies lost, and interest.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIAE.—SESSION 5.

(Continued from p. 253).

CAP. XX.

An Act to continue the Duties on Profits arising from Property, Professions, Trades, and Offices. [28th May, 1852.]

CAP. XXI.

An Act to continue the Stamp Duties granted by an Act of the fifth and sixth Years of her present Majesty, to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same. [17th June, 1852.]

Sect. 1. Duties continued for one year.

2. First-recited act and other acts continued in force.

CAP. XXII.

An Act to continue certain Acts for regulating Turnpike Roads in Ireland. [17th June, 1852.]

CAP. XXIII.

An Act to shorten the Time required for assembling Parliament after a Dissolution thereof. [17th June, 1852.]

CAP. XXIV.

An Act for the Amendment of an Act passed in the first Year of the Reign of her Majesty Queen Victoria, intituled "An Act for the Amendment of the Laws with Respect to Wills." [17th June, 1852.]

- Sect. 1. *When Signature to a Will shall be deemed valid.*
 2. *Act to extend to certain Wills already made.*
 3. *Interpretation of "Will."*
 4. *Short Title of Act.*

Whereas the laws with respect to the execution of wills require further amendment: be it therefore enacted, &c., as follows:—

Sect. 1. Where, by an act passed in the 1 Vict. [c. 26], intituled "An Act for the Amendment of the Laws with Respect to Wills," it is enacted, that no will shall be valid unless it shall be signed at the foot or end thereof by the testator, or by some other person in his presence and by his direction: every will shall, so far only as regards the position of the signature of the testator, or of the person signing for him as aforesaid, be deemed to be valid within the said enactment, as explained by this act, if the signature shall be so placed at, or after, or following, or under, or beside, or opposite to the end of the will, that it shall be apparent on the face of the will that the testator intended to give effect, by such his signature, to the writing signed as his will; and that no such will shall be affected by the circumstance that the signature shall not follow or be immediately after the foot or end of the will, or by the circumstance that a blank space shall intervene between the concluding word of the will and the signature, or by the circumstance that the signature shall be placed among the words of the testimonium clause or of the clause of attestation, or shall follow or be after or under the clause of attestation, either with or without a blank space intervening, or shall follow or be after or under or beside the names or one of the names of the subscribing witnesses, or by the circumstance that the signature shall be on a side or page or other portion of the paper or papers containing the will whereon no clause or paragraph or disposing part of the will shall be written above the signature, or by the circumstance that there shall appear to be sufficient space on or at the bottom of the preceding side or page, or other portion of the same paper on which the will is written, to contain the signature; and the enumeration of the above circumstances shall not restrict the generality of the above enactment; but no signature under the said act or this act shall be operative to give effect to any disposition or direction which is underneath or which follows it, nor shall it give effect to any disposition or direction inserted after the signature shall be made.

2. The provisions of this act shall extend and be applied to every will already made, where administration or probate has not already been granted or ordered by a Court of competent jurisdiction, in consequence of the defective execution of such will, or where the property, not being within the jurisdiction of the Ecclesiastical Courts, has not been possessed or enjoyed by some person or persons claiming to be entitled thereto, in consequence of the defective execution of such will, or the right thereto shall not have been decided to be in some other person or persons than the persons claiming under the will, by a Court of competent jurisdiction, in consequence of the defective execution of such will.

3. The word "will" shall, in the construction of this act, be interpreted in like manner as the same is directed to be interpreted under the provisions in this behalf contained in the said Act of the 1 Vict. [c. 26].

4. This act may be cited as "The Wills Act Amendment Act, 1852."

CAP. XXV.

An Act to amend an Act for registering Births, Deaths, and Marriages in England. [17th June, 1852.]

CAP. XXVI.

An Act to enable her Majesty to carry into Effect Arrangements made with Foreign Powers for the Apprehension of Seamen who desert from their Ships. [17th June, 1852.]

CAP. XXVII.

An Act to amend the Law of Evidence in Scotland. [17th June, 1852.]

CAP. XXVIII.

An Act to amend an Act of the fourteenth and fifteenth Years of her present Majesty, for the Direction of Public Works and Buildings; and to vest the Buildings appropriated for the Accommodation of the Supreme Courts of Justice in Edinburgh in the Commissioners of her Majesty's Works and Public Buildings. [17th June, 1852.]

CAP. XXIX.

An Act to empower the Commissioners of her Majesty's Works and Public Buildings to inclose and lay out Kennington Common, in the County of Surrey, as Pleasure Grounds for the Recreation of the Public. [17th June, 1852.]

CAP. XXX.

An Act to empower the Commissioners of her Majesty's Customs to acquire certain Lands and Houses in the Borough of Belfast, for the Purpose of erecting a Custom House and other Offices and Buildings required for the Public Service in the said Borough. [17th June, 1852.]

CAP. XXXI.

An Act to legalise the Formation of Industrial and Provident Societies. [30th June, 1852.]

CAP. XXXII.

An Act to alter and amend certain Provisions in the Laws relating to the Number and Election of Magistrates and Councillors in the Burghs in Scotland. [30th June, 1852.]

CAP. XXXIII.

An Act to confirm certain Provisional Orders made under an Act of the last Session, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls." [30th June, 1852.]

CAP. XXXIV.

An Act to extend the Act to facilitate the Improvement of Landed Property in Ireland, and the Acts amending the same, to the Erection of Scotch Mills for Flax in Ireland. [30th June, 1852.]

CAP. XXXV.

An Act to amend an Act passed in the last Session of Parliament, intituled "An Act to regulate certain Proceedings in Relation to the Election of Representative Peers for Scotland." [30th June, 1852.]

CAP. XXXVI.

An Act to amend the Law relating to the certifying and registering Places of Religious Worship of Protestant Dissenters. [30th June, 1852.]

CAP. XXXVII.

An Act to continue the Poor-law Commission for Ireland. [30th June, 1852.]

CAP. XXXVIII.

An Act to explain two Acts of the twelfth and thirteenth Years of the Reign of her Majesty, concerning the Appointments of Overseers, and the Authority of Justices of the Peace to act in certain Matters relating to the Poor in Cities and Boroughs. [30th June, 1852.]

CAP. XXXIX.

An Act to remove Doubts as to the Lands and Casual Revenues of the Crown in the Colonies and Foreign Possessions of her Majesty. [30th June, 1852.]

CAP. XL.

An Act for carrying into Execution an Agreement for the Sale of Property belonging to her Majesty, in Right of her Crown and of her Duchy of Lancaster, to the Commissioners of Inland Revenue; and for enabling such Commissioners to dispose of their present Chief Office and other Property in the City of London. [30th June, 1852.]

CAP. XLI.

An Act to provide a Burial Ground for the Township of Huderfeld, in the County of York. [30th June, 1852.]

CAP. XLII.

An Act to confirm certain Provisional Orders of the General Board of Health, and to amend the Public Health Act, 1848. [30th June, 1852.]

CAP. XLIII.

An Act to repeal certain Disabilities under the 1 Geo. 1, c. 13, and the 6 Geo. 3, c. 53. [30th June, 1852.]

CAP. XLIV.

An Act to amend and consolidate the Laws relating to the Carriage of Passengers by Sea. [30th June, 1852.]

CAP. XLV.

An Act for making a Turnpike Road between Stone Creek and Sank Island Church, in the County of York, and between Sank Island Church and Patrington Haven, and for consolidating with such Roads the present Turnpike Road from Sank Island Church to Ottringham, and for constructing Quays and Wharfs at Stone Creek. [30th June, 1852.]

CAP. XLVI.

An Act to amend an Act of the eleventh Year of King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy. [30th June, 1852.]

CAP. XLVII.

An Act to enable her Majesty to abolish otherwise than by Treaty, on Condition of Reciprocity, Differential Duties on Foreign Ships. [30th June, 1852.]

CAP. XLVIII.

An Act for the Amendment of the Law respecting the Property of Lunatics. [30th June, 1852.]

- Sect. 1. Powers and provisions of the recited act extended to other cases and purposes.
2. Modes in which future maintenance may be charged.
3. By whom jurisdiction to be exercised. The foregoing provisions to be incorporated with the recited act.
4. Power to receive dividends of stock in lunatic's name.
5. Indemnity to Bank of England, &c.
6. Receiver may, under order, make repairs, leases, &c.
7. Interpretation of words.

CAP. XLIX.

An Act to extend the Provisions of the several Acts passed for the Conveyance of Sites for Schools. [30th June, 1852.]

CAP. L.

An Act to consolidate and amend the Laws relating to the Militia in England. [30th June, 1852.]

CAP. LI.

An Act to extend the Provisions of the Acts for the Commutation of Manorial Rights, and for the gradual Enfranchisement of Lands of Copyhold and Customary Tenure. [30th June, 1852.]

- Sect. 1. For effecting enfranchisement after next admittance.
2. Mode of effecting enfranchisements.
3. Appointment of valuer not to be revoked without mutual consent, except that commissioners may remove for misconduct, &c.
4. In case of death, &c. of valuers, others to be appointed.
5. Commissioners, &c. may call for and enforce production of books and documents.
6. Power of entry for purposes of the act.
7. Valuers, how to proceed.
8. Questions of law or fact may be referred to the commissioners. Appeal to be had on matter of law on a case stated.
9. Award to be confirmed by the commissioners.
10. Charge under the act to be a first charge.

11. Enfranchisements to be according to form in schedule.
12. Form of charge.
13. Certificates to be transferable by indorsement.
14. Stamp on certificates.
15. Commissioners may correct any error in award, &c. after notice to parties interested.
16. Valuer to take particular circumstances of the cases into consideration.
17. If consideration not paid, the lord may take possession.
18. Land so obtained by lord may be let for not exceeding seven years.
19. Steward's compensation to include preparation of deed of enfranchisement.
20. Inspection, &c. of court rolls of the manor.
21. After enfranchisement, the lord may give up to the commissioners all the court rolls. Inspection, &c. thereof.
22. Title of lord to be made for the purpose of enfranchisement.
23. After an application for enfranchisement, tenant may require commissioners to inquire into the lord's title.
24. Identity of lands.
25. As to purchase by the lord in certain cases.
26. Power to lord having a limited interest to charge purchase money on manor, &c.
27. After the 1st July, 1853, when a heriot shall be due and payable, the lord or tenant may require or compel enfranchisement.
28. Declaration to be taken by valuers.
29. As to recovery of interest in enfranchisement considerations.
30. As to expense of proceedings under this act.
31. How expenses of enfranchisement to be borne where the lord has but a limited interest in a manor, or is trustee thereof.
32. How tenant's expenses of enfranchisement are to be borne.
33. Confirmation of award by commissioners to be proof of prior proceedings being regular.
34. After confirmation of apportionment, &c. in cases of enfranchisement, the customary modes of descent to cease, and the lands to descend and to be subject to dower and curtesy in like manner as freehold lands. Proviso. Proviso as to gavelkind.
35. Commissioners to have power to suspend proceedings.
36. Power to lord to sell rent-charge.
37. Commissioners to certify the amount of consideration money for redemption.
38. Consideration money for redemption of sale, how payable.
39. Consideration money in cases of owners under disability, how payable.
40. As to consideration money under 20l.
41. Power to commute or enfranchise at fixed fines or rent-charges.
42. Tenants may deduct rent-charges, &c. payable to landlord.
43. Surrenderes by way of mortgage, &c. to be deemed a tenant for certain purposes.
44. Enfranchisement not to affect previous leases or demises.
45. Not to affect commonable rights in respect of lands enfranchised.
46. Enfranchisement not to affect rights under any will, settlement, &c.
47. Defective titles of lords and tenants.
48. Act not to extend to mines or minerals, &c., nor to copyholds for lives where tenants have not a right of renewal.
49. Copies registered at the office of commissioners to be evidence.
50. Agreements, &c. to be exempt from stamp duty.
51. Penalty on persons obstructing commissioner, assistant commissioner, valuer, or umpire.
52. Construction of words.
53. This act to be deemed part of the first-recited act.
54. Titles of acts.
55. Not to impede enfranchisement irrespective of this act, or powers in other acts of Parliament.

CAP. LII.

An Act to enable Colonial and other Bishops to perform certain Episcopal Functions, under Commission from Bishops of England and Ireland. [30th June, 1852.]

(To be continued).

London Gazette.

FRIDAY, JULY 30.

BANKRUPTS.

- WILLIAM OGILVIE CAMERON** and **WILLIAM BRUCE**, Mintern-street, New North-road, Hoxton, Middlesex, pickle merchants, oil and colour men, dealers and chapmen, Aug. 4 and Sept. 8 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Pocock & Poole, 58, Bartholomew-close.—Petition filed July 22.
- WILLIAM WINCH**, Coal-hole Tavern, Fountain-court, Strand, licensed victualler, and North-mews, Gray's-inn-lane, Middlesex, ivory cutter, dealer and chapman, Aug. 9 at half-past 1, and Sept. 15 at 2, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrence & Co., Old Jewry-chambers, London.—Petition filed July 27.
- WILLIAM SENTANCE RUMSEY**, Queen-street-place, Upper Thames-street, London, druggist, dealer and chapman, Aug. 9 and Sept. 15 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Jones, 22, Austin-frirs.—Petition filed July 22.
- JEAN BAPTESTE DAUPTAIN**, Wharf-road, City-road, Middlesex, colour merchant, dealer and chapman, Aug. 6 at 12, and Sept. 10 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Brandon, 15, Essex-street, Strand.—Petition filed July 27.
- THOMAS PEARSE**, Bristol, hat and cap manufacturer, dealer and chapman, Aug. 13 and Sept. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed July 27.
- DAVID LANSLEY**, Bath, livery-stable keeper, dealer and chapman, Aug. 10 and Sept. 7 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Heather & Moger, 17, Paternoster-row.—Petition filed July 29.
- GEORGE WALSH**, Blackburn, Lancashire, pawnbroker and clothes dealer, dealer and chapman, Aug. 10 and 31 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Swift, Blackburn; Hall, Accrington.—Petition filed July 20.
- THOMAS LUKE**, New Accrington, Lancashire, grocer and confectioner, dealer and chapman, Aug. 11 and 31 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Bannister, Accrington; Sale & Co., Manchester.—Petition filed July 27.

MEETINGS.

- J. D. Benjamin*, Southampton-st., Bloomsbury-sq., Middlesex, dealer in cigars, Aug. 13 at 1, Court of Bankruptcy, London, aud. ac.; Aug. 20 at 1, div.—*J. Gullick*, Yalding, Kent, licensed common brewer, Aug. 12 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Henry Medworth*, Wisbech St. Peter, Cambridgehire, grocer, Aug. 12 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thomas F. Millar*, Bath, Somersetshire, publisher, Aug. 12 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Vincent Cooke*, Worcester, cabinet maker, Aug. 11 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. H. Richardson*, Darlaston, Staffordshire, tube manufacturer, Aug. 10 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Frederick Stoessiger*, Birmingham, jeweller, Aug. 12 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*John Elliott*, Liverpool, ironmonger, Aug. 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. J. Foulkes*, Birkenhead, Cheshire, druggist, Aug. 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Roulledge*, Liverpool, wine merchant, Aug. 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Pritchard*, Liverpool, tea merchant, Aug. 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Dalton* and *Thomas Edwards*, Birmingham, ironfounders, Aug. 24 at half-past 11, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

- R. H. Whiteman*, High-street, Putney, Surrey, apothecary, Aug. 23 at 11, Court of Bankruptcy, London.—*E. Morgan*, Portman-market, Edgware-road, Middlesex, licensed victualler, Aug. 23 at 12, Court of Bankruptcy, London.—*Wm.*

Wood, Wath-upon-Dearne, Yorkshire, timber merchant, Aug. 30 at 12, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

- Thomas Heard*, Woodbridge, Suffolk, brewer.—*Edward Dubbins*, Colchester, Essex, common brewer.—*John Passman*, Stockton-upon-Tees, Durham, carrier.—*Josiah Bowrin*, Walsall, Staffordshire, carrier.—*Wm. Royde Fearn*, Birmingham, draper.—*R. Chamberlain*, Uttoxeter, Staffordshire, draper.—*Lund Newham*, Sheffield, Yorkshire, draper.—*Thos. Bates*, S. Sheard, and *John Sheard*, Halifax, Yorkshire, engineers.—*John Iveson*, Stokesley, Yorkshire, builder.

FIAT ANNULLED.

W. Williams, Kidwelly, Carmarthenshire, timber merchant.

SCOTCH SEQUESTRATIONS.

- Thomas Hamilton*, Haddington, horse dealer.—*John M. Wilson*, deceased, Glasgow, shoemaker.—*Thomas Lang*, Kilmours, seedsman.—*G. & D. Ford*, Edinburgh, merchants.—*George Dunlop*, Haddington, distiller.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

- John Umpleby* the younger, Barnes Green, near Manchester, cattle salesman, Aug. 2 at 10, County Court of Lancashire, at Liverpool.—*Mary Hayman*, widow, Liverpool, lodging-house keeper, Aug. 2 at 10, County Court of Lancashire, at Liverpool.—*W. Carrall*, Tredegar, Monmouthshire, general ironmonger, Aug. 13 at 10, County Court of Monmouthshire, at Tredegar.—*Peter May*, Birmingham, glass cutter, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Hall*, Birmingham, superintendent of the detective force of police, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*Henry L. O'Hara*, Birmingham, apothecary, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*John Garbutt*, Birmingham, druggist, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*John Buckley* the younger, Birmingham, gun finisher, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Langley*, Birmingham, shoemaker, Aug. 7 at 10, County Court of Warwickshire, at Birmingham.—*John Smith* the younger, Ilfracombe, Devonshire, butcher, Aug. 3 at 10, County Court of Devonshire, at Barnstaple.—*George Henry Gay*, Brighton, Sussex, out of business, Aug. 13 at 12, County Court of Sussex, at Brighton.—*Mathias Wyeth*, Brighton, Sussex, grocer, Aug. 13 at 12, County Court of Sussex, at Brighton.—*Elizabeth Wright*, Brighton, Sussex, staymaker, Aug. 13 at 12, County Court of Sussex, at Brighton.—*Robert Chard*, Wolverhampton, Staffordshire, butcher, Aug. 3 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Williams*, Kidderminster, Worcestershire, out of business, Aug. 18 at 10, County Court of Worcestershire, at Kidderminster.—*James Napier*, South Shields, Durham, grocer, Aug. 16 at 10, County Court of Durham, at South Shields.—*Richard Bird*, Bishopwearmouth, Durham, waterman, Aug. 18 at 10, County Court of Durham, at Sunderland.—*Joseph Pyman*, Tonbridge Wells, Kent, blacksmith, Aug. 12 at 10, County Court of Kent, at Tonbridge Wells.—*Richard Davies*, Tanydderwen, Henllan, Denbighshire, carpenter, Aug. 12 at 11, County Court of Denbighshire, at Denbigh.—*J. Tennel*, Tynemouth, Northumberland, baker, Aug. 20 at half-past 10, County Court of Northumberland, at North Shields.—*George Gistingham*, Ipswich, Suffolk, fruiterer, Aug. 13 at 10, County Court of Suffolk, at Ipswich.—*Peter Trew*, Ipswich, Suffolk, carpenter, Aug. 13 at 10, County Court of Suffolk, at Ipswich.—*Mary Wood*, single woman, Churcham, near Gloucester, Aug. 26 at 10, County Court of Gloucestershire, at Gloucester.—*John Humphrey*, Brighton, Sussex, schoolmaster, Aug. 13 at 12, County Court of Sussex, at Brighton.—*Charles Dolton*, Arundel, Sussex, watchmaker and jeweller, Aug. 7 at 10, County Court of Sussex, at Arundel.—*Henry Footer*, Stoke next Guildford, Surrey, bricklayer, Aug. 10 at 11, County Court of Surrey, at Guildford.—*John Weight*, Send, near Guildford, Surrey, stationer, Aug. 10 at 11, County Court of Surrey, at Guildford.—*William Henry Williams*, Newport, Monmouthshire, coal merchant, Aug. 10 at 12, County Court of Monmouthshire, at Newport.—*Wm. Conley*, Newport, Monmouthshire, innkeeper, Aug. 10 at 12, County Court of Monmouthshire, at Newport.—*James Hin-*

wood, Gravesend, Kent, clothier, Aug. 7 at 10, County Court of Kent, at Gravesend.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 2 at 11, before Mr. Commissioner PHILLIPS.

Richard Pearce Squire, South-street, Manchester-square, St. Marylebone, Middlesex, carriage-lamp maker.

Nov. 4 at 10, before Mr. Commissioner LAW.

Wm. Thos. Turner, Russell-street, Brixton-road, Surrey, plumber.—Geo. Collins, Vernon-place, Bagnigge-wells-road, Middlesex, butcher.—John Hitchcock Chubb, Bromley, Middlesex, carpenter.

Nov. 4 at 11, before Mr. Commissioner PHILLIPS.

Wm. Colmer, Beaumont-st., Portland-place, Marylebone, Middlesex, lodging-house keeper.

Nov. 10 at 11, before the CHIEF COMMISSIONER.

John Garton, Brudenell-place, New North-road, Middlesex, in no business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, Aug. 11 at 10.

Thomas White the younger, Abberley, farmer.

At the County Court of Glamorganshire, at CARDIFF, Aug. 13.

Wm. Williams, Merthyr Tydvil, butcher.

At the County Court of Warwickshire, at WARWICK, Aug. 13 at 10.

Phebe Roper, Birmingham, lodging-house keeper.

At the County Court of Derbyshire, at DERBY, Aug. 14 at 11.

Edward Fisher Woolton, Derby, horse dealer.—Griffith Jeffrey Morris, Matlock, Bath, captain on half-pay in her Majesty's 22nd regiment of foot.

At the County Court of Devonshire, at EXETER, Aug. 14.

Samuel Wyatt Couch, Lidstone, Charlton, labourer.

At the County Court of Monmouthshire, at MONMOUTH, Aug. 20 at 2.

Ebenezer Morgan, Cwmnantiddu, Trevechin, haulier.

MEETING.

Wm. Bradbury Last, Bury St. Edmund's, Suffolk, jeweller, Aug. 18 at 12, at Sydney's, 2, Union-court, Old Broad-street, London, sp. aff.

TUESDAY, AUGUST 3.

BANKRUPTS.

ANDREW SCOTT and WILLIAM THOMPSON, Upper Ground-st., Blackfriars-road, Surrey, ironfounders, dealers and chapmen, Aug. 12 and Sept. 10 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lindsay & Mason, 84, Basinghall-st., London.—Petition filed July 24.

MATTHEW WORFOLK, Mistley, Essex, coal merchant, dealer and chapman, Aug. 10 at 10, and Sept. 13 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Barnes & Neck, Colchester; Wire & Child, 9, Swithin's-lane, London.—Petition filed July 26.

WILLIAM WHEELER, Cleobury Mortimer, Shropshire, miller and maltster, Aug. 17 and Sept. 7 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Boycot & Tudor, Kidderminster.—Petition dated July 30.

JOHN AVERY and SAMUEL STREET, Birkenhead, Cheshire, shipwrights, boat builders, joiners, smiths, dealers and chapmen, Aug. 16 and Sept. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Holden, York-buildings, Sweeting-street.—Petition filed July 31.

THOMAS DOORBAR, Biddulph, Staffordshire, wheelwright and retailer of beer, Aug. 19 and Sept. 7 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Cooper & Howlett, Congleton; Motteram & Co., Birmingham.—Petition dated July 29.

THOMAS SHAW, Birmingham, stationer, dealer and chapman, Aug. 14 and Sept. 4 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hodgson, Birmingham; Messrs. Linklater, 17, Sise-lane, London.—Petition dated July 30.

CHARLES FREDERICK BAILEY, Burslem, Staffordshire, boot and shoe maker, Aug. 14 and Sept. 6 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith, Hanley; Motteram & Co., Birmingham.—Petition dated July 23.

ROBERT WILSON LISHMAN, Shenstone, Staffordshire, surgeon and apothecary, Aug. 14 and Sept. 6 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Bowen, Stafford; E. & H. Wright, Birmingham.—Petition dated July 28.

JOHN WILLIAMS, Plymouth, Devonshire, dealer in Berlin wools, dealer and chapman, Aug. 7 and Sept. 16 at half-past 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Rooker & Lavers, Plymouth.—Petition filed July 23.

JAMES IBBETSON, Bradford, Yorkshire, bookseller and stationer, dealer and chapman, Aug. 13 and Sept. 10 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Thompson & Clegg, Bradford; Cariss & Cudworth, Leeds.—Petition dated and filed July 27.

WILLIAM BOLDERSTON, Liverpool, wholesale grocer, Aug. 13 and Sept. 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Evans & Son, Liverpool.—Petition filed July 9.

ROBERT CHRISOP WILSON, Seaham Harbour, Durham, earthenware manufacturer, Aug. 17 and Sept. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed July 27.

MEETINGS.

Thomas Bull, Greenwich, Kent, innkeeper, Aug. 14 at 11, Court of Bankruptcy, London, last ex.—James Ingram, Southampton, seedsman, Aug. 14 at 11, Court of Bankruptcy, London, last ex.—Edward Matthew Hadaway, Newcastle-upon-Tyne, grocer, Aug. 17 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—Wm. Wreford, Edwin Cox Nicholls, and Wm. Ellicombe Wreford, Bristol, stockbrokers, Aug. 20 at 11, District Court of Bankruptcy, Bristol, aud. ac.—Daniel M'Connell, Liverpool, joiner, Aug. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles L. Kelly, Artillery-place, Woolwich, Kent, grocer, Aug. 25 at 1, Court of Bankruptcy, London.—Thomas Mills, Llanidloes, Montgomeryshire, grocer, Aug. 25 at 11, District Court of Bankruptcy, Liverpool.—Sarah Curson and George Curson, Exeter, booksellers, Aug. 24 at 1, District Court of Bankruptcy, Exeter.—Wm. A. Watson, Whitacre, Warwickshire, builder, Aug. 26 at half-past 11, District Court of Bankruptcy, Birmingham.—Samuel Bardsley, Tunstall, Staffordshire, joiner, Sept. 27 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

David French, Coal Exchange, London, and Chatham, Kent, coal factor.—James M'Coskris, Liverpool, merchant.—James Gullick, Yalding, Kent, common brewer.—Owen Bowen, Ravensbury Print Works, Lower Mitcham, Surrey, calico printer.—H. Broadbent, Dukinfield, Cheshire, grocer.—James Banister, Birmingham, brassfounder.—James Thos. Woodhouse, Leominster, Herefordshire, scrivener.—Samuel Crosland, Elland, Yorkshire, corn miller.—Laban Longley the elder, Benjamin Longley, Laban Longley the younger, and J. Longley, Almondbury, near Huddersfield, Yorkshire, woollen manufacturers.—John M. Healey, Dewsbury, Yorkshire, draper.—W. B. Franksish, Kingston-upon-Hull, Yorkshire, linendraper.—Alexander M'Kerron, Kingston-upon-

Hull, Yorkshire, draper.—*Charles W. Woodworth*, Liverpool, licensed victualler.

SCOTCH SEQUESTRATION.

James Johnson and Robert Lamb, Edinburgh, tailors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Cochrane, Folkestone, Kent, shoemaker, Aug. 13 at 10, County Court of Kent, at Folkestone.—*Charles Pearce*, Bristol, baker, Aug. 25 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Hutson*, Bristol, plasterer, Aug. 25 at 11, County Court of Gloucestershire, at Bristol.—*George Wintle*, Bristol, milkman, Aug. 25 at 11, County Court of Gloucestershire, at Bristol.—*T. Charnock*, Cheetham, Manchester, labourer, Aug. 23 at 11, County Court of Lancashire, at Manchester.—*H. Jones*, Merthyr Tydvil, Glamorganshire, butcher, Aug. 10 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*S. Hammett*, St. Athans, near Cowbridge, Glamorganshire, shoemaker, Aug. 14 at 10, County Court of Glamorganshire, at Bridgend.—*John Morgan*, Brynmawr, Llanelly, Brecknockshire, innkeeper, Aug. 7 at 10, County Court of Brecknockshire, at Crickhowell.—*George Skinner*, Sheerness, Isle of Sheppey, Kent, clerk in her Majesty's Dockyard, Sheerness, Aug. 16 at 10, County Court of Kent, at Sheerness.—*Robert Jaques*, Appleton-on-Wiske, Yorkshire, surgeon, Aug. 28 at 10, County Court of Yorkshire, at Northallerton.—*Christopher Sadler*, Bedale, Yorkshire, butcher, Aug. 23 at 10, County Court of Yorkshire, at Northallerton.—*Hen. Harrison*, Northallerton, Yorkshire, attorney-at-law, Aug. 28 at 10, County Court of Yorkshire, at Northallerton.—*George Britton*, Burn, near Selby, Yorkshire, labourer, Aug. 19 at 10, County Court of Yorkshire, at Selby.—*Robert Sawkill* the elder, Stokesale, Yorkshire, shopkeeper, Aug. 27 at 10, County Court of Yorkshire, at Stokesale.—*Henry Rosby*, York, comedian, Aug. 30 at 10, County Court of Yorkshire, at York.—*Robert William Hoppett*, Cambridge, cabinet maker, Aug. 16 at 10, County Court of Cambridgeshire, at Cambridge.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Aug. 16 at 10.

John Bennett, Cambridge, bricklayer.

At the County Court of Warwickshire, at COVENTRY, Aug. 18 at 10.

Thos. Bendow, Cheltenham, Gloucestershire, in no business.—*John Westbury*, Birmingham, cabinet maker.—*John Dumbell*, Wolverhampton, Staffordshire, watchmaker.

At the County Court of Glamorganshire, at SWANSEA, Aug. 18.

David Owen, Swansea, fireman.—*Thomas Roe*, Swansea, baker.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*John Stewart Marshall*, of Wigan, in the county palatine of Lancaster; *William Winterbotham*, of Cheltenham, in the county of Gloucester.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Benjamin William Rawlings, gent., of Romford, in the county of Essex, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Essex.

Very shortly will be published,

THE COMMON-LAW PROCEDURE ACT, 1852. With an Introduction, and Notes of Pleading. By W. F. FINLASON, Esq., Barrister and Special Pleader; Author of "Leading Cases on Pleading." And NOTES of PRACTICE, Index, and Table of Cases. By RICHARD MORRIS, Esq., Barrister at Law, Assistant Master of the Court of Exchequer, and Author of "A Digest of Practice Cases." Stevens & Norton, 26, Bell-yard, Lincoln's-inn.

NEW LAW REFORMS.

Just published,

THE NEW COUNTY COURT ACT.—An Act to facilitate and arrange Proceedings in the County Courts, 15 & 16 Vict. c. 54, with Notes, containing Practical Observations upon its Provisions, and some of the recent Decisions upon Points of Practice; together with the Absconding Debtors Act, 14 & 15 Vict. c. 52, being a Supplement to the Practice of the County Courts. By CHARLES EDWARD POLLOCK, Esq., of the Inner Temple. Price 1s. 6d. sewed.

THE COPYHOLD ENFRANCHISEMENT ACT.—The New Copyhold Enfranchisement Act, 15 & 16 Vict. c. 51, with Notes, and full Abstract of the preceding Acts; including also plain Directions for Copyhold Valuers, and short Tables of Values of Life Estates. By G. D. BARBER BEAUMONT, Esq., Barrister at Law, Author of "The Law of Fire and Life Insurance," and "Enquiry into the Origin of Copyhold Tenure." Price 2s. sewed.

In the press,

THE COMMON-LAW PROCEDURE ACT.—This important measure will not come into operation until the 24th of October, before which time, and as speedily as possible, an edition of it, in a convenient form, with an Analysis, copious Practical Notes, and a full Index, by EDWARD WISE, Esq., Barrister at Law, will be published.

PATENT LAW AMENDMENT ACT.—A Treatise on the Law of Procedure relating to Letters-Patent for Inventions, including the Act of the late Session. By HENRY LUND, Esq., of Trinity College, Cambridge, and of Lincoln's-inn, Barrister at Law.

This is intended as a companion to a recent work by the same Author, intitled "A Treatise on the Substantive Law relating to Letters-Patent for Inventions." Price 6s. cloth.

THE NEW CHANCERY ACTS.—All the Acts of the late Session for altering the Practice of the Court of Chancery, being 15 & 16 Vict. cc. 80, 86, 87. With Notes by LEONARD SHELFORD, Esq., Barrister at Law.

S. Sweet, 1, Chancery-lane, London.

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This day is published, in 1 vol. 12mo., price 9s. cloth.

THE PRACTICE OF THE COUNTY COURTS. By HERBERT BROOM, Esq., of the Inner Temple, Barrister at Law, Author of "A Selection of Legal Maxims," &c.

This Work contains all the material Sections of the various Statutes relating to the County Courts, including the Act (15 & 16 Vict. c. 54) passed in the recent Session of Parliament; also the Rules of Practice and authentic Forms, together with every reported Case relative to the Practice or Jurisdiction of the County Courts decided at Westminster, down to the day of publication. The Treatise is designed as a Guide and Handbook for the Practitioner in the County Court, and great care has been taken to render it at once complete, accurate, and useful.

A MAP, shewing the Boundaries of the Metropolitan County Court, is appended to the above Treatise.

W. Maxwell, 32, Bell-yard, Lincoln's-inn.

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The Jurist

No. 814—VOL. XVI. AUGUST 14, 1852. PRICE 1s.

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LONDON, AUGUST 14, 1852.

A CASE recently occurred in practice, in Vice-Chancellor Parker's Court, in which leasehold property was vested in a trustee, who died without leaving any will; or, at least, it was unknown when he died, or whether he left a will; at any rate, none was proved; and it was not known who were his next of kin, so that to take out representation to him was a matter of the greatest difficulty, not to say merely inconvenience. It became necessary, in consequence of the sale of the leasehold property vested in him, to have an assignment from his representative, or from whoever should be the trustee of the legal estate, and the case was brought before the Vice-Chancellor, not, however, in such a manner as his Honor considered regular, for the purpose of obtaining the appointment of a new trustee and a vesting order; it stood over for a petition to be regularly presented under the Trustee Acts, 1850 and 1852, but no petition was presented. Such a case may, however, be of not unfrequent occurrence, and it is worth while to consider whether the acts referred to give power to the Court, under such circumstances, to appoint a new trustee, and vest the estate in him.

The sections of the acts affecting this question are the 32nd and 34th of the act of 1850, and the 9th of the act of 1852. They are as follows:—

Sect. 32 of the act of 1850. "That whenever it shall be expedient to appoint any new trustee or new trustees, and it shall be found inexpedient, difficult, or impracticable so to do without the assistance of the Court of Chancery, it shall be lawful for the said Court of Chancery to make an order appointing such new trustee or trustees, either in substitution for, or in addition to any existing trustee or trustees."

Sect. 34. "That it shall be lawful for the said Court

of Chancery, upon making any order for appointing a new trustee or new trustees, either by the same or by any subsequent order, to direct that any lands subject to the trust shall vest in the person or persons who, upon the appointment, shall be the trustee or trustees for such estate, as the Court shall direct; and such order shall have the same effect as if the person or persons who before such order were the trustee or trustees (if any) had duly executed all proper conveyances and assignments of such lands for such estate."

Sect. 9 of the act of 1852. "That in all cases where it shall be expedient to appoint a new trustee, and it shall be found inexpedient, difficult, or impracticable so to do without the assistance of the Court of Chancery, it shall be lawful for the said Court to make an order appointing a new trustee or new trustees, whether there be any existing trustee or not at the time of making such order."

Now, there can be little question that the 32nd section of the act of 1850 does not reach the case; for it would be too strong a thing to say, that even an act of Parliament meant a *dead* trustee, by the words "*existing* trustee;" and though, in the matter of *Taylor's Trust*, (15 Jur., part 1, p. 1120), the language of the Vice-Chancellor, arguendo, might seem to intimate that his Honor thought the statute did refer to a deceased trustee; and though he, in fact, decided that a trustee, who had *disclaimed*, was an existing trustee within the meaning of the act; yet, considering that no such language is attributed to the Vice-Chancellor in the report of *Taylor's case*, (5 De G. & S. 56); considering that there is a great distinction between a person who, though he disclaims the trusts, is yet personally existing, and one out of whom death has taken every scintilla of estate; it is highly improbable that the Vice-Chancellor meant to allude to the case of the death of

a trustee of personalty, and there being no representative; and we think it may be assumed that such a case is, with reference to the act of 1850, a *casus omissus*.

The act of 1852 obviously intended to meet the difficulty; but the question is, whether it actually does meet it. The 9th section would, no doubt, be wide enough to do so if it stood alone, but taken in connection with the former act, it may be doubtful whether it has that effect. One argument against it is, that if that is the effect of the 9th section of the act of 1852, it, in effect, renders useless nearly all the sections of the act of 1850; for if the Court has power under the new act to appoint a trustee in any case, whether there is or is not any trustee, and to vest the trust property in the new trustee by the 34th section of the old act, it amounts to this, that it has absolute power so to do whenever it thinks it convenient; in which case it would be idle for the Court to trouble itself to see whether it has power under the 9th section of the old act, where a trustee is out of the jurisdiction; or under the 12th, where any person is jointly entitled with another; or under any other section. It would only have to see whether it was impracticable, difficult, or even inexpedient to appoint a trustee without the aid of the Court, and then it may appoint one. On the other hand, the argument, and as it seems to us the more reasonable construction, is, that the 32nd section of the old act, and the 9th of the new, were intended, not in any degree to supplant or render unnecessary any other sections, but merely to provide the Court with power to meet any case which, not being specifically dealt with by the other sections, might yet require the aid of the Court.

The other sections, although giving, in terms, only power, are generally construed as imperative; that if the Court may appoint a trustee or make a vesting order, it is bound to do so; while the two clauses under consideration are obviously discretionary, and intended, therefore, to enable the Court to do justice, where it thinks there would be a failure, if the other sections only existed.

We conceive, therefore, that, in such a case as that referred to, the Court would act, and appoint a trustee under the 9th section of the new act; and, having done so, would either make a vesting order, or direct a conveyance, or leave the trustee to make a conveyance, according to the exigency of the case.

VOLUNTARY TRUSTS.

VOLUNTARY trusts of personalty created by parol, and voluntary incomplete settlements by deed, are finding increased favour in the Court of Chancery. The well-known rule as to both is, that, in order to give the *cestui que trust* any equity to enforce them, they must be completed, as far, at least, as it is in the power of the settlor; and that any imperfection in them must be such as was rendered necessary from the nature of the subject, or some equally cogent reason, and was not occasioned by the negligence or error of the settlor.

The most recent case of a parol trust which has occurred was of this kind. An executrix and residuary legatee was sole trustee, under her sister's will, of a

sum of 2000*l.* Consols, for the benefit of another sister, Harriet Gray. She also believed herself to be under a moral obligation to add a sum of 2000*l.* Consols, which had lapsed to herself, to the trust fund for Harriet Gray. It was proved that the sisters went together to the Bank after the death of the testatrix, and that, at the suggestion of her stockbroker, in order to distinguish the trust fund, the executrix transferred 2000*l.* Consols from the name of the testatrix into her own name in *Reduced Stock*, to answer the trust; and at the same time the remainder of the Consols, then standing in the name of the testatrix, were retained in Consols, and simply transferred into the name of the executrix. On the occasion of this transfer the executrix stated to another person present, that she should shortly make an addition of 2000*l.* to the stock held by her as trustee for her sister, in conformity with what she knew to have been the wish of the testatrix, that Harriet should have an additional sum of 2000*l.* upon the same trusts. This was in July, 1845. In August in the same year the executrix did add 2000*l.* stock to the 2000*l.* Reduced Stock. Harriet Gray received dividends on the 4000*l.* Reduced Stock. She filed her bill to enforce the trust of this whole sum for her own benefit against her sister, the trustee and executrix, who had become of unsound mind, and in this suit she was successful. (*Gray v. Gray*, 2 Sim., N.S., 273).

Without venturing to say that the judge did not exercise a wise discretion in so deciding, we think that this case has gone further than any previous decision on the same subject. It will not escape the reader's notice, that there was no declaration of trust, verbal or otherwise, at or after the time of the second transfer; and the whole decision rested upon a trust implied from the previous declaration of the settlor, coupled with her subsequent acts. Now, these previous declarations cannot be of great value, because, although improbable, it is possible that she might have changed her intention before the second investment in Reduced Stock was actually made; and that investment might not have been intended for her sister's benefit at all, if it were not for the fact that her sister received the dividends thereof for some time. But it is not only possible, but probable, notwithstanding such application of the dividends, that it was not intended to give the additional 2000*l.* in precisely the same manner, and upon the very trusts on which the former sum was limited. It seems to us that the implication of trust, to support the decision, must be extremely large. The original trust of the first sum of 2000*l.* Reduced Stock was, during the joint and several lives of Harriet Gray and her husband, to pay the dividends as Harriet should appoint, but not by way of anticipation, and in default, for the separate use of Harriet; and after the death of her husband, in case Harriet survived, the whole sum to her; but if she died in his lifetime, the whole to fall into the residue of the estate under the will. The executrix, previously to the second investment, had declared her intention to add an additional 2000*l.* upon the same trusts; but from her it was a voluntary gift; she had a right to change her intention. Who can tell that she did make the transfer at last upon those very trusts—that she had not changed her intention with respect to any one of the limitations? She said nothing at the time, nor afterwards. Suppose the settlor had survived her sister Harriet, who had survived her husband, and that the settlor had then wished to re-transfer the stock to herself, why should she not? The effect of this decision is, that she could not have done so, because these parol trusts, if complete, are irrevocable. (*M'Fadden v. Jenkins*, 1 Ph. 163). That involves this further consequence, that if the executrix, at the time of making or after the second investment, had declared trusts of the second sum of 2000*l.*, differing

in any particular from those on which the former sum was held, those trusts, so far as they were diverse, must have been void. That seems to be a difficulty which is the direct result of the decision, and which best illustrates our objection to it. We believe *Ouseley v. Anstruther* (10 Beav. 461) to be the only case in which some parol declaration of trust did not follow, or was not, at least, contemporaneous with the act completing the trust; and in that case the settlor had added 500*l.* of his own to settlement monies, to make up the price of an estate purchased upon the trusts of the settlement. The trusts were declared by deed, and though the act of investing the 500*l.* was tacit, the presumption was very strong that this sum was to be included in the settlement. The Master of the Rolls treated that presumption, however, as one that might be rebutted by proper evidence; and we submit that the circumstances of the case are too peculiar to give it much authority as a precedent.

Whatever may be the doubt whether the facts of a case of this kind fully warrant the decision, we think that the disposition shewn by the Courts of Chancery to support these trusts is wise and salutary. There can be no reasonable uncertainty, in most instances, as to the intention of the settlor; and where some care has been taken to effect such intention, it is consistent with the highest equity that the act should be sustained. Very frequently, gifts, that fail for incompleteness, are made in favour of those who have morally the strongest claim on the settlor; and we see no reason why the consideration of blood should not be sometimes as valuable as those of money or marriage.

Another decision relating to the analogous subject of voluntary settlements by deed, which are incomplete from the nature of the property to be settled, has just been reported. (*Keewich v. Manning*, 1 De G., Mac., & G. 176). This case raised a question similar to that in *Sloane v. Cadogan*, (Sugd. V. & P. 1119), and it has decided in effect that an equitable reversionary interest in a sum of stock may be settled by the owner without consideration, and, at least if due notice has been given to the first trustees, that the persons taking under the voluntary deed, may enforce it against the settlor.

Unfortunately the learned judge, in deciding this important case, has used language which has somewhat unsettled points on which we should otherwise have thought there was little doubt or difficulty.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIE.—SESSION 5.

(Continued from p. 261.)

CAP. LIII.

An Act to provide for the Exercise of certain Powers vested in the Bishop of Quebec in respect of Districts severed from his Diocese. [30th June, 1852.]

CAP. LIV.

An Act further to facilitate and arrange Proceedings in the County Courts. [30th June, 1852.]

Sec. 1. *Lord Chancellor to appoint five Judges of Courts held under the 9 & 10 Vict. c. 95, to frame a Scale of Fees, to be submitted to Judges of the Superior Courts for Approval. Costs to be taxed by Clerk of Court, subject to review.*

2. *So much of the 13 & 14 Vict. c. 61, s. 14, as limits the Sitting of Court of Appeal to a Time out of Term repealed. Appeals to be heard in Term as well as out of Term.*

3. *Power to Judges of Superior Courts to make Orders regulating Appeals.*

4. *Power to the Court or a Judge at Chambers to make an Order entitling the Plaintiff to recover his Costs.*

5. *Re-issuing Warrants of Distress.*

6. *Protection to Officers.*

7. *On Petition to her Majesty, the Jurisdiction of the Court of Local Jurisdiction may be excluded from that of the County Court in concurrent Causes.*

8. *As to audit of Clerk's Account.*

9. *Account of Fees to be delivered.*

10. *Provision of the 9 & 10 Vict. c. 95, as to Persons qualified to practise before County Courts, not to extend to this Act.*

11. *Hundred Courts of Offlow and Hemlingsford abolished.*

12. *Compensation to Officers of Hundred Courts.*

13. *Compensations to be paid out of Consolidated Fund.*

14. *Limiting Salaries of Judges and Clerks.*

15. *Lord Chancellor may order retiring Pensions to be paid to County Court Judges.*

16. *Judges of the County Courts not to practise at the Bar or as Special Pleaders.*

17. *No Clerk to be appointed for more than one District, except in certain Cases.*

18. *A Registry of County Courts Judgments to be established.*

19. *No other Persons to be appointed Clerks of the Bristol Court until all the present Clerks shall die, resign, or be removed.*

Whereas it is expedient further to facilitate and arrange proceedings in the county courts: be it enacted, &c., as follows:—

Sec. 1. That it shall be lawful for the Lord Chancellor from time to time to appoint five of the judges of the courts holden under an act of the 9 & 10 Vict. c. 95, intituled "An Act for the more easy Recovery of Small Debts and Demands in England," from time to time to frame a scale of costs and charges to be paid to attornies in the county courts, to be allowed as between attorney and client and as between party and party; and such scale of costs and charges as shall be certified to the Lord Chancellor under the hands of the judges so appointed or authorised, or any three of them, shall be submitted by the Lord Chancellor to three or more of the judges of the superior courts of common law at Westminster, of whom the Chief Justice of the Court of Queen's Bench or Common Pleas, or the Chief Baron of the Court of Exchequer, shall be one, and such judges of the superior courts may approve or disallow or alter or amend such scale of costs and charges, and the scale of costs and charges so approved, altered, or amended shall, from and after a day to be named by such last-mentioned judges, be in force in every county court; and all costs between party and party and attorney and client shall be taxed by the clerk of the court; but his taxation may be reviewed by the judge upon the application of either party; and in no case, upon the taxation of the costs between attorney and client, shall any charges be allowed not sanctioned by the aforesaid scale, unless the clerk is satisfied by writing under the hand of the client that he has agreed to pay such further charges, and no attorney shall have a right to recover at law from his client any costs or charges not so allowed on taxation; and the judges of the county courts so appointed shall possess the same powers of making rules for regulating the practice of the courts, and of settling doubts on the construction of any acts relating to county courts, as were conferred on the judges to be appointed by the Lord Chancellor for that purpose by the 12th section of the 12 & 13 Vict. c. 101, unless otherwise specially provided.

2. So much of the 13 & 14 Vict. c. 61, s. 14, as limits the court of appeal to the puisne judges of the superior courts of common law at Westminster, and the sitting of the said court of appeal to a time out of term, is hereby repealed; and all appeals now depending or hereafter to be brought before the said superior courts shall be heard and determined in term by the judges thereof, as part of the ordinary business of such courts, or out of term by any two or more of the judges of the said superior courts sitting as a court of appeal for that purpose.

3. The judges of the said superior courts, or any five of them, of whom a chief of one of the said superior courts shall be one, may from time to time make General Orders for regulating the proceedings on appeals, which Orders shall be as valid as if included in this act, but shall not be in force until

the end of the session of Parliament next after the promulgation thereof.

4. The 13th section of the 13 & 14 Vict. c. 61, is hereby repealed; and in any action in which the plaintiff shall not be entitled to recover his costs by reason of the provisions of the 11th section of such act, whether there be a verdict in such action or not, if the plaintiff shall make it appear to the satisfaction of the court in which such action was brought, or to the satisfaction of a judge at chambers, upon summons, that such action was brought for a cause in which concurrent jurisdiction is given to the superior courts by the 128th section of the 9 & 10 Vict. c. 95, or for which no plaint could have been entered in any such county courts, or that such action was removed from a county court by certiorari, or that there was sufficient reason for bringing such action in the court in which such action was brought, then and in any of such cases the court in which such action is brought, or the said judge at chambers, shall thereupon, by rule or order, direct that the plaintiff shall recover his costs, and thereupon the plaintiff shall have the same judgment to recover his costs that he would have had if the before-mentioned act of the 13 & 14 Vict. c. 61, had not been passed.

5. That in all cases where a warrant of execution shall have been issued against the goods and chattels of any person, or an order for his commitment been made, and such person or his goods and chattels shall be out of the jurisdiction of the court, and such warrant or order shall have been sealed and stamped by the clerk of another county court, pursuant to the 104th section of the act of the 9 & 10 Vict. c. 95, it shall be lawful for the said clerk of such other court to re-issue the said warrant or order to the high bailiff of such other court, and thereupon such high bailiff shall be authorised and required to act in all respects in the execution of the said warrant or order within the jurisdiction of the court to which the same shall have been so sent in the same manner, with the same powers, and subject to the same rules as if the district to which the warrant or order shall have been sent were within the limits of the court which originally issued the warrant or order.

6. If any action or suit shall be brought against any person for anything done in pursuance of this act, or of any other act relating to county courts, such person may plead the general issue, and give the special matter in evidence; and the warrant under the seal of the county court, being produced in any such action or suit, shall be deemed sufficient proof of the authority of the said county court previous to the issuing of such warrant; and in case the plaintiff in such action shall have a verdict pass against him, be nonsuit, or discontinue the action or suit, the defendant shall in any of the said cases be allowed full costs as between attorney and client.

7. If the council of any city or borough, or a majority of the ratepayers of any parish, within the limits of which a court of local jurisdiction other than a county court is established, under the said act of the 9 & 10 Vict. c. 95, or into the limits of which the jurisdiction of such court of local jurisdiction shall extend, shall petition the Queen in Council that the jurisdiction of such court of local jurisdiction may be excluded in any causes whereof the county court hath cognisance, and if notice of such petition shall be given two months before it is presented, by public advertisement in such city, borough, or parish, and in some newspaper therein circulated, her Majesty, by Order in Council, may declare such exclusion of the jurisdiction of such court of local jurisdiction throughout the whole or any part of the district assigned, or which may hereafter be assigned, to such county court, if no petition against declaring such exclusion be presented, and no caveat be entered at the Council-office: and if any counter-petition be presented, or any caveat be entered, then her Majesty may refer such petition and counter-petition to the Judicial Committee of the Privy Council, upon whose report her Majesty may make such Order in Council as she shall be advised touching the matter of the said petitions, in respect of excluding the jurisdiction of such court of local jurisdiction, and may award compensation to any person or persons entitled to the franchise of appointing officers of such court, or to any officers thereof appointed before the passing of this act, to be given by the Commissioners of her Majesty's Treasury, who are hereby empowered to pay the same.

8. The treasurer of the county court in which any insolvent's estate shall be administered, at the audits of the account of the

clerk of such court, shall also audit and examine the books and accounts of the clerk in all matters relating to such estate, and shall make a report to the judge of the court, stating whether a dividend should be made, and the general result of such audit; and the judge shall examine the said clerk on oath as to the correctness of such accounts, and may make such order as he may deem requisite respecting a dividend or other matter relating to such estate and accounts; and the treasurer shall thereafter at his future audit require and examine the receipts of the several creditors for any dividend; and the Commissioners of her Majesty's Treasury shall have power to make rules to be observed by the treasurers of county courts respecting the audit of the clerk's accounts of insolvent estates, and shall have the same power of making rules for securing the balances and other sums of money in the hands of any officer of the county courts under the last-mentioned act, and for the due accounting and application of such balances and other sums, that they have with respect to balances and other sums in the same hands under the act of the 9 & 10 Vict. c. 95.

9. The clerk and the high bailiff of every county court shall deliver quarterly to the treasurer, in such form as the treasurer, by direction of the said commissioners, shall require, a full account in writing of the fees from time to time received by them respectively under the act of the 9 & 10 Vict. c. 95.

10. And whereas by the said act passed in the 9 & 10 Vict. it was enacted, that no person should be entitled to appear for any other party to any proceeding in any of the said courts "unless he be an attorney of one of her Majesty's superior courts of record, or a barrister-at-law, instructed by such attorney on behalf of the party, or, by leave of the judge, any other person allowed by the judge to appear instead of such party, but that no barrister, attorney, or other person, except by leave of the judge, should be entitled to be heard to argue any question as counsel for any other person in any proceeding in any court holden under that act:" be it enacted, that the said last-recited enactment be repealed; and that it shall be lawful for the party to the suit or other proceeding, or for an attorney of one of her Majesty's superior courts of record being an attorney acting generally in the action for such party, but not an attorney retained as an advocate by such first-mentioned attorney, or for a barrister retained by or on behalf of the party, on either side, but without any right of exclusive or pre-audience, or, by leave of the judge, for any other person allowed by the judge to appear instead of the party, to address the court, but subject to such regulations as the judge may from time to time prescribe for the orderly transaction of the business of the court.

11. From and after the passing of this act no action or suit shall be commenced in the hundred court of Offlow, in the county of Stafford, or in the hundred court of Hemlingsford, in the county of Warwick, and the authority and jurisdiction of the said courts shall cease, and all actions or suits depending in the said courts shall be transferred, with all the proceedings thereon, to the county court for the district in which the respective defendants shall then reside; and such actions and suits shall be dealt with and decided, as to the costs of the same, as well as in other respects, according to the practice of the county court or of the said hundred courts, according to the discretion of the judge of the county court, which court shall for the purposes of such actions or suits be deemed to have all the power and jurisdiction possessed by the said hundred courts before the passing of this act.

12. Every person who is legally entitled to any franchise or office in or in respect of the said hundred courts shall be entitled to make a claim for compensation to the Commissioners of her Majesty's Treasury within six months after the passing of this act, and the said commissioners, in such manner as they shall think fit, may inquire what was the nature of the franchise or office, and what was the tenure thereof, and what were the lawful fees and emoluments in respect of which such compensation should be allowed; and the said commissioners in each case shall award such gross or yearly sum, and for such time, as they shall think just to be awarded, upon consideration of the special circumstances of each case: provided always, that if any person holding any office in the said hundred courts shall be appointed to any public office or employment, the payment of the compensation awarded to him under this act, so long as he shall continue to receive the salary or emoluments of such office or employment, shall be suspended, if the amount of such salary or emoluments be greater than the

amount of the compensation, or, if not, shall be diminished by the amount of such salary or emoluments.

13. The several compensations hereinbefore granted shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and the Commissioners of her Majesty's Treasury of the said United Kingdom are hereby empowered to pay the same accordingly.

14. After the passing of this act the greatest salaries to be received in any case by the judges and clerks of the county courts respectively shall be 1500*l.* by a judge, and 700*l.* by a clerk, but in no case shall any judge be paid a less salary than 1200*l.*: provided always, that the salary of any judge or clerk acting in the same capacity before the passing of the act of the 9 & 10 Vict. c. 95, in any court mentioned in Schedule (A.) to that act, shall not be limited to any sum less than the average amount of the fees and emoluments of his office during the seven years next before the passing of the said last-mentioned act.

15. That it shall be lawful for the Lord Chancellor, from time to time, on a petition presented to him for that purpose, to recommend to the commissioners of her Majesty's Treasury that there shall be paid quarterly out of the said Consolidated Fund to such of the judges of the county courts as shall be afflicted with some permanent infirmity, disabling him from the due execution of his office, and who shall be desirous of resigning the same, an annuity or clear yearly sum of money for the term of his life, not exceeding two-thirds of the yearly salary which such judge shall be entitled to as a judge of county court at the time of presenting his petition; and such annuity or sum shall be paid out of the said Consolidated Fund quarterly or otherwise, as the said commissioners may direct.

16. After three months from the passing of this act no judge of the said county courts shall practise at the bar, or as a special pleader or equity draftsman, or be directly or indirectly concerned as a conveyancer, notary public, solicitor, attorney, or proctor.

17. No clerk of a county court shall henceforth be appointed for more than one district in which a court is holden, unless from there being no attorney resident within the district of the court in which the office of clerk is vacant, or from any other reason, the Lord Chancellor, or, where the whole of the district is within the duchy of Lancaster, the Chancellor of the duchy, shall deem it expedient to order otherwise.

18. That a registry of every judgment entered in the county courts for the sum of 10*l.* and upwards shall be formed, in such manner, in such place, and under such regulations as the Commissioners of her Majesty's Treasury shall appoint, and that for the inspection of the said register when formed such fees shall be charged to persons desirous of inspecting the same as shall be appointed by the said commissioners, and the proceeds of such fees shall be applied in such manner as the said commissioners shall appoint, in paying the expenses incurred in establishing and maintaining the said register, and the surplus of such fees, after providing for the payment of such expenses, shall be paid over to the credit of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

19. Upon the death, removal, or resignation of any of the persons now in possession of the office of clerk of the county court of Gloucestershire holden at Bristol, the remaining person or persons holding such office at the time of such death, removal, or resignation shall be the sole clerk or clerks of such court, and no other person shall be appointed to such office of clerk jointly or otherwise until all the persons holding such office at the time of the passing of this act shall have died, resigned, or been removed.

CAP. LV.

An Act to extend the Provisions of "The Trustee Act, 1850."
[30th June, 1852.]

Sect. 1. Court of Chancery may make an Order for vesting the Estate, in lieu of Conveyance by a Party to the Suit after a Decree for Sale.

2. Power to make an Order for vesting the Estate, on Refusal or Neglect of a Trustee to convey or release.

3. Power to make an Order for the Transfer or Receipt of Dividends of Stock in Name of an Infant Trustee.

4. On Neglect to transfer Stock for twenty-eight Days, Order may be made vesting Right to transfer in such Person as the Court shall appoint.

5. On like Neglect by Executor, similar Order may be made.

6. Bank of England and Companies to comply with such Orders.

7. Indemnity to Bank and Companies so obeying.

8. Power to appoint new Trustees in lieu of Persons convicted of Felony.

9. Power to the Court to appoint new Trustees where there is no existing Trustee.

10. Chancellor may make Orders for Appointment of Trustees, without it being necessary that it should be made in Chancery, &c.

11. As to Powers of Persons intrusted with the Care of Lunatics.

12. Act to be construed as Part of Trustee Act, 1850.

13. All Orders made under Trustee Act, 1850, or this Act, to be chargeable with the same Stamp Duty as Deeds of Conveyance.

Whereas it is expedient to extend the provisions of the Trustee Act, 1850: be it therefore enacted &c.

Sect. 1. That when any decree or order shall have been made by any Court of equity, directing the sale of any lands for any purpose whatever, every person seized or possessed of such land, or entitled to a contingent right therein, being a party to the suit or proceeding in which such decree or order shall have been made, and bound thereby, or being otherwise bound by such decree or order, shall be deemed to be so seized or possessed or entitled (as the case may be) upon a trust within the meaning of the Trustee Act, 1850; and in every such case it shall be lawful for the Court of Chancery, if the said Court shall think it expedient for the purpose of carrying such sale into effect, to make an order vesting such lands, or any part thereof, for such estate as the Court shall think fit, either in any purchaser or in such other person as the Court shall direct; and every such order shall have the same effect as if such person so seized or possessed or entitled had been free from all disability, and had duly executed all proper conveyances and assignments of such lands for such estate.

2. That sections numbered 17 and 18 in the Queen's printer's copy of the Trustee Act, 1850, be repealed; and in every case where any person is or shall be jointly or solely seized or possessed of any lands, or entitled to a contingent right therein upon any trust, and a demand shall have been made upon such trustee by a person entitled to require a conveyance or assignment of such lands, or a duly authorized agent of such last-mentioned person, requiring such trustee to convey or assign the same, or to release such contingent right, it shall be lawful for the Court of Chancery, if the said Court shall be satisfied that such trustee has wilfully refused or neglected to convey or assign the said lands for the space of twenty-eight days after such demand, to make an order vesting such lands in such person, in such manner, and for such estate as the Court shall direct, or releasing such contingent right in such manner as the Court shall direct; and the said order shall have the same effect as if the trustee had duly executed a conveyance or assignment of the lands, or a release of such right, in the same manner and for the same estate.

3. That when any infant shall be solely entitled to any stock upon any trust, it shall be lawful for the Court of Chancery to make an order vesting in any person or persons the right to transfer such stock, or to receive the dividends or income thereof; and when any infant shall be entitled jointly with any other person or persons to any stock upon any trust, it shall be lawful for the said Court to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, either in the person or persons jointly entitled with the infant, or in him or them together with any other person or persons the said Court may appoint.

4. That where any person shall neglect or refuse to transfer any stock, or to receive the dividends or income thereof, or to sue for or recover any chose in action, or any interest in respect thereof, for the space of twenty-eight days next after an order of the Court of Chancery for that purpose shall have been served upon him, it shall be lawful for the Court of Chancery to make an order vesting all the right of such person to transfer such stock, or to receive the dividends or income

thereof, or to sue for and recover such chose in action, or any interest in respect thereof, in such person or persons as the Court may appoint.

5. When any stock shall be standing in the sole name of a deceased person, and his personal representative shall refuse or neglect to transfer such stock or receive the dividends or income thereof for the space of twenty-eight days next after an order of the Court of Chancery for that purpose shall have been served upon him, it shall be lawful for the Court of Chancery to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, in any person or persons whom the said Court may appoint.

6. When any order, being or purporting to be under this act, or under the Trustee Act, 1850, shall be made by the Lord Chancellor intrusted as aforesaid, or by the Court of Chancery, vesting the right to any stock, or vesting the right to transfer any stock, or vesting the right to call for the transfer of any stock, in any person or persons, in every such case the legal right to transfer such stock shall vest accordingly; and the person or persons so appointed shall be authorised and empowered to execute all deeds and powers of attorney, and to perform all acts relating to the transfer of such stock into his or their own name or names, or otherwise, to the extent and in conformity with the terms of the order; and the Bank of England, and all companies and associations whatever, and all persons, shall be equally bound and compellable to comply with the requisitions of such person or persons so appointed as aforesaid, to the extent and in conformity with the terms of such order, as the said Bank of England, or such companies, associations, or persons would have been bound and compellable to comply with the requisitions of the person in whose place such appointment shall have been made.

7. That every order made or to be made, being or purporting to be made under this or the Trustee Act, 1850, by the Lord Chancellor intrusted as aforesaid, or by the Court of Chancery, and duly passed and entered, shall be a complete indemnity to the Bank of England, and all companies and associations whatsoever, and all persons, for any act done pursuant thereto; and it shall not be necessary for the Bank of England, or such company or association, or person, to inquire concerning the propriety of such order, or whether the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, had jurisdiction to make the same.

8. That when any person is or shall be jointly or solely seized or possessed of any lands or entitled to any stock upon any trust, and such person has been or shall be convicted of felony, it shall be lawful for the Court of Chancery, upon proof of such conviction, to appoint any person to be a trustee in the place of such convict, and to make an order for vesting such lands, or the right to transfer such stock, and to receive the dividends or income thereof, in such person to be so appointed trustee; and such order shall have the same effect as to lands as if the convict trustee had been free from any disability, and had duly executed a conveyance or assignment of his estate and interest in the same.

9. That in all cases where it shall be expedient to appoint a new trustee, and it shall be found inexpedient, difficult, or impracticable so to do without the assistance of the Court of Chancery, it shall be lawful for the said Court to make an order appointing a new trustee or new trustees, whether there be any existing trustee or not at the time of making such order.

10. In every case in which the Lord Chancellor intrusted as aforesaid has jurisdiction under this act, or the Trustee Act, 1850, to order a conveyance or transfer of land or stock, or to make a vesting order, it shall be lawful for him also to make an order appointing a new trustee or new trustees, in like manner as the Court of Chancery may do in like cases, without its being necessary that the order should be made in Chancery as well as in lunacy, or be passed and entered by the Registrar of the Court of Chancery.

11. That all the jurisdiction conferred by this act on the Lord Chancellor, intrusted by virtue of the Queen's sign manual with the care of the persons and estates of lunatics, shall and may be had, exercised, and performed by the person or persons for the time being intrusted as aforesaid.

12. That this act shall be read and construed according to the definitions and interpretations contained in the 2nd section of the Trustee Act, 1850, and the provisions of the said

last-mentioned act (except so far as the same are altered by or inconsistent with this act) shall extend and apply to the cases provided for by this act, in the same way as if this act had been incorporated with and had formed part of the said Trustee Act, 1850.

13. That every order to be made under the Trustee Act, 1850, or this act, which shall have the effect of a conveyance or assignment of any lands, or a transfer of any such stock as can only be transferred by stamped deed, shall be chargeable with the like amount of stamp duty as it would have been chargeable with if it had been a deed executed by the person or persons seized or possessed of such lands, or entitled to such stock; and every such order shall be duly stamped for denoting the payment of the said duty.

CAP. LXI.

An Act for regulating the Qualifications of Pharmaceutical Chemists. [30th June, 1852.]

CAP. LVII.

An Act to provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament. [30th June, 1852.]

Sect. 1. Upon address of Houses of Parliament, her Majesty may appoint commissioners to make inquiry into corrupt practices at elections.

2. Commissioners to be sworn.

3. Secretary and clerks to be appointed.

4. Place of meeting.

5. Commissioners may hold meetings in London and Westminster.

6. Inquiry by the commissioners.

7. Reports to be laid before Parliament.

8. Power to send for persons and papers.

9. Persons implicated in corrupt practices who may be examined, and shall make a faithful discovery, indemnified.

10. Witnesses examined not to be indemnified unless they shall have a certificate from the commissioners.

11. Commissioners to examine on oath, &c.

12. Penalty for non-attendance, or refusing to give evidence.

13. Penalty for false swearing, &c.

14. Expenses of witnesses.

15. Expenses of the inquiry.

16. Protection of commissioners.

17. Limitation of actions.

CAP. LVIII.

An Act to continue certain Turnpike Acts in Great Britain. [30th June, 1852.]

CAP. LIX.

An Act to continue the Poor-law Board. [30th June, 1852.]

CAP. LX.

An Act to continue an Act of the twelfth Year of her present Majesty, for amending the Laws relating to Savings Banks in Ireland. [30th June, 1852.]

CAP. LXI.

An Act to amend the Laws relating to Summary Proceedings for Penalties and Forfeitures under the Acts relating to the Excise. [30th June, 1852.]

CAP. LXII.

An Act to alter and amend certain Acts relating to the Woods, Forests, and Land Revenues of the Crown. [30th June, 1852.]

CAP. LXIII.

An Act to amend the Laws relating to the Valuation of rateable Property in Ireland. [30th June, 1852.]

CAP. LXIV.

An Act to continue and amend the Metropolitan Sewers Act. [30th June, 1852.]

Sect. 1. Land to be rated to District Sewers-rate on one-fourth of its annual value.

2. Limiting amount of sewers-rates.
3. Metropolitan Sewers Acts continued till 7th August, 1853.
4. Certain provisions of 12 & 13 Vict. c. 93, continued.

CAP. LXV.

An Act to continue and amend an Act passed in the fourteenth Year of the Reign of her present Majesty, to consolidate and amend the Laws relating to Friendly Societies. [30th June, 1852.]

CAP. LXVII.

An Act to continue an Act of the eleventh Year of her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of Ireland. [30th June, 1852.]

CAP. LXVIII.

An Act to continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in Ireland. [30th June, 1852.]

CAP. LXXVIII.

An Act for the Application of certain Money accrued from Fines and Forfeitures in Ireland in Aid of certain distressed Unions and Electoral Divisions in that Country. [30th June, 1852.]

CAP. LXIX.

An Act to confirm certain Provisional Orders of the General Board of Health. [30th June, 1852.]

CAP. LXX.

An Act for authorising the Occupation of the House of Correction recently erected by and for the City of London at Holloway, in the County of Middlesex. [30th June, 1852.]

CAP. LXXI.

An Act to amend an Act of the ninth and tenth Years of her present Majesty for the Embankment of a Portion of the River Thames. [30th June, 1852.]

CAP. LXXII.

An Act to grant a Representative Constitution to the Colony of New Zealand. [30th June, 1852.]

CAP. LXXIII.

An Act to make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius, in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges' Clerks by Salaries, and to abolish certain Offices in those Courts. [30th June, 1852.]

Sect. 1. Marshal and clerk at Nisi Prius in the Court of Queen's Bench, and marshals in the Courts of Common Pleas and Exchequer, abolished, and their Duties to be performed by the associates respectively.

2. Records, &c. to be transferred to associates.
3. The Chief Justices or the Chief Baron of the said courts respectively to appoint future associates.
4. Clerks, not exceeding two, to be appointed by the associates, subject to approval of the Chief Justices or Chief Baron of the said courts respectively.
5. Offices to be provided for the associates in the offices of the courts or their vicinity.
6. In case of sickness or other reasonable cause, the duties of the associates may be performed by deputy.
7. Power to Treasury to fix salaries of judges' marshals.
8. Clerks to be appointed by the judges.
9. Present officers re-appointed to hold their offices during good behaviour.
10. Treasury to cause table of fees to be prepared, and submitted to judges for approval.
11. Officers and clerks not to act as barristers, attorneys, or agents.
12. Treasury to fix salaries of officers and clerks. Power to raise salaries.
13. Salaries, how charged.
14. Officers to render accounts of fees received to the Treasury.

15. Allowance to officers on their retirement from office.
16. Usurers and subordinate officers, and their deputies, to render accounts of fees to Treasury.
17. Fees of such subordinate officers may be abolished.
18. The number of subordinate officers to be fixed by Treasury, with the sanction of the Chief Justices and Chief Baron.
19. Subordinate officers to be appointed by the Chief Justices and Chief Baron respectively.
20. Power to increase or reduce the number of such subordinate officers.
21. Salaries of subordinate officers to be fixed by Treasury, with sanction of the Chief Justices and Chief Baron, and to be paid out of Consolidated Fund.
22. Compensation to hereditary chief proclamator and hereditary chief usher.
23. Compensation to officers appointed by hereditary chief proclamator or hereditary chief usher, and to subordinate officers.
24. Not to affect existing messengers of Exchequer.
25. Appointments to be made without pecuniary consideration.
26. Officers and clerks not to receive gratuities on pain of dismissal.
27. No compensation to be allowed for loss of right of appointment.
28. Certain fees on circuit abolished.
29. Account to be laid before Parliament.
30. Duties to be performed in person.
31. Fees of marshal's men and judge's bailiff abolished.
32. As to performance of duties of hereditary chief usher and messenger of the Court of Exchequer.

CAP. LXXIV.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorise the Employment of the Non-commissioned Officers. [30th June, 1852.]

CAP. LXXV.

An Act to suspend the making of Lists and the Ballots and Inrolments for the Militia of the United Kingdom. [30th June, 1852.]

(To be continued).

London Gazettes.

FRIDAY, AUGUST 6.

BANKRUPTS.

- HENRY GREEN, Dorchester, Oxfordshire, baker and grocer, dealer and chapman, Aug. 17 at half-past 1, and Sept. 20 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Curtis & Cooke, Abingdon; Tayler & Collisson, 28, Great James-street, Bedford-row, London.—Petition filed July 27.
- JOHN KEDDELL, Wellington Brewery, Gravesend, Kent, brewer, dealer and chapman, Aug. 17 at half-past 1, and Sept. 20 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Mount, 10, Clement's-lane, London.—Petition filed July 28.
- JOHN BENTLEY, Smithfield-bars, London, cheesemonger, dealer and chapman, Aug. 18 at half-past 1, and Sept. 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Smith, 8, Barnard's-inn, Holborn.—Petition filed Aug. 4.
- MARY HARTLEY, widow, and HENRY HARTLEY, Halifax, Yorkshire, stationers and printers, (under the style or firm of Joseph Hartley & Son), Aug. 23 and Sept. 13 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Stocks, Halifax; Courtenay & Compton, Leeds.—Petition dated July 27; filed July 28.

LOUIS ENGLAND, Shepperton-street, New North-road, Islington, Middlesex, builder and auctioneer, Aug. 25 at 11, and Sept. 15 at half-past 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Hason, 7, Ironmonger-lane, Cheap-side, London.—Petition filed July 22.

JOSEPH PARMENTER SANDLE, North Ockendon, Essex, cattle dealer, market gardener, dealer and chapman, Aug. 16 and Sept. 24 at 2, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Towne, 9, Devonshire-square, Bishopsgate.—Petition filed Aug. 4.

JOHN MERCER, Wotton-under-Edge, Gloucestershire, provision and cloth dealer, dealer and chapman, Aug. 17 and Sept. 14 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Salmon, Bristol.—Petition filed Aug. 5.

JOSEPH WINTERBOTTOM, Huddersfield, Yorkshire, spinner and doubler, dealer and chapman, Aug. 23 and Sept. 13 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Barker, Huddersfield; Bond & Barwick, Leeds.—Petition dated July 29; filed July 31.

JOHN SILBOWDEN, Liverpool, auctioneer, Aug. 17 and Sept. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sol. Yates, jun., Liverpool.—Petition filed July 30.

JOSEPH NICHOLSON, Shotley-bridge, Durham, ironmonger, Aug. 17 and Sept. 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed July 27.

MEETINGS.

John Jutsum, Greenwich, Kent, licensed victualler, Aug. 17 at 1, Court of Bankruptcy, London, aud. ac.—*William Williams*, *William Williams* the younger, and *Thos. Robert Williams*, Newport, Monmouthshire, bankers, Aug. 27 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William George Henry Taunton*, Liverpool, civil engineer, Aug. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Morison Wilson*, Eton, Buckinghamshire, bookseller, Aug. 30 at 11, Court of Bankruptcy, London, div.—*Charles Roope*, Liverpool, wine merchant, Aug. 27 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Mandeno, Shoreditch, Middlesex, oilman, Aug. 30 at 11, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Wm. Collins, Marlborough, Wiltshire, draper.—*Francis Sadler*, Fore-street, London, furnishing undertaker.—*Wm. Hoblyn*, Cambridge, surgeon.—*F. P. Hoblyn*, Cambridge, surgeon.—*James Emmins*, Princes-road, Notting-hill, Middlesex, bricklayer.—*John M'Burnie*, Exeter, draper.—*Wm. Shaw*, Leeds, Yorkshire, millwright.

PARTNERSHIP DISSOLVED.

Henry Moore, Wimborne Minster, and *Robert Greata*, Blandford Forum, Dorsetshire, solicitors, (under the firm of Moore & Greata).

SCOTCH SEQUESTRATIONS.

Robert Mercer, Old Kilpatrick, Dumbartonshire, grocer.—*Patrick Henry & Son*, Glasgow, contractors.—*W. H. Porter*, Edinburgh, agent.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Bass, Narborough, Leicestershire, farmer, Aug. 25 at 10, County Court of Leicestershire, at Leicester.—*John K. Smith*, Leicester, tailor, Aug. 25 at 10, County Court of Leicestershire, at Leicester.—*Betty Roberts*, widow, Whitefield, Pilkington, Prestwich-cum-Oldham, Lancashire, shopkeeper, Aug. 25 at 11, County Court of Lancashire, at Bury.—*Benj. Wilcock*, Heywood, Heap, Lancashire, joiner, Aug. 25 at 11, County Court of Lancashire, at Bury.—*Lewis Aaronsen*, Newcastle-upon-Tyne, cigar dealer, Aug. 26 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*William Savage*, Southampton, retailer of beer, Aug. 18 at 10, County Court of Hampshire, at Southampton.—*Wm. Nearn*, Dover,

Kent, licensed hawker, Aug. 18 at 10, County Court of Kent, at Dover.—*Alice Gearing*, widow, Great Buckhill, Buckinghamshire, out of business, Aug. 24 at 12, County Court of Buckinghamshire, at Newport Pagnel.—*Wm. Thomas*, Carnarvon, lodging-house keeper, Aug. 28 at 10, County Court of Carnarvonshire, at Carnarvon.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 4 at 10, before Mr. Commissioner LAW.

Wm. Brook, Grange-road, Bermondsey, Surrey, saddler.—*George T. Seymour*, Sunbury, Middlesex, out of business.

Nov. 4 at 11, before Mr. Commissioner PHILLIPS.

Francis Ripley, College-street, Chelsea, Middlesex, tailor.—*John Stockley* the elder, Farningham, near Dartford, Kent, plumber.—*Edw. Wise*, Chichester-place, Harrow-road, Paddington, fancy goods dealer.

Nov. 10 at 11, before the CHIEF COMMISSIONER.

E. C. Ravenscroft, James-place, New North-road, Hoxton, Middlesex, assistant shopman to a warehouseman.—*Thomas Best*, Church-place, Bedford-street, Strand, Middlesex, print colourer.

Saturday, July 31.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Gill, Hunslet, near Leeds, Yorkshire, joiner, No. 75,145 C.; *A. E. Butler*, assignee.—*John Hill*, Chester, out of business, No. 75,029 C.; *John A. Bartlett* the younger, assignee.—*John Gamble*, Leeds, Yorkshire, plumber, No. 75,227 C.; *A. E. Butler*, assignee.—*Christopher Dixon*, Birkenhead, Cheshire, cooper, No. 75,201 C.; *Jonas Reis*, assignee.—*Edward Collins*, Birmingham, manager to a brass-founder, No. 75,044 C.; *James Haynes*, assignee.—*Joseph Fryer*, Bristol, coal merchant, No. 75,357 C.; *A. Brains*, assignee.

Saturday, July 31.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Furlong, Denmark-hill, Camberwell, Surrey, court keeper of the Lambeth County Court: in the Gaol of Surrey.—*Thomas Boughton*, Guildford, Surrey, herald painter: in the Gaol of Surrey.—*Thomas James*, Great Portland-street, Portland-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*George Hedley*, Cowley-place, Cowley-road, North Brixton, Surrey, assistant to a wholesale warehouseman: in the Debtors Prison for London and Middlesex.—*John Smith*, Montague-terrace, Kingsland, Middlesex, commission traveller: in the Debtors Prison for London and Middlesex.—*Chas. Bedford*, Johnson-st., Notting-hill, Bayswater, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*John W. Appleton*, John-street, Cornwall-road, Surrey, engraver: in the Debtors Prison for London and Middlesex.—*Joseph H. Watsons*, North Audley-street, St. George's, Hanover-square, Middlesex, foreman to a new-vender: in the Debtors Prison for London and Middlesex.—*Joseph Heath*, High-st., Stoke Newington, Middlesex, stonemason: in the Debtors Prison for London and Middlesex.—*David Jacobs*, Middlesex-st., Whitechapel, Middlesex, retailer of fish: in the Debtors Prison for London and Middlesex.—*Wm. P. Soutten*, Virginia-terrace, Dover-road, Southwark, Surrey, meat salesman: in the Debtors Prison for London and Middlesex.—*John Clark*, Stamford-st., Blackfriars-road, Surrey, engineer: in the Debtors Prison for London and Middlesex.—*Robert Smith*, Somerset-place, Forest-row, Dalston, Middlesex, bookkeeper: in the Debtors Prison for London and Middlesex.—*Robert Osborn*, Little Randolph-street, Camden-town, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Samuel Warner*, Felix-cottage, Tranquil-vale, Blackheath, Kent, plasterer: in the Debtors Prison for London and Middlesex.—*Wm. Pullum* the elder, Hyde-place, Hoxton Old-town, Middlesex, wholesale milliner: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

James David Crouel, Wenlock-street, Hoxton, Middlesex, not in any business: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Robert Barlow, Liverpool, watch manufacturer: in the Gaol of Lancaster.—*Samuel W. Couch*, Lidstone, Charleton, Devonshire, labourer: in the Gaol of St. Thomas the Apostle.—*John Dewhurst*, Bolton-le-Moors, Lancashire, out of business: in the Gaol of Lancaster.—*Thomas Dodson*, Wavertree, near Liverpool, blacksmith: in the Gaol of Lancaster.—*Joseph Emerson*, Liverpool: in the Gaol of Lancaster.—*Wm. Ellis*, Totnes, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*William Halliday*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Wm. Henry Hinds*, Chorlton, near Medlock, Manchester, out of business: in the Gaol of Lancaster.—*James Mooney*, Manchester, carver: in the Gaol of Lancaster.—*George Wm. Pearson*, Newland, Cottingham, near Kingston-upon-Hull, Yorkshire, farmer's assistant: in the Gaol of York.—*Thomas Edward Richards*, Gravesend, Kent, schoolmaster: in the Gaol of Maidstone.—*Mary Ann Wright*, widow, Margate, Kent: in the Gaol of Dover.—*James Butler*, Hales Owen, Worcestershire, out of business: in the Gaol of Coventry.—*John Dumbell*, Wolverhampton, Staffordshire, watchmaker: in the Gaol of Coventry.—*Samuel Gosling*, Heaton Norris, Lancashire, out of business: in the Gaol of Lancaster.—*Joseph Holroyd*, Halifax, Yorkshire, out of business: in the Gaol of York.—*Samuel Holt*, Radcliffe, near Bury, Lancashire, gingham manufacturer: in the Gaol of Lancaster.—*Alfred Hodgkinson*, Stalybridge, Lancashire, manager of a bleach-works: in the Gaol of Lancaster.—*Thomas Roe*, Swansea, Glamorganshire, baker: in the Gaol of the Liberty of Gower.—*John Westbury*, Birmingham, cabinet maker: in the Gaol of Coventry.—*John King*, Edenbridge, Kent, out of business: in the Gaol of Maidstone.—*Jeremiah Blade*, Holt, Norfolk, butcher: in the Gaol of Norwich.—*Thomas O. Empson*, Kingston-upon-Hull, hair-dresser: in the Gaol of Kingston-upon-Hull.—*David Owen*, Swansea, Glamorganshire, fireman: in the Gaol of the Liberty of Gower.—*Wm. Vigor*, Folkestone, Kent, out of business: in the Gaol of Maidstone.—*George B. Baker*, Combs, near Stowmarket, Suffolk, not in any business: in the Gaol of Ipswich.—*Hugh M'Corquodale*, Golborne, Newton-in-the-Willows, near Warrington, Lancashire, out of business: in the Gaol of Lancaster.—*John Bennett*, Cambridge, bricklayer: in the Gaol of Cambridge.—*Joseph C. Ball*, Salisbury, Wiltshire, miller: in the Gaol of Fisherton Anger.—*John Richard Jones*, Aberayron, Henfenyw, Cardiganshire, ironmonger: in the Gaol of Cardigan.—*James E. Bilson*, Bradford, Yorkshire, out of business: in the Gaol of York.—*J. Pemberton*, Manchester, labourer: in the Gaol of Manchester.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 13 at 10, before Mr. Commissioner PHILLIPS.

Adjourned Case.

Robert Webb, Macclesfield-st., Soho, Middlesex, jeweller.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Huntingdonshire, at HUNTINGDON, Aug. 17 at 12.

John Clements, Ramsey, miller.

At the County Court of Lancashire, at LANCASTER, Aug. 20 at 11.

Miles Reynolds, Manchester, licensed victualler.—*George Dutton*, Gorton, near Manchester, house painter.—*J. Dewhurst*, Bolton-le-Moors, out of business.—*John Coward*, Manchester, licensed victualler.—*Samuel Holt*, Radcliffe, Bury, gingham manufacturer.—*Samuel Gosling*, Heaton Norris, out of business.—*Geo. Crosby*, Pendleton, near Salford, cotton skein dyer.—*Alfred Hodgkinson*, Hartshead, near Stalybridge, manager at a bleach-works.—*Wm. Halliday*, Liverpool, licensed victualler.—*Morris Levy Franklin*, Manchester, small-ware dealer.—*George Rouse*, Hulme, Manchester, provision-shop keeper.—*Henry Rogers*, Hulme, Manchester, out of business.—*J. Silbardin*, Liverpool, auctioneer.—*Joseph*

Thompson, Liverpool, joiner.—*W. Scott*, Manchester, butter dealer.—*Jas. Mooney*, Manchester, carver and glider.—*John Wright*, Liverpool, master of the barque Senator.—*Hugh M'Corquodale*, Golborne Dale Cottage, near Newton-in-the-Willows, out of business.—*William Henshaw*, Edgeley, near Stockport, Cheshire, joiner.—*Denis Donovan*, Hulme, Manchester, retail dealer in ale.—*Domnick Quigley*, Liverpool, shoemaker.—*Daniel Douglas*, Hulme, Manchester, joiner.—*Geo. Houlton Webb*, Liverpool, bookkeeper.—*Thos. Dodson*, Wavertree, blacksmith.—*Robert Barlow*, Liverpool, watch manufacturer.—*Michael Hutchinson*, Sizergh, near Milnthorpe, Westmoreland, licensed victualler.—*William Goodes*, Chorlton-upon-Medlock, Manchester, plumber.—*J. Sykes*, Lancaster, out of business.—*Geo. Travis Buckley*, Middleton, near Manchester, whitesmith.—*John Beckett*, Manchester, out of business.—*Wm. Henry Hinds*, Chorlton-upon-Medlock, Manchester, out of business.—*Richard Boone*, West Leigh, Leigh, provision dealer.—*Joseph Emerson*, Liverpool, assistant to a chemist.

At the County Court of Gloucestershire, at BRISTOL, Aug. 25 at 11.

Joseph Davis, Bristol, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Aug. 26.

Thomas Knight, Gloucester, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Aug. 26 at 10.

John Winter, Newcastle-upon-Tyne, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Anthony Binks, Blackwellgate, Darlington, Durham, clock maker: 1s. in the pound.—*B. John Bowick*, Assembly-row, Mile-end, Middlesex, clerk in the St. Katherine's Docks: 2s. 6d. in the pound.—*John Andrews*, Aldersgate-st., London, letter sorter in the General Post-office: 2s. 1d. in the pound.—*William Dredge*, Mount-pleasant, East-road, City-road, Middlesex, carpenter: 7s. 11d. in the pound.—*Joseph Cocking*, Willow-terrace, Vauxhall-bridge-road, Middlesex, third table decker in her Majesty's household: 11d. in the pound.—*Robert Harradine*, Lower Tottenham, Middlesex, bricklayer: 9½d. in the pound.—*John Willey*, Hill Top, Attercliffe, Yorkshire, scissor forger: 1s. 1d. in the pound.—*Jas. Ashcroft*, New Springs, Coppull, Lancashire, licensed victualler: 9s. 7d. in the pound.—*Wm. Woodley*, Woodbury-vale, Stoke Newington, Middlesex, captain in the Royal Navy: 1s. 6d. in the pound.—*John Twiner*, Market Weighton, Yorkshire, out of business: 20s. in the pound.—*Wm. Woodley*, Devonshire-place, Stoke Newington-green, Middlesex, captain in the Royal Navy: 2s. 3½d. in the pound.—*R. Ireland* the younger, Warren-st., Fitzroy-square, Middlesex, schoolmaster: 1s. 10d. in the pound.—*George Wm. Dyson*, Langford-place, St. John's-wood, Middlesex, gentleman: 1s. in the pound.—*Robert Thomas Deane*, Enfield-highway, Middlesex, grocer: 6d. in the pound.—*Wm. Bushby*, Esq., Great Cumberland-place, Upper Baker-st., Middlesex: 7s. 8d. in the pound.—*Jas. Hoskins*, Scott's-yard, Cannon-st., City, wine merchant: 5½d. in the pound.—*Charles James*, Queen's-terrace, Queen's-road, Middlesex, grocer: 3s. 8½d. in the pound.—*Thos. Denman*, Buckingham-street, Fitzroy-square, Middlesex, sculptor: 2s. 6d. in the pound.—*Wm. Roberts*, Keen's-row, Walworth-road, Surrey, shoemaker: 1s. 5½d. in the pound.—*Chas. Davison*, Noah's Ark-court, Westminster-bridge-road, Surrey, law writer: 1s. 8d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

TUESDAY, AUGUST 10.

BANKRUPTS.

JAMES HEATHWAITE, New-street, Covent-garden, Middlesex, cheesemonger, dealer and chapman, Aug. 16 at half-past 11, and Sept. 21 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition filed Aug. 7.

GEORGE LODGE the younger and ROBERT HOPE, Leeds, Yorkshire, flax spinners, dealers and chapmen, Aug. 24 and Sept. 14 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Payne & Co., Leeds.—Petition dated and filed Aug. 6.

WILLIAM CRABTREE and **STEPHEN SHEPHERD**, Bradford, Yorkshire, ironfounders and machine makers, Aug. 24 and Sept. 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Slater, Manchester; J. & H. Richardson & Gaunt, Leeds.—Petition dated Aug. 2; filed Aug. 3.

JOSEPH FUGILL, Bradford, Yorkshire, stuff merchant, dealer and chapman, Aug. 31 and Sept. 27 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Stocks, Halifax; Bond & Barwick, Leeds.—Petition dated Aug. 7; filed Aug. 9.

HUGH JONES, Chester, grocer, ironmonger, and hop dealer, Aug. 19 and Sept. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Royle, Chester; Bower, 6 A, Tokenhouse-yard, London.—Petition dated July 27.

THOMAS HUTCHINSON and **JAMES HUTCHINSON**, Sunderland, Durham, grocers and tea dealers, (under the style or firm of Hutchinson, Brothers), Aug. 17 and Sept. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Cooper, Sunderland; Chandler, 22, Paternoster-row, London.—Petition filed July 23.

THOMAS M'CREE and **ANDREW M'CREE**, Newcastle-upon-Tyne, grocers, dealers and chapmen, (under the name, style, or firm of Thomas & Andrew M'Creë), Aug. 20 at 11, and Sept. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Watson, Newcastle-upon-Tyne; Shield & Harwood, 10, Clement's-lane, Lombard-street, London.—Petition filed Aug. 6.

MEETINGS.

Richard Halcro, Sunderland, Durham, provision merchant, Sept. 3 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Davison*, Newcastle-upon-Tyne, spirit merchant, Sept. 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert Sewell, Swaffham, Norfolk, scrivener, Sept. 2 at half-past 1, Court of Bankruptcy, London.—*T. G. Alanson*, Liverpool, wine merchant, Sept. 2 at 12, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John G. Marsh, Church-st., Minorities, London, carpenter.—*Isaac Isaacs*, Swan-st., Minorities, London, jeweller.—*A. Crshaw*, Park-road, Holloway, Middlesex, brickmaker.—*Henry Bridges*, Canterbury, licensed victualler.

SCOTCH SEQUESTRATION.

Jane Hastie, Carlisle, Lanarkshire, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Priest, Liverpool, fruiterer, Aug. 16 at 10, County Court of Lancashire, at Liverpool.—*Joseph Greatham*, Liverpool, collector, Aug. 16 at 10, County Court of Lancashire, at Liverpool.—*George Martin*, Everton, near Liverpool, retail dealer in ale, Aug. 16 at 10, County Court of Lancashire, at Liverpool.—*Sarah Lyons*, Liverpool, lodging-house keeper, Aug. 16 at 10, County Court of Lancashire, at Liverpool.—*Sidney E. Lucas*, Horsham, Sussex, corn merchant, Aug. 31 at 12, County Court of Sussex, at Horsham.—*Philip Isaac*, Bettws, Carmarthenshire, farmer, Aug. 27 at 11, County Court of Carmarthenshire, at Llandilo.—*Benjamin Allcock*, Kidderminster, Worcestershire, cabinet maker, Aug. 18 at 10, County Court of Worcestershire, at Kidderminster.—*Thomas Gilon*, Bury St. Edmund's, Suffolk, cowkeeper, Aug. 23 at 10, County Court of Suffolk, at Bury St. Edmund's.—*John C. Dowling*, Witeasham, near Ipswich, Suffolk, cooper, Aug. 21 at 10, County Court of Suffolk, at Woodbridge.—*Charles Calver*, Woodbridge, Suffolk, wheelwright, Aug. 21 at 10, County Court of Suffolk, at Woodbridge.—*Robert Kirby* the younger, Woodbridge, Suffolk, saddler, Aug. 21 at 10, County Court of Suffolk, at Woodbridge.—*Edward Austen*, Margate, Kent, grocer, Aug. 16 at 12, County Court of Kent, at Margate.—*Edward Hill*, Rochdale, Lancashire, assistant to a fruiterer, Aug. 26 at 12, County Court of Lancashire, at Rochdale.—*James Briggs*, Bradford, Yorkshire, labourer, Aug. 24 at 11, County Court of Yorkshire, at Bradford.—

Henry J. Hayward, Portsmouth, poulterer, Aug. 28 at 10, County Court of Hampshire, at Portsmouth.—*Wm. Suecine*, New Leeds, Bradford, Yorkshire, overlooker, Aug. 24 at 11, County Court of Yorkshire, at Bradford.—*Frederick Baster*, Bury St. Edmund's, Suffolk, cabinet maker, Aug. 23 at 10, County Court of Suffolk, at Bury St. Edmund's.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 4 at 10, before Mr. Commissioner LAW.

Antoine J. Lavigne, Greek-st., Soho, Middlesex, musician.—*James Candy*, Rufford's-buildings, Islington, Middlesex, butcher.

Nov. 4 at 11, before Mr. Commissioner PHILLIPS.

Charles Weston, Water-lane, Blackfriars, London, butcher.—*Wm. Grogan*, Park-street, Grosvenor-square, Middlesex, house agent.

Nov. 5 at 11, before Mr. Commissioner PHILLIPS.

John Tamplin the younger, Nursery-row, Lock's-fields, Walworth, Surrey, plasterer.

Nov. 10 at 11, before the CHIEF COMMISSIONER.

Wm. Kail, Luke-st., Mile-end New-town, Middlesex, fancy trimming manufacturer.—*Charles Mathew*, Romford, Essex, corn dealer.

Saturday, Aug. 7.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Stephen Aldred, Swanscombe, near Greenhithe, Kent, retailer of beer, No. 41,462 T.; *Alfred Head*, assignee.—*Chas. Stanley*, Newport, Shropshire, attorney-at-law, No. 66,967 C.; *Joseph Lewis*, assignee.—*George Harrison*, Calverton, Nottinghamshire, glove hand, No. 75,164 C.; *Richard Robbins*, assignee.—*Robert Wright*, Battle, Sussex, tea dealer, No. 75,197 C.; *John Bradley Shuttleworth*, assignee.—*Chas. Whitworth*, Rochdale, Lancashire, carter, No. 75,249 C.; *C. Holt*, assignee.—*John Francis Smith*, Kingston-upon-Hull, plumber, No. 75,272 C.; *James Bowron* and *Thos. Stryng*, assignees.—*A. Hoggard*, York, shipowner, No. 75,274 C.; *J. Carr Toss*, assignee.—*Thos. Shepherd*, Sheffield, Yorkshire, table knife manufacturer, No. 75,324 C.; *John Johnson*, assignee.

Saturday, Aug. 7.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Routh, Harewood-square, Dorset-square, Middlesex, out of business: in the Queen's Prison.— *Jas. Wood*, Somerton, Middlesex, pianoforte maker: in the Debtors Prison for London and Middlesex.—*Wm. Geo. Tarrant*, Little Albany-st., Regent's-park, Middlesex, cab driver: in the Debtors Prison for London and Middlesex.—*Wm. Dunn*, Hand-court, Holborn, Middlesex, tailor: in the Gaol of Horsemonger-lane.—*Chas. Norvall*, Vassall-road, Brixton, Surrey, foreman to a carman: in the Gaol of Horsemonger-lane.—*Geo. Croxhill*, Princea-square, Middlesex-st., Whitechapel, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Thos. Ashby*, Kensal-road, Kensal New-town, Harrow-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*J. Brown*, High-street, Carshalton, Surrey, omnibus proprietor: in the Gaol of Horsemonger-lane.—*George John Stephenson de Magniac Rutherford*, Lincoln's-inn-fields, Middlesex, of no trade: in the Debtors Prison for London and Middlesex.—*James Brooker*, Manchester: in the Gaol of Manchester.—*John Craven*, Birkenhead, near Liverpool, out of business: in the Gaol of Lancaster.—*William Goodess*, Greenhays, Manchester, out of business: in the Gaol of Lancaster.—*Thomas Weston Martin*, Oxford, tailor: in the Gaol of Oxford.—*Joseph Lawrence Butler*, Liverpool, coal agent: in the Gaol of Lancaster.—*Richard Boone*, West Leigh, near Wigan, Lancashire, provision dealer: in the Gaol of Lancaster.—*Daniel Jones*, Liverpool, baker: in the Gaol of Lancaster.—*Benjamin Clough*, Bradford, Yorkshire, tin-plate

worker: in the Gaol of York.—*Martin Murphy*, Bradford, Yorkshire, publican: in the Gaol of York.—*Joshua Kidd*, Lower Wike, near Halifax, Yorkshire, out of business: in the Gaol of York.—*David Varley*, Slaithwaite, near Huddersfield, Yorkshire, clothier: in the Gaol of York.—*Williams Bentley*, Leeds, Yorkshire, out of business: in the Gaol of York.—*Robert Gray*, Penley, Yorkshire, out of business: in the Gaol of York.—*Matthew Handley*, Low Fold, Bank, Leeds, Yorkshire, out of business: in the Gaol of York.—*J. Hunter*, Musgrave Fold, Bank, Leeds, Yorkshire, out of business: in the Gaol of York.—*John Fearne Gee*, Ruabon, Denbighshire, manager of the Victoria Fire Clay-works: in the Gaol of Ruthin.—*William Hunt*, Smethwick, Harborn, Staffordshire, brick-layer: in the Gaol of Stafford.—*John Peel*, Dewsbury, Yorkshire, clothier: in the Gaol of York.—*Leonard Yeo Provo*, East Stoullhouse, Devonshire, out of business: in the Gaol of St. Thomas-the-Apostle.—*Horatio Raina*, Newton Moors, near Hyde, Cheshire, boiler maker: in the Gaol of Chester.—*Hen. Whitaker*, Overton, near Wakefield, Yorkshire, butcher: in the Gaol of York.—*Thomas Dickons*, York, tailor: in the Gaol of York.—*George Ellison*, Leeds, Yorkshire, butcher: in the Gaol of York.—*George Solaman Hyams*, Hastings, Sussex, lapidary: in the Gaol of Winchester.—*John Brown-bridge*, York, cab driver: in the Gaol of York.—*Edw. Bradley*, Barnley, Yorkshire, coffee dealer: in the Gaol of York.—*John Featherstonhaugh*, Blackburn, Lancashire, butcher: in the Gaol of Lancaster.—*Richard Hocking*, Bodmin, Cornwall, grocer: in the Gaol of Bodmin.—*Samuel Lewis Lazarus*, Romford, Essex, out of business: in the Gaol of Springfield.—*Thos. Woodward Shaw*, Macclesfield, Cheshire, carpenter: in the Gaol of Chester.—*William Squires*, York, druggist's assistant: in the Gaol of York.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Wiltshire, at SALISBURY, Aug. 25.
Joseph Charles Ball, Salisbury, miller.

At the County Court of Essex, at CHELMSFORD, Aug. 26.
Samuel Lewis Lazarus, Romford, out of business.

At the County Court of Berkshire, at READING, Sept. 6.
Thomas Abolon, Wallingford, baker.

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The Jurist

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AUGUST 21, 1852.

PRICE 1s.

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LONDON, AUGUST 21, 1852.

THE Act for abolishing the Masters' offices in Chancery, like its colleague, the Chancery Practice Act, requires very considerable elucidation, by means of the promised General Orders, without which it would puzzle the most experienced to say how it is practically to be worked.

By the 10th section, no references (subject to certain special exceptions) are to be made to the Masters. But in what form or on what principle those decrees are to be made which are not final, but require some inquiries, the act is silent.

It has been very erroneously, as we conceive, supposed by many, that the judges will have to do at chambers the greater part of the work hitherto done by the Masters. That, however, looking at the statute, does not appear at all to be the intention. The 26th section defines the class of business to be done at chambers, viz. applications for time to plead, answer, or demur; for leave to amend bills or claims; for enlarging publication; for production of documents; applications relating to the conduct of suits or matters, as to the guardianship and maintenance of infants, &c.; and such other matters as the judge may from time to time see fit, or as may be directed by any General Order.

Now, some parts of this business have been hitherto conducted before the judge in court, and therefore the change will be merely one of locality, and not one imposing any additional burthen on the judge; others are matters certainly additional, but not of great weight, or involving any very great consumption of time. But it will be observed, that nothing in this section appears to be connected with the inquiry and account business of the Master's office; all that, it is presumed, will be done

by the judges' chief clerks, under the 29th section, and the referees whom the Court may call in to its assistance under the 42nd section, no doubt under the surveillance of the judge, and with the advantage of taking his immediate direction at chambers on any point of difficulty, but not so as to absorb much of his time. And here we may suggest, with respect to the saving of the time of counsel and solicitors—no mean ingredient in the saving of the time of the Courts—that if all that class of business termed unopposed, whether motions or petitions, but more particularly if unopposed petitions, were disposed of at chambers, instead of being now irregularly interspersed and taken with opposed petitions on petition days, very much of the time of counsel and solicitors would be saved. At present, counsel holding briefs on unopposed petitions, and their clients, are compelled to waste much time in court, because it is not known, till each petition is called on, whether it is opposed or not; in other words, it is not known at what hour of the day a certain class of business will terminate, and another begin.

We may also usefully, while on this subject, call to the attention of those to whom the task of preparing the General Orders has been committed by the judges, the great advantage that would result to the dispatch of business, and to the pockets of suitors, if, on seal days, there were in all the courts a list of motions, motions being put into it on the same principle as causes. The time that is wasted by counsel, especially junior counsel, and by their clients, in waiting, seal after seal, for motions that cannot be brought on, because on each seal being exhausted, instead of those motions which stood over taking precedence, the right of precedence of counsel substitutes any which the counsel having that right may desire to move, is enormous. If the loss

of time of counsel and solicitors were alone at stake, even that would be material, because it must not be forgotten, that the time of the Court itself is saved by business being carefully prepared. The matter of a thoroughly well-read brief is notoriously more quickly presented to the judge, than that of a brief half read; and therefore it follows, that if counsel are obliged to waste hours in watching for motions that are always standing over, they must neglect the preparation of some other business, and thus cause loss of time to the Court. But the evil of indefinitely postponed motions is most severely felt by the suitor, who has, on every day of attendance on the Court by his solicitor, to pay a fee—very heavy to the suitor, considering that no fruit results to him if the motion stands over, but very inadequate for the remuneration of a professional man for wasting a day, or the greater part of a day, whether in person, or as represented by an experienced clerk.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIA.—SESSION 5.

(Continued from p. 271).

CAP. LXXVI.

An Act to amend the Process, Practice, and Mode of Pleading in the Superior Courts of Common Law at Westminster, and in the Superior Courts of the Counties Palatine of Lancaster and Durham. [30th June, 1852.]

Sect. 1. Commencement of Act.

Writs for Commencement of Actions.

2. *Personal Actions, when Defendant resides within the Jurisdiction, to be commenced by Writ of Summons in Form No. 1 of Schedule (A.)*
3. *No Form or Cause of Action to be mentioned in Writ.*
4. *Writ to state Names of all Defendants, and for only one Action.*
5. *Writ to be dated of Day of issuing, and tested in Name of Chief or Senior Judge.*
6. *Writ to be indorsed with Name and Abode of Attorney, or a Memorandum that Writ has been sued by Plaintiff in Person.*
7. *Attorney on Demand to declare whether Writ issued by his Authority, and to declare Name and Abode of his Client, if ordered. If Writ issued without Authority of Attorney, Proceedings to be stayed.*
8. *Indorsement of Debt and Costs on Writ and Copy of Writ for a Debt, with Notice that Proceedings will be stayed on Payment within few Days.*
9. *Concurrent Writs may be issued.*
10. *From Commencement of this Act certain Provisions of the 2 Will. 4, c. 39, repealed.*
11. *Renewal of Writs of Summons to save the Statute of Limitations, and for other Purposes.*
12. *Renewal of Writs issued before this Act.*
13. *Production of renewed Writ Evidence of Commencement of Action.*
14. *Writ may be served in any County.*
15. *Indorsement of Service to be made.*
16. *As to Service of Writ on Corporation and Inhabitants of Hundreds and Towns.*
17. *Proceedings where personal Service cannot be effected, but Defendant knows of the Writ, and evades Service.*
18. *As to Actions against British Subjects residing out of the Jurisdiction of Superior Courts.*
19. *As to Actions against Foreigners residing out of the Jurisdiction of Superior Courts.*
20. *Omission to insert or indorse Matters in or on Writ not to nullify it.*
21. *Substitution by Mistake or Inadvertence of one Form of Writ for another may be amended by Judge, without Costs.*

22. *Writs for Service within and without Jurisdiction may be concurrent, and vice versa.*
 23. *Affidavits in certain Cases may be sworn before a Consul.*
 24. *Distringas to compel Appearance or to proceed to Outlawry abolished.*
 25. *Special Indorsement of the Particulars of Debts or liquidated Demands may be made on the Writ. Special Indorsement to stand for Particulars of Demand.*
- Appearance, and Proceedings in Default of Appearance.
26. *Appearance according to Provisions of Acts of the 12 Geo. 1, c. 29, and 2 Will. 4, c. 39, abolished.*
 27. *Final Judgment upon Writ specially indorsed in Default of Appearance.*
 28. *Judgment for Non-appearance where the Writ is not indorsed in the special Form.*
 29. *Appearance to be entered at any Time before Judgment.*
 30. *Appearance by the Defendant in Person to give an Address at which Proceedings may be served.*
 31. *Mode of Appearance to Writ of Summons.*
 32. *Proceedings mentioned in Writ or Notice may be had and taken.*
 33. *Proceedings where only some of the Defendants appear to a Writ specially indorsed.*

Joinder of Parties.

34. *Nonjoinder and Misjoinder of Plaintiffs may be amended before Trial.*
35. *Nonjoinder and Misjoinder of Plaintiffs may be amended at the Trial, as in Cases of Amendments of Variances under the 3 & 4 Will. 4, c. 42.*
36. *Upon Notice or Plea of Nonjoinder of Plaintiff Proceedings may be amended.*
37. *Misjoinder of Defendants may be amended before or at Trial.*
38. *Upon Plea in Abatement for Nonjoinder of Defendants, Proceedings may be amended.*
39. *Provision in the Case of subsequent Proceedings against the Persons named in a Plea in Abatement for Nonjoinder of Defendants.*
40. *Joinder of Claims by Husband and Wife with Claims in Right of Husband.*

Joinder of Causes of Action.

41. *Different Causes of Action may be joined, but separate Trials may be ordered.*
- Questions by Consent without pleading.
42. *Questions of Fact may, after Writ issued, by Consent and Leave of a Judge, be raised without Pleadings.*
 43. *Agreement may be entered into for the Payment of Money and Costs according to the Result of the Issue.*
 44. *Judgment to be entered according to the Agreement, and Execution issued forthwith, unless stayed.*
 45. *Proceedings upon Issue may be recorded.*
 46. *Questions of Law may be raised after Writ issued, by Consent, &c., without Pleading.*
 47. *Agreement as to Payment of Money and Costs, according to Judgment upon special Case.*
 48. *Costs to follow the Event, unless otherwise agreed.*

Pleadings in general.

49. *Fictitious and needless Averments not to be made.*
50. *Judgment upon Demurrer to be given according to the very Right of the Cause.*
51. *Objections by Way of Special Demurrer taken away.*
52. *Pleadings framed to embarrass may be struck out and amended.*
53. *Four Days' Notice substituted for Rule to declare, reply, or rejoin.*
54. *Pleadings to be dated and entered as of Time of Pleading, unless Order to the Contrary.*
55. *Profert and Oyer abolished.*
56. *Document may be set forth, and be considered a Part of the Pleading in which it is set forth.*
57. *Performance of Conditions precedent may be averred generally.*

Declaration.

58. *Plaintiff to declare within a Year.*
 59. *Forms of Commencement, &c. of Declaration.*
 60. *Commencement of Declaration after Plea of Non-joinder.*
 61. *Declaration for Libel or Slander.*

Plea and subsequent Pleadings.

62. *Rules to plead and Demand of Plea abolished.*
 63. *Time for Pleading, where Defendant is within Jurisdiction, to be eight Days.*
 64. *Express Colour abolished.*
 65. *Special Traverses abolished.*
 66. *Formal Commencement and Prayer of Judgment unnecessary.*
 67. *Commencement of Plea.*
 68. *Plea of Matter subsequent to Action.*
 69. *Plea Pnis Darrein Continuance, when and how to be pleaded.*
 70. *Payment into Court in certain Actions.*
 71. *Payment into Court, how pleaded.*
 72. *No Order to pay Money into Court.*
 73. *Proceeding by Plaintiff after Payment into Court.*
 74. *Plea to Actions partaking both of Breach of Contract and Wrong.*
 75. *Payment, Set-off, and other Pleadings which can be construed distributively shall be so construed.*
 76. *Traverse of the Declaration.*
 77. *Traverse of Plea or subsequent Pleading of the Defendant.*
 78. *Traverse of Replication or subsequent Pleading of the Plaintiff.*
 79. *Joinder of Issue.*
 80. *As to pleading and demurring together.*
 81. *Several Matters may be pleaded at any Stage of the Pleadings.*
 82. *Judge's Order to plead several Matters sufficient.*
 83. *Objections to Pleadings to be heard on Summons to plead several Matters.*
 84. *Certain Pleas may be pleaded together without Leave.*
 85. *Signature of Counsel.*
 86. *For pleading several Matters without Leave, Judgment may be signed.*
 87. *One new Assignment only allowed in Respect of the same Cause of Action.*
 88. *Pleas not to be repeated.*
 89. *Form of Demurrer and Joinder in Demurrer.*
 90. *Time for pleading after Amendment.*

Examples of Pleading.

91. *Forms in Schedule may be adopted.*
 Judgment by Default, and ascertaining Amount to be recovered.

92. *Rule to compute abolished.*
 93. *Judgment by Default for liquidated Demands final.*
 94. *Inquiry of Damages may be directed to take Place before the Master.*
 95. *Judgment for Money Demands without Distinction between Debt and Damages.*
 96. *Saving as to certain Provisions of the 8 & 9 Will. 3, c. 11.*

Notice of Trial, Inquiry, and Countermand.

97. *Time for Notice of Trial and Inquiry.*
 98. *Notice of Countermand.*
 99. *Costs of the Day.*

Judgment for not proceeding to Trial.

100. *Stat. 14 Geo. 2, c. 17, as to Judgment in Case of Nonsuit, repealed.*
 101. *Proceeding where Plaintiff neglects to bring on the Cause to be tried.*

Nisi Prius Record.

102. *Nisi Prius Record not to be sealed or passed.*
 103. *Trials in Counties Palatine.*

Jury and Jury Process.

104. *Jury Process abolished.*
 105. *Precept by Judges of Assize to summon Jurors for civil as well as criminal Trials.*

106. *A printed Panel to be prepared, and annexed to the Record.*
 107. *Sheriffs of London and Middlesex to summon common Jurors, and prepare a Panel, to be annexed to the Record.*
 108. *Special Jurors, not exceeding forty-eight in Number, to be summoned to try all Special Jury Causes at Assizes.*
 109. *Mode of obtaining a special Jury in Country Causes.*
 110. *Special Juries in London and Middlesex, how struck.*
 111. *Remedy for Delay by Notice of Trial by special Jury.*
 112. *Notice to Sheriff of Trial by special Jury.*
 113. *If special Jury not summoned, Cause to be tried by a common Jury.*
 114. *View to be by Rule without Writ.*
 115. *Proceedings before Jurors so returned same as before this Act.*
 116. *Defendant's Right to try, upon Default of the Plaintiff, preserved.*

Admission of Documents.

117. *Admission of Documents.*
 118. *Proof of Admissions.*
 119. *Proof of Notice to produce.*

Execution.

120. *Execution after Trial.*
 121. *Ground Writs abolished.*
 122. *Writs in Counties Palatine to be directed to the Sheriff.*
 123. *Expenses of Execution.*
 124. *Writs of Execution to remain in Force for one Year, and to be renewed if necessary.*
 125. *Production of renewed Writ Evidence of Renewal.*
 126. *Sheriff or Gaoler may discharge Prisoner by Authority of Attorney in the Cause.*
 127. *Proceedings for charging in Execution a Person already in Prison of the Court.*

Proceedings to revive.

128. *Execution in six Years without Revival.*
 129. *Judgment to be revived by Writ, or with Leave of Court or Judge, by Suggestion.*
 130. *Proceedings upon Application for Suggestion to revive Judgment.*
 131. *Writ of Revivor, and Proceedings thereon.*
 132. *Writs of Scire Facias in other Cases to be tested, directed, and proceeded upon in like Manner.*
 133. *Appearance to Writ of Revivor.*
 134. *As to Issue of Writ of Revivor upon Judgment more than ten Years old.*

Death, Marriage, and Bankruptcy.

135. *Action not to abate by Death.*
 136. *Proceedings in Case of Death of one or more of several Plaintiffs or Defendants.*
 137. *Proceeding in Case of sole Plaintiff.*
 138. *Proceeding upon Death of sole or sole surviving Defendant.*
 139. *Death between Verdict and Judgment.*
 140. *Proceedings in Case of Death after interlocutory and before final Judgment.*
 141. *Marriage not to abate Action.*
 142. *Bankruptcy and Insolvency of Plaintiff, when not to abate Action.*

Arrest of Judgment, and Judgment non obstante verdicto.

143. *Upon Motion in Arrest of Judgment, pursuant to the 1 Will. 4, c. 7, or for Judgment non obstante verdicto, omitted Facts may by Leave of the Court be suggested.*
 144. *Judgment to follow Result of Suggestion.*
 145. *Costs of abortive Issues.*

Error.

146. *Error to be brought within six Years.*
 147. *Proviso for Disabilities.*
 148. *Writ of Error abolished.*
 149. *Error in Law, how brought.*

150. *Error not Supersedeas till Service of the Copy of the Note and Grounds of Error.*
151. *Bail in Error.*
152. *Suggestion instead of Assignment of and Joinder in Error.*
153. *Roll to be made up and Suggestion entered by Plaintiff in Error.*
154. *Error brought by one of several Persons against whom Judgment has been given.*
155. *Judgment Roll to be brought into Court instead of Transcript.*
156. *Jurisdiction of Courts of Error over the Proceedings.*
157. *Court of Error to have like Powers with Court below.*
158. *Proceedings in Error in Fact.*
159. *Plaintiff may discontinue Proceedings in Error.*
160. *Defendant may confess Error, and consent to Reversal of Judgment.*
161. *Death of Plaintiff in Error no Abatement.*
162. *Providing for Death of one of several Plaintiffs in Error.*
163. *Proceedings upon Death of sole Plaintiff or of all the Plaintiffs in Error.*
164. *Death of Defendant in Error no Abatement.*
165. *Proceedings upon Death of one of several Defendants in Error.*
166. *Proceedings upon Death of sole Defendant or of all the Defendants in Error.*
167. *Marriage not to abate Proceedings in Error.*

Ejectment.

168. *Ejectment to be brought by Writ.*
169. *Form and Duration of Writ of Ejectment.*
170. *Service of Writ of Ejectment.*
171. *Appearance of Persons named in the Writ.*
172. *Appearance of Persons not named.*
173. *Appearance and Defence by Landlord.*
174. *Notice to defend for Part only.*
175. *Want of Certainty cured by Particulars.*
176. *Defence by Persons not in Possession.*
177. *Judgment for Default of Appearance or Defence.*
178. *Issue, how made up.*
179. *Special Case may be stated.*
180. *Trial of Issue.*
181. *Verdict when Title appears to have expired before Trial.*
182. *Trial may be ordered to take place in any County.*
183. *Non-appearance at Trial.*
184. *Special Verdict, and Bill of Exceptions.*
185. *Judgment upon Finding for Claimant.*
186. *Judgment upon Finding for Defendant.*
187. *Execution for Recovery of Possession and Costs may be joint or separate.*
188. *Defence by joint Tenants, Tenants in common, or Coparceners.*
189. *Trial and Judgment in Ejectment against joint Tenants, Tenants in common, and Coparceners.*
190. *Action not to abate by Death.*
191. *Proceedings upon Death before Trial, where Right survives.*
192. *Proceedings upon Death before Trial, where Right does not survive.*
193. *Upon Death of one of several Claimants having obtained a Verdict.*
194. *Proceedings in Case of Death of Claimant, where Right does not survive.*
195. *Proceedings upon Death of one of several joint Defendants.*
196. *Upon Death of all the Defendants in Ejectment before Trial.*
197. *Upon Death of all the Defendants in Ejectment after Verdict.*
198. *Upon Death before Trial of Defendant in Ejectment, who defends separately for Part.*
199. *Upon Death of Defendant defending separately for Property in Respect of which others also defend.*
200. *Claimant may discontinue by Notice.*
201. *Discontinuance of Action by one of several Claimants.*
202. *Judgment for not proceeding to Trial after Notice.*
203. *Defendant may confess the Action.*
204. *Confession by one of several Defendants defending separately for Part.*

205. *Confession by one of several Defendants who defend for same Property.*
206. *Formal Entry of Judgment on the Roll unnecessary for Purposes of Execution.*
207. *Effect of Judgment.*
208. *Error and Bail in Error in Ejectment.*
209. *Tenants to give Notice of Ejectment to Landlord.*
210. *Proceedings in Ejectment by Landlord for Non-payment of Rent.*
211. *Lessee proceeding in Equity not to have Injunction or Relief without Payment of Rent and Costs.*
212. *Tenant paying all Rent, with Costs, Proceedings to cease.*
213. *Ejectment by Landlord against Tenant holding over after Expiration of Term, or Determination of Tenancy by Notice to quit. Rule or Summons for the Tenant to give Bail. On Rule or Summons absolute, if Tenant shall not conform, Judgment to be for the Landlord.*
214. *On Trial of any Ejectment between Landlord and Tenant, Juries to give Damages for mesne Profits down to the Verdict, or to a Day specified therein.*
215. *On Trials after Bail found, Judge shall not stay the Execution except by Consent, or on Tenant's finding Security. Bail in Error to discharge such Security.*
216. *Recognisances to be taken as other Recognisances of Bail; Actions on them limited.*
217. *Landlord to recover Possession of Lands, &c. after Service of Writ in Ejectment.*
218. *Saving of former Remedies.*
219. *In Ejectment by Mortgagee, the Mortgagor's rendering the Principal, Interest, and Costs in Court shall be deemed a full Satisfaction, and the Court may compel the Mortgagee to re-convey.*
220. *Not to extend to Cases where the Right of Redemption is controverted, or the Money due not adjudged; or to prejudice any subsequent Mortgage.*
221. *Jurisdiction of Courts and Judges.*

Amendment.

222. *Amendment.*
- Power to Judge to make Rules and frame Writs and Proceedings.
223. *General Rules may be made by the Judges.*
224. *New Forms of Writs and other Proceedings.*
225. *Rules may be made by each Court for Government of its Officers.*
- Effect of Injunction.
226. *Injunctions and Orders to stay Proceedings to have a specific Effect.*
227. *Interpretation of Terms.*
228. *Her Majesty may direct all or Part of this Act to extend to any Court of Record.*
229. *Certain of the Provisions of this Act to extend and apply to the Court of Common Pleas at Lancaster and the Court of Pleas at Durham.*
230. *Powers given by this Act to the Judges of the Superior Courts at Westminster to make Rules, &c. may be exercised by Judges of the Court of Common Pleas at Lancaster and Court of Pleas at Durham, as to those Courts.*
231. *Judges may make Rules for applying other Provisions of this Act to Court of Common Pleas at Lancaster and Court of Pleas at Durham.*
232. *Provisions to apply to Masters of Courts at Westminster to apply to Brothnotaries of Court of Common Pleas at Lancaster and Court of Pleas at Durham, and their Deputies, &c.*
233. *As to Proceedings in Error.*
234. *Certain Provisions of 4 & 5 Will. 4, c. 62, and 2 & 3 Vict. c. 16, repealed.*
235. *Short Title of Act.*
236. *Act not to extend to Ireland or Scotland.*

Whereas the process, practice, and mode of pleading in the superior courts of common law at Westminster may be rendered more simple and speedy: be it enacted &c., as follows:—

Sec. 1. The provisions of this act shall come into operation on the 24th day of October, 1852.

And with respect to the writs for the commencement of personal actions in the said courts against defendants, whether in or out of the jurisdiction of the courts, be it enacted as follows:—

2. All personal actions brought in her Majesty's superior courts of common law, where the defendant is residing or supposed to reside within the jurisdiction of the said courts, shall be commenced by writ of summons in the form contained in the Schedule (A.) to this act annexed, marked No. 1, and in every such writ and copy thereof the place and county of the residence or supposed residence of the party defendant, or wherein the defendant shall be or shall be supposed to be, shall be mentioned; and such writ shall be issued by any one of the officers of the said courts respectively by whom like process hath been heretofore issued from such court, or by such other officer as the Court shall direct.

3. It shall not be necessary to mention any form or cause of action in any writ of summons, or in any notice of writ of summons, issued under the authority of this act.

4. Every writ of summons shall contain the names of all the defendants, and shall not contain the name or names of any defendant or defendants in more actions than one.

5. Every writ of summons shall bear date on the day on which the same shall be issued, and shall be tested in the name of the Lord Chief Justice or Lord Chief Baron of the court from which the same shall issue, or in case of a vacancy of such office, then in the name of a senior puisne judge of the said court.

6. Every writ of summons shall be indorsed with the name and place of abode of the attorney actually suing out the same, and in case such attorney shall not be an attorney of the court in which the same is sued out, then also with the name and place of abode of the attorney of such court in whose name such writ shall be taken out; and when the attorney actually suing out any writ shall sue out the same as agent for an attorney in the country, the name and place of abode of such attorney in the country shall also be indorsed upon the said writ; and in case no attorney shall be employed to issue the writ, then it shall be indorsed with a memorandum expressing that the same has been sued out by the plaintiff in person, mentioning the city, town, or parish, and also the name of the hamlet, street, and number of the house of such plaintiff's residence, if any such there be.

7. Every attorney whose name shall be indorsed on any writ issued by authority of this act shall, on demand in writing, made by or on behalf of any defendant, declare forthwith whether such writ has been issued by him or with his authority or privity; and if he shall answer in the affirmative, then he shall also, in case the court or a judge shall so order and direct, declare in writing, within a time to be allowed by such court or judge, the profession, occupation, or quality, and place of abode of the plaintiff, on pain of being guilty of a contempt of the court from which such writ shall appear to have been issued; and if such attorney shall declare that the writ was not issued by him, or with his authority or privity, all proceedings upon the same shall be stayed, and no further proceedings shall be taken thereupon without leave of the court or a judge.

8. Upon the writ and copy of any writ served for the payment of any debt the amount of the debt shall be stated, and the amount of what the plaintiff's attorney claims for the costs of such writ, copy, and service, and attendance to receive debt and costs; and it shall be further stated that upon payment thereof within four days to the plaintiff or his attorney further proceedings will be stayed; which indorsement shall be written or printed in the following form, or to the like effect:—

"The plaintiff claims £— for debt, and £— for costs, and if the amount thereof be paid to the plaintiff or to his attorney within four days from the service hereof further proceedings will be stayed."

But the defendant shall be at liberty, notwithstanding such payment, to have the costs taxed, and if more than one-sixth shall be disallowed, the plaintiff's attorney shall pay the costs of taxation.

9. The plaintiff in any such action may, at any time during six months from the issuing of the original writ of summons, issue one or more concurrent writ or writs, each concurrent writ to bear teste of the same day as the original writ, and to be marked with a seal bearing the word "concurrent," and

the date of issuing the concurrent writ; and such seal shall be provided and kept for that purpose at the offices of the Masters of the said courts, and shall be impressed upon the writ by the proper officer of the court out of which the original writ issued: provided always, that such concurrent writ or writs shall only be in force for the period during which the original writ in such action shall be in force.

10. From the time when this act shall commence and take effect, so much of a certain act of Parliament passed in the 2 Will. 4, [c. 39.] intitled "An Act for Uniformity of Process in Personal Actions in his Majesty's Courts of Law at Westminster," as relates to the duration of writs, and to alias and pluries writs, and to the proceedings necessary for making the first writ in any action available to prevent the operation of any statute whereby the time for the commencement of any action may be limited, shall be repealed, except so far as may be necessary for supporting any writs that have been issued before the commencement of this act, and any proceedings taken or to be taken thereon.

11. No original writ of summons shall be in force for more than six months from the day of the date thereof, including the day of such date; but if any defendant therein named may not have been served therewith, the original or concurrent writ of summons may be renewed at any time before its expiration, for six months from the date of such renewal, and so from time to time during the currency of the renewed writ, by being marked with a seal, bearing the date of the day, month, and year of such renewal, such seal to be provided and kept for that purpose at the offices of the Masters of the said superior courts, and to be impressed upon the writ by the proper officer of the court out of which such writ issued, upon delivery to him by the plaintiff or his attorney of a præcipe in such form as has heretofore been required to be delivered upon the obtaining of an alias writ; and a writ of summons so renewed shall remain in force and be available to prevent the operation of any statute whereby the time for the commencement of the action may be limited, and for all other purposes, from the date of the issuing of the original writ of summons.

12. Where any writ of summons in any such action shall have been issued before, and shall be in force at, the commencement of this act, such writ may at any time before the expiration thereof be renewed under the provisions of and in the manner directed by this act; and where any writ, issued in continuation of a preceding writ according to the provisions of the said act of his late Majesty King William IV, shall be in force and unexpired, or where one month next after the expiration thereof shall not have elapsed at the commencement of this act, such continuing writ may, without being returned non est inventus, or entered of record according to the provisions of the said act of his late Majesty King William IV, be filed in the office of the court within one month next after the expiration of such writ, or within twenty days after the commencement of this act; and the original writ of summons in such action may thereupon, but within the same period of one month next after the expiration of the continuing writ, or within twenty days after the commencement of this act, be renewed under the provisions of and in the manner directed by this act; and every such writ shall, after such renewal, have the same duration and effect for all purposes, and shall, if necessary, be subsequently renewed, in the same manner as if it had originally issued under the authority of this act.

13. The production of a writ of summons purporting to be marked with the seal of the court, shewing the same to have been renewed according to this act, shall be sufficient evidence of its having been so renewed, and of the commencement of the action as of the first date of such renewed writ for all purposes.

14. The writ of summons in any action may be served in any county.

15. The person serving the writ of summons shall, and he is hereby required, within three days at least after such service, to indorse on the writ the day of the month and week of the service thereof, otherwise the plaintiff shall not be at liberty, in case of non-appearance, to proceed under this act; and every affidavit of service of such writ shall mention the day on which such indorsement was made.

16. Every such writ of summons issued against a corporation aggregate may be served on the mayor or other head officer, or on the town clerk, clerk, treasurer, or secretary of

such corporation; and every such writ issued against the inhabitants of a hundred or other like district may be served on the high constable thereof, or any one of the high constables thereof; and every such writ issued against the inhabitants of any county of any city or town, or the inhabitants of any franchise, liberty, city, town, or place not being part of a hundred or other like district, on some peace officer thereof.

17. The service of the writ of summons, wherever it may be practicable, shall, as heretofore, be personal; but it shall be lawful for the plaintiff to apply from time to time, on affidavit, to the court out of which the writ of summons issued, or to a judge; and in case it shall appear to such court or judge that reasonable efforts have been made to effect personal service, and either that the writ has come to the knowledge of the defendant, or that he wilfully evades service of the same, and has not appeared thereto, it shall be lawful for such court or judge to order that the plaintiff be at liberty to proceed as if personal service had been effected, subject to such conditions as to the court or judge may seem fit.

18. In case any defendant, being a British subject, is residing out of the jurisdiction of the said superior courts, in any place except in Scotland or Ireland, it shall be lawful for the plaintiff to issue a writ of summons in the form contained in the Schedule (A.) to this act annexed, marked No. 2, which writ shall bear the indorsement contained in the said form, purporting that such writ is for service out of the jurisdiction of the said superior courts; and the time for appearance by the defendant to such writ shall be regulated by the distance from England of the place where the defendant is residing; and it shall be lawful for the court or judge, upon being satisfied by affidavit that there is a cause of action, which arose within the jurisdiction, or in respect of the breach of a contract made within the jurisdiction, and that the writ was personally served upon the defendant, or that reasonable efforts were made to effect personal service thereof upon the defendant, and that it came to his knowledge, and either that the defendant wilfully neglects to appear to such writ, or that he is living out of the jurisdiction of the said Courts, in order to defeat and delay his creditors, to direct from time to time that the plaintiff shall be at liberty to proceed in the action in such manner and subject to such conditions as to such court or judge may seem fit, having regard to the time allowed for the defendant to appear being reasonable, and to the other circumstances of the case: provided always, that the plaintiff shall and he is hereby required to prove the amount of the debt or damages claimed by him in such action, either before a jury upon a writ of inquiry, or before one of the Masters of the said superior courts, in the manner hereinafter provided, according to the nature of the case, as such court or judge may direct; and the making such proof shall be a condition precedent to his obtaining judgment.

19. In any action against a person residing out of the jurisdiction of the said Courts, and not being a British subject, the like proceedings may be taken as against a British subject resident out of the jurisdiction, save that in lieu of the form of writ of summons in the Schedule (A.) to this act annexed, marked No. 2, the plaintiff shall issue a writ of summons according to the form contained in the said Schedule (A.) marked No. 3, and shall in manner aforesaid serve a notice of such last-mentioned writ upon the defendant therein mentioned, which notice shall be in the form contained in the said schedule also marked No. 3; and such service shall be of the same force and effect as the service of the writ of summons in any action against a British subject resident abroad, and by leave of the court or a judge, upon their or his being satisfied by affidavit as aforesaid, the like proceedings may be had and taken thereupon.

20. If the plaintiff or his attorney shall omit to insert in or indorse on any writ or copy thereof any of the matters required by this act to be inserted therein or indorsed thereon, such writ or copy thereof shall not on that account be held void, but it may be set aside as irregular, or amended, upon application to be made to the court out of which the same shall issue, or to a judge; and such amendment may be made, upon any application to set aside the writ, upon such terms as to the court or judge may seem fit.

21. If either of the forms of writ of summons contained in the Schedule (A.) to this act annexed, and marked respectively Nos. 1, 2, and 3, shall by mistake or inadvertence be substi-

tuted for any other of them, such mistake or inadvertence shall not be an objection to the writ or any other proceeding in such action, but the writ may, upon an ex parte application to a judge, whether before or after any application to set aside such writ or any proceeding thereon, and whether the same or notice thereof shall have been served or not, be amended by such judge, without costs.

22. A writ for service within the jurisdiction may be issued and marked as a concurrent writ with one for service out of the jurisdiction, and a writ for service out of the jurisdiction may be issued and marked as a concurrent writ with one for service within the jurisdiction.

23. Any affidavit for the purpose of enabling the court or a judge to direct proceedings to be taken against a defendant residing out of the jurisdiction of the said courts may be sworn before any consul-general, consul, vice-consul, or consular agent for the time being, appointed by her Majesty at any foreign port or place; and every affidavit so sworn by virtue of this act may be used and shall be admitted in evidence, saving all just exceptions, provided it purport to be signed by such consul-general, consul, vice-consul, or consular agent, upon proof of the official character and signature of the person appearing to have signed the same: provided always, that if any person shall forge the signature of any such affidavit, or shall use or tender in evidence any such affidavit with a false or counterfeit signature thereto, knowing the same to be false or counterfeit, he shall be guilty of felony, and shall upon conviction be liable to transportation for seven years, or to imprisonment for any term not exceeding three years, nor less than one year, with hard labour; and every person who shall be charged with committing any felony under this act may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been committed in the county or place in which he shall be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his offences may be laid and charged to have been committed in any county or place in which the principal offender may be tried: provided also, that if any person shall wilfully and corruptly make a false affidavit before such consul-general, consul, vice-consul, or consular agent, every person so offending shall be deemed and taken to be guilty of perjury, in like manner as if such false affidavit had been made in England before competent authority, and shall and may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been committed in any county or place in which he shall be apprehended or be in custody, as if his offence had been actually committed in that county or place.

24. From the time when this act shall commence and take effect, so much of the said act of his late Majesty King William IV as relates to the writ of distringas, and the proceeding thereon, whether for the purpose of compelling appearance or for proceedings to outlawry, shall be repealed, except so far as may be necessary for the purpose of giving effect to proceedings already taken, or to be taken after the commencement of this act, under or by reason of any writ of distringas issued before the commencement of this act, or under any rule or order authorising the issuing of such writ, and made before the commencement of this act.

25. In all cases where the defendant resides within the jurisdiction of the court, and the claim is for a debt or liquidated demand in money, with or without interest, arising upon a contract, express or implied, as, for instance, on a bill of exchange, promissory note, or cheque, or other simple contract debt, or on a bond or contract under seal for payment of a liquidated amount of money, or on a statute where the sum sought to be recovered is a fixed sum of money, or in the nature of a debt, or on a guarantie, whether under seal or not, where the claim against the principal is in respect of such debt or liquidated demand, bill, cheque, or note, the plaintiff shall be at liberty to make upon the writ of summons and copy thereof a special indorsement of the particulars of his claim, in the form contained in the Schedule (A.) to this act annexed, marked No. 4, or to the like effect; and when a writ of summons has been indorsed in the special form hereinbefore mentioned, the indorsement shall be considered as particulars of demand, and no further or other particulars of demand need be delivered, unless ordered by the court or a judge.

And with respect to the appearance of the defendant, and

proceedings of the plaintiff in default of appearance, be it enacted as follows:—

26. From the time when this act shall commence and take effect, so much of a certain act of Parliament passed in the 12 Geo. 1, [c. 29.] intitled "An Act to prevent frivolous and vexatious Arrests," and so much of the said act of the 2 Will. 4, [c. 39.] as relates to the entering an appearance for the defendant in any action in any of the said superior courts, shall be repealed, except so far as may be necessary to support proceedings heretofore taken, and no appearance need be entered by the plaintiff for the defendant.

27. In case of non-appearance by the defendant, where the writ of summons is indorsed in the special form hereinbefore provided, it shall and may be lawful for the plaintiff, on filing an affidavit of personal service of the writ of summons, or a judge's order for leave to proceed under the provisions of this act, and a copy of the writ of summons, at once to sign final judgment in the form contained in the Schedule (A.) to this act amended, marked No. 5, (on which judgment no proceeding in error shall lie), for any sum not exceeding the sum indorsed on the writ, together with interest at the rate specified, if any, to the date of the judgment, and a sum for costs; (to be fixed by the Masters of the said superior courts, or any three of them, subject to the approval of the judges thereof, or any eight of them, of whom the Lord Chief Justices and the Lord Chief Baron shall be three), unless the plaintiff claim more than such fixed sum, in which case the costs shall be taxed in the ordinary way; and the plaintiff may upon such judgment issue execution at the expiration of eight days from the last day for appearance, and not before: provided always, that it shall be lawful for the court or a judge, either before or after final judgment, to let in the defendant to defend, upon an application, supported by satisfactory affidavits accounting for the non-appearance, and disclosing a defence upon the merits.

28. In case of such non-appearance, where the writ of summons is not indorsed in the special form hereinbefore provided, it shall and may be lawful for the plaintiff, on filing an affidavit of personal service of the writ of summons, or a judge's order for leave to proceed under the provisions of this act, and a copy of the writ of summons, to file a declaration indorsed with a notice to plead in eight days, and to sign judgment by default at the expiration of the time to plead, so indorsed as aforesaid; and in the event of no plea being delivered, where the cause of action mentioned in the declaration is for any of the claims which might have been inserted in the special indorsement on the writ of summons hereinbefore provided, and the amount claimed is indorsed on the writ of summons, the judgment shall be final, and execution may issue for an amount not exceeding the amount indorsed on the writ of summons, with interest at the rate specified, if any, and the sum fixed by the Masters for costs, as hereinbefore mentioned, unless the plaintiff claim more, in which case the costs shall be taxed in the ordinary way: provided always, that in such case the plaintiff shall not be entitled to more costs than if he had made such special indorsement, and signed judgment upon non-appearance.

29. The defendant may appear at any time before judgment, and if he appear after the time specified either in the writ of summons, or in any rule or order to proceed as if personal service had been effected, he shall, after notice of such appearance to the plaintiff or his attorney, as the case may be, be in the same position as to pleadings and other proceedings in the action as if he had appeared in time: provided always, that a defendant appearing after the time appointed by the writ shall not be entitled to any further time for pleading or any other proceeding than if he had appeared within such appointed time.

30. Every appearance by the defendant in person shall give an address, at which it shall be sufficient to leave all pleadings and other proceedings not requiring personal service; and if such address be not given, the appearance shall not be received; and if an address so given shall be illusory or fictitious, the appearance shall be irregular, and may be set aside by the court or a judge, and the plaintiff may be permitted to proceed by sticking up the proceedings in the Master's office, without further service.

31. The mode of appearance to every such writ of summons, or under the authority of this act, shall be by delivering a memorandum in writing according to the following form, or to the like effect:—

"A., plaintiff, against C. D.,
or
against C. D. and another,
or
against C. D. and others. } The defendant C. D. appears
in person.
E. F., attorney for C. D.,
appears for him.

[If the defendant appears in person, here give his address.]
Entered the — day of —, 18—."

Such memorandum to be delivered to the proper officer or person in that behalf, and to be dated on the day of the delivery thereof.

32. All such proceedings as are mentioned in any writ or notice issued under this act shall and may be had and taken in default of a defendant's appearance.

33. In any action brought against two or more defendants, where the writ of summons is indorsed in the special form hereinbefore provided, if one or more of such defendants only shall appear, and another or others of them shall not appear, it shall and may be lawful for the plaintiff to sign judgment against such defendant or defendants only as shall not have appeared, and, before declaration against the other defendant or defendants, to issue execution thereupon, in which case he shall be taken to have abandoned his action against the defendant or defendants who shall have appeared; or the plaintiff may, before issuing such execution, declare against such defendant or defendants as shall have appeared, stating, by way of suggestion, the judgment obtained against the other defendant or defendants who shall not have appeared, in which case the judgment so obtained against the defendant or defendants who shall not have appeared shall operate and take effect in like manner as a judgment by default obtained before the commencement of this act against one or more of the several defendants in an action of debt before the commencement of this act.

And with respect to the joinder of parties to actions, be it enacted as follows:—

34. It shall and may be lawful for the court or a judge, at any time before the trial of any cause, to order that any person or persons, not joined as plaintiff or plaintiffs in such cause, shall be so joined, or that any person or persons, originally joined as plaintiff or plaintiffs, shall be struck out from such cause, if it shall appear to such court or judge that injustice will not be done by such amendment, and that the person or persons to be added as aforesaid consent, either in person or by writing under his, her, or their hands, to be so joined, or that the person or persons to be struck out as aforesaid were originally introduced without his, her, or their consent, or that such person or persons consent in manner aforesaid to be so struck out; and such amendment shall be made upon such terms, as to the amendment of the pleadings, if any, postponement of the trial, and otherwise, as the court or judge by whom such amendment is made shall think proper; and when any such amendment shall have been made, the liability of any person or persons, who shall have been added as co-plaintiff or co-plaintiffs, shall, subject to any terms imposed as aforesaid, be the same as if such person or persons had been originally joined in such cause.

35. In case it shall appear at the trial of any action that there has been a misjoinder of plaintiffs, or that some person or persons, not joined as plaintiff or plaintiffs, ought to have been so joined, and the defendant shall not, at or before the time of pleading, have given notice in writing that he objects to such nonjoinder, specifying therein the name or names of such person or persons, such misjoinder or nonjoinder may be amended, as a variance, at the trial by any court of record holding plea in civil actions, and by any judge sitting at Nisi Prius, or other presiding officer, in like manner, as to the mode of amendment, and proceedings consequent thereon, or as near thereto as the circumstances of the case will admit, as in the case of amendments of variances under an act of Parliament passed in the 3 & 4 Will. 4, [c. 42.] intitled "An Act for the further Amendment of the Law, and the better Advancement of Justice," if it shall appear to such court, or judge, or other presiding officer that such misjoinder or nonjoinder was not for the purpose of obtaining an undue advantage, and that injustice will not be done by such amendment, and that the person or persons to be added as aforesaid consent, either in person or by writing under his, her, or their hands, to be so joined, or that the person or persons to be struck out as aforesaid were originally introduced without his, her, or their

consent, or that such person or persons consent, in manner aforesaid, to be so struck out; and such amendment shall be made upon such terms as the court, or judge, or other presiding officer, by whom such amendment is made, shall think proper; and when any such amendment shall have been made, the liability of any person or persons, who shall have been added as co-plaintiff or co-plaintiffs, shall, subject to any terms imposed as aforesaid, be the same as if such person or persons had been originally joined in such action.

36. In case such notice be given, or any plea in abatement of nonjoinder of a person or persons as co-plaintiff or co-plaintiffs, in cases where such plea in abatement may be pleaded, be pleaded by the defendant, the plaintiff shall be at liberty, without any order, to amend the writ and other proceedings before plea, by adding the name or names of the person or persons named in such notice or plea in abatement, and to proceed in the action without any further appearance, on payment of the costs of, and occasioned by, such amendment only, and in such case the defendant shall be at liberty to plead *de novo*.

37. It shall and may be lawful for the court or a judge, in the case of the joinder of too many defendants in any action on contract, at any time before the trial of such cause, to order that the name or names of one or more of such defendants be struck out, if it shall appear to such court or judge that injustice will not be done by such amendment; and the amendment shall be made upon such terms as the court or judge by whom such amendment is made shall think proper; and in case it shall appear at the trial of any action on contract that there has been a misjoinder of defendants, such misjoinder may be amended, as a variance, at the trial, in like manner as the misjoinder of plaintiffs has been hereinbefore directed to be amended, and upon such terms as the court, or judge, or other presiding officer by whom such amendment is made shall think proper.

38. In any action on contract where the nonjoinder of any person or persons as a co-defendant or co-defendants has been pleaded in abatement, the plaintiff shall be at liberty, without any order, to amend the writ of summons and the declaration, by adding the name or names of the person or persons named in such plea in abatement as joint contractors, and to serve the amended writ upon the person or persons so named in such plea in abatement, and to proceed against the original defendant or defendants, and the person or persons so named in such plea in abatement: provided that the date of such amendment shall, as between the person or persons so named in such plea in abatement and the plaintiff, be considered for all purposes as the commencement of the action.

39. In all cases after such plea in abatement and amendment, if it shall appear upon the trial of the action that the person or persons so named in such plea in abatement was or were jointly liable with the original defendant or defendants, the original defendant or defendants shall be entitled as against the plaintiff to the costs of such plea in abatement and amendment; but if at such trial it shall appear that the original defendant or any of the original defendants is or are liable, but that one or more of the persons named in such plea in abatement is or are not liable as a contracting party or parties, the plaintiff shall nevertheless be entitled to judgment against the other defendant or defendants who shall appear to be liable; and every defendant who is not so liable shall have judgment; and shall be entitled to his costs as against the plaintiff, who shall be allowed the same, together with the costs of the plea in abatement and amendment, as costs in the cause against the original defendant or defendants who shall have so pleaded in abatement the nonjoinder of such person: provided that any such defendant who shall have so pleaded in abatement shall be at liberty on the trial to adduce evidence of the liability of the defendants named by him in such plea in abatement.

40. In any action brought by a man and his wife for an injury done to the wife, in respect of which she is necessarily joined as co-plaintiff, it shall be lawful for the husband to add thereto claims in his own right, and separate actions brought in respect of such claims may be consolidated, if the court or a judge shall think fit: provided that in the case of the death of either plaintiff such suit, so far only as relates to the causes of action, if any, which do not survive, shall abate.

And with respect to joinder of causes of action, be it enacted as follows:—

41. Causes of action, of whatever kind, provided they be by and against the same parties and in the same rights, may be joined in the same suit; but this shall not extend to replevin or ejectment; and where two or more of the causes of action so joined are local, and arise in different counties, the venue may be laid in either of such counties; but the court or a judge shall have power to prevent the trial of different causes of action together, if such trial would be inexpedient, and in such case such court or judge may order separate records to be made up, and separate trials to be had.

And for the determination of questions raised by consent of the parties without pleading, be it enacted as follows:—

42. Where the parties to an action are agreed as to the question or questions of fact to be decided between them, they may, after writ issued, and before judgment, by consent, and order of a judge, (which order any judge shall have power to make, upon being satisfied that the parties have a *bona fide* interest in the decision of such question or questions, and that the same is or are fit to be tried), proceed to the trial of any question or questions of fact without formal pleadings; and such question or questions may be stated for trial in an issue in the form contained in the Schedule (A.) to this act annexed, marked No. 6, and such issue may be entered for trial, and tried accordingly, in the same manner as any issue joined in an ordinary action; and the proceedings in such action and issue shall be under and subject to the ordinary control and jurisdiction of the court, as in other actions.

43. The parties may, if they think fit, enter into an agreement in writing, which shall not be subject to any stamp duty, and which shall be embodied in the *scid* or any subsequent order, that, upon the finding of the jury in the affirmative or negative of such issue or issues, a sum of money, fixed by the parties, or to be ascertained by the jury upon a question inserted in the issue for that purpose, shall be paid by one of such parties to the other of them, either with or without the costs of the action.

44. Upon the finding of the jury in any such issue, judgment may be entered for such sum as shall be so agreed or ascertained as aforesaid, with or without costs, as the case may be, and execution may issue upon such judgment forthwith, unless otherwise agreed, or unless the court or a judge shall otherwise order, for the purpose of giving either party an opportunity for moving to set aside the verdict, or for a new trial.

45. The proceedings upon any such issue may be recorded at the instance of either party, and the judgment, whether actually recorded or not, shall have the same effect as any other judgment in a contested action.

46. The parties may, after writ issued, and before judgment, by consent and order of a judge, state any question or questions of law in a special case for the opinion of the Court, without any pleadings.

47. The parties may, if they think fit, enter into an agreement in writing, which shall not be subject to any stamp duty, and which shall be embodied in the *scid* or any subsequent order, that, upon the judgment of the Court being given in the affirmative or negative of the question or questions of law raised by such special case, a sum of money, fixed by the parties, or to be ascertained by the Court, or in such manner as the Court may direct, shall be paid by one of such parties to the other of them, either with or without costs of the action; and the judgment of the Court may be entered for such sum as shall be so agreed or ascertained, with or without costs, as the case may be, and execution may issue upon such judgment forthwith, unless otherwise agreed, or unless stayed by proceedings in error.

48. In case no agreement shall be entered into as to the costs of such action, the costs shall follow the event, and be recovered by the successful party.

And with respect to the language and form of pleadings in general, be it enacted as follows:—

49. All statements which need not be proved, such as the statement of time, quantity, quality, and value, where these are immaterial; the statement of losing and finding, and bailment, in actions for goods or their value; the statement of acts of trespass having been committed with force and arms, and against the peace of our lady the Queen; and the statement of promises which need not be proved, as promises in *indebitatus*

counts, and mutual promises to perform agreements; and all statements of a like kind, shall be omitted.

50. Either party may object by demurrer to the pleading of the opposite party, on the ground that such pleading does not set forth sufficient ground of action, defence, or reply, as the case may be; and where issue is joined on such demurrer, the Court shall proceed and give judgment according as the very right of the cause and matter in law shall appear unto them, without regarding any imperfection, omission, defect in or lack of form; and no judgment shall be arrested, stayed, or reversed for any such imperfection, omission, defect in or lack of form.

51. No pleading shall be deemed insufficient for any defect which could heretofore only be objected to by special demurrer.

52. If any pleading be so framed as to prejudice, embarrass, or delay the fair trial of the action, the opposite party may apply to the court or a judge to strike out or amend such pleading, and the court or any judge shall make such order respecting the same, and also respecting the costs of the application, as such court or judge shall see fit.

53. Rules to declare, or declare peremptorily, and rules to reply, and plead subsequent pleadings, shall not be necessary, and instead thereof a notice shall be substituted requiring the opposite party to declare, reply, rejoin, or as the case may be, within four days, otherwise judgment, such notice to be delivered separately, or indorsed on any pleading to which the opposite party is required to reply, rejoin, or as the case may be.

54. Every declaration and other pleading shall be entitled of the proper court, and of the day of the month and the year when the same was pleaded, and shall bear no other time or date, and every declaration and other pleading shall also be entered on the record made up for trial and on the judgment roll under the date of the day of the month and year when the same respectively took place, and without reference to any other time or date, unless otherwise specially ordered by the court or a judge.

55. It shall not be necessary to make profert of any deed or other document mentioned or relied on in any pleading; and if profert shall be made it shall not entitle the opposite party to craveoyer of or set out upon oyer such deed or other document.

56. A party pleading in answer to any pleading in which any document is mentioned or referred to shall be at liberty to set out the whole or such part thereof as may be material, and the matter so set out shall be deemed and taken to be part of the pleading in which it is set out.

57. It shall be lawful for the plaintiff or defendant in any action to aver performance of conditions precedent generally, and the opposite party shall not deny such averment generally, but shall specify in his pleading the condition or conditions precedent the performance of which he intends to contest.

And with regard to the time and manner of declaring, and to particulars of demand, be it enacted as follows:—

58. A plaintiff shall be deemed out of court, unless he declare within one year after the writ of summons is returnable.

59. Every declaration shall commence as follows, or to the like effect:—

[Venue.] "A. B., by E. F., his attorney, [or in person, as the case may be], sues C. D. for [here state the cause of action];"

and shall conclude as follows; or to the like effect:—

"And the plaintiff claims £—, [or, if the action is brought to recover specific goods, the plaintiff claims a return of the said goods or their value, and £— for their detention.]"

60. In all cases in which, after a plea in abatement of the nonjoinder of another person as defendant, the plaintiff shall, without having proceeded to trial on an issue thereon, commence another action against the defendant or defendants in the action in which such plea in abatement shall have been pleaded, and the person or persons named in such plea in abatement as joint contractors, or shall amend by adding the omitted defendant or defendants, the commencement of the declaration shall be in the following form, or to the like effect:—

[Venue.] "A. B., by E. F., his attorney, [or in his own proper person, &c.], sues C. D. and G. H., which said

C. D. has heretofore pleaded in abatement the nonjoinder of the said G. H. for," &c.

61. In actions of libel and slander the plaintiff shall be at liberty to aver that the words or matter complained of were used in a defamatory sense, specifying such defamatory sense without any prefatory averment to shew how such words or matter were used in that sense, and such averment shall be put in issue by the denial of the alleged libel or slander; and where the words or matter set forth, with or without the alleged meaning, shew a cause of action, the declaration shall be sufficient.

And as to pleas and subsequent pleadings, be it enacted as follows:—

62. No rule to plead or demand of plea shall be necessary, and the notice to plead indorsed on the declaration or delivered separately shall be sufficient.

63. In cases where the defendant is within the jurisdiction, the time for pleading in bar, unless extended by the court or a judge, shall be eight days; and a notice requiring the defendant to plead thereto in eight days, otherwise judgment, may, whether the declaration be delivered or filed, be indorsed upon the declaration, or delivered separately.

64. Express colour shall no longer be necessary in any pleading.

65. Special traverses shall not be necessary in any pleading.

66. In a plea or subsequent pleading it shall not be necessary to use any allegation of *actionem non*, or *actionem ulterius non*, or to the like effect, or any prayer of judgment, nor shall it be necessary in any replication or subsequent pleading to use any allegation of *precludi non*, or to the like effect, or any prayer of judgment.

67. No formal defence shall be required in a plea, or avowry, or cognisance, and it shall commence as follows, or to the like effect:—

"The defendant, by —, his attorney, [or in person, or as the case may be], says that [here state first defence];"

and it shall not be necessary to state in a second or other plea, or avowry, or cognisance, that it is pleaded by leave of the court or a judge, or according to the form of the statute, or to that effect; but every such plea, avowry, or cognisance shall be written in a separate paragraph, and numbered, and shall commence as follows, or to the like effect:—

"And for a second [&c.] plea the defendant says that [here state second, &c. defence];"

or if pleaded to part only, then as follows, or to the like effect:—

"And for a second [&c.] plea to [stating to what it is pleaded], the defendant says that," &c.;

and no formal conclusion shall be necessary to any plea, avowry, cognisance, or subsequent pleading.

68. Any defence arising after the commencement of any action shall be pleaded according to the fact, without any formal commencement or conclusion; and any plea which does not state whether the defence therein set up arose before or after action shall be deemed to be a plea of matter arising before action.

69. In cases in which a plea *puis darrein continuance* has heretofore been pleadable in Banc or at Nisi Prius, the same defence may be pleaded, with an allegation that the matter arose after the last pleading; and such plea may, when necessary, be pleaded at Nisi Prius, between the 10th August and 24th October; but no such plea shall be allowed unless accompanied by an affidavit that the matter thereof arose within eight days next before the pleading of such plea, or unless the court or a judge shall otherwise order.

70. It shall be lawful for the defendant in all actions, (except actions for assault and battery, false imprisonment, libel, slander, malicious arrest or prosecution, criminal conversation, or debauching of the plaintiff's daughter or servant), and, by leave of the court or a judge, upon such terms as they or he may think fit, for one or more of several defendants, to pay into court a sum of money by way of compensation or amends: provided that nothing herein contained shall be taken to affect the provisions of a certain act of Parliament passed in the session of Parliament holden in the 6 & 7 Vict., intitled "An Act to amend the Law respecting defamatory Words and Libel."

71. When money is paid into court, such payment shall be pleaded in all cases, as near as may be, in the following form, *mutatis mutandis*:—

"The defendant, by —, his attorney, [or in person, &c.] [if pleaded to *part say*, as to £—, parcel of the money claimed], brings into court the sum of £—, and says that the said sum is enough to satisfy the claim of the plaintiff in respect of the matter herein pleaded to."

72. No rule or judge's order to pay money into court shall be necessary, except in the case of one or more of several defendants, but the money shall be paid to the proper officer of each court, who shall give a receipt for the amount in the margin of the plea, and the said sum shall be paid out to the plaintiff or to his attorney, upon a written authority from the plaintiff, on demand.

73. The plaintiff, after the delivery of a plea of payment of money into court, shall be at liberty to reply to the same by accepting the sum so paid into court in full satisfaction and discharge of the cause of action in respect of which it has been paid in, and he shall be at liberty in that case to tax his costs of suit, and, in case of non-payment thereof within forty-eight hours, to sign judgment for his costs of suit so taxed, or the plaintiff may reply that the sum paid into court is not enough to satisfy the claim of the plaintiff in respect of the matter to which the plea is pleaded; and, in the event of an issue thereon being found for the defendant, the defendant shall be entitled to judgment and his costs of suit.

74. Whereas certain causes of action may be considered to partake of the character both of breaches of contract and of wrongs, and doubts may arise as to the form of pleas in such actions, and it is expedient to preclude such doubts: any plea, which shall be good in substance, shall not be objectionable on the ground of its treating the declaration either as framed for a breach of contract, or for a wrong.

75. Pleas of payment and set-off, and all other pleadings capable of being construed distributively, shall be taken distributively, and if issue is taken thereon, and so much thereof as shall be sufficient answer to part of the causes of action proved shall be found true by the jury, a verdict shall pass for the defendant in respect of so much of the causes of action as shall be answered, and for the plaintiff in respect of so much of the causes of action as shall not be so answered.

76. A defendant may either traverse generally such of the facts contained in the declaration as might have been denied by one plea, or may select and traverse separately any material allegation in the declaration, although it might have been included in a general traverse.

77. A plaintiff shall be at liberty to traverse the whole of any plea or subsequent pleading of the defendant by a general denial, or, admitting some part or parts thereof, to deny all the rest, or to deny any one or more allegations.

78. A defendant shall be at liberty in like manner to deny the whole or part of a replication or subsequent pleading of the plaintiff.

79. Either party may plead, in answer to the plea or subsequent pleading of his adversary, that he joins issue thereon, which joinder of issue may be as follows, or to the like effect:—

"The plaintiff joins issue upon the defendant's first [&c., specifying what or what part] plea:"

"The defendant joins issue upon the plaintiff's replication to the first [&c., specifying what] plea:"

and such form of joinder of issue shall be deemed to be a denial of the substance of the plea or other subsequent pleading, and an issue thereon; and in all cases where the plaintiff's pleading is in denial of the pleading of the defendant, or some part of it, the plaintiff may add a joinder of issue for the defendant.

80. Either party may, by leave of the court or a judge, plead and demur to the same pleading at the same time, upon an affidavit by such party, or his attorney, if required by the court or judge, to the effect that he is advised and believes that he has just ground to traverse the several matters proposed to be traversed by him, and that the several matters sought to be pleaded as aforesaid by way of confession and avoidance are respectively true in substance and in fact, and that he is further advised and believes that the objections raised by such demurrer are good and valid objections in law, and it

shall be in the discretion of the court or a judge to direct which issue shall be first disposed of.

81. The plaintiff in any action may, by leave of the court or a judge, plead in answer to the plea, or the subsequent pleading of the defendant, as many several matters as he shall think necessary to sustain his action; and the defendant in any action may, by leave of the court or a judge, plead in answer to the declaration, or other subsequent pleading of the plaintiff, as many several matters as he shall think necessary for his defence, upon an affidavit of the party making such application, or his attorney, if required by the court or judge, to the effect that he is advised and believes that he has just ground to traverse the several matters proposed to be traversed by him, and that the several matters sought to be pleaded as aforesaid by way of confession and avoidance are respectively true in substance and in fact; provided that the costs of any issue, either of fact or law, shall follow the finding or judgment upon such issue, and be adjudged to the successful party, whatever may be the result of the other issue or issues.

82. No rule of court for leave to plead several matters shall be necessary where a judge's order has been made for the same purpose.

83. All objections to the pleading of several pleas, replications, or subsequent pleadings, or several avowries or cognisances, on the ground that they are founded on the same ground of answer or defence, shall be heard upon the summons to plead several matters.

84. The following pleas, or any two or more of them, may be pleaded together as of course, without leave of the court or a judge—that is to say, a plea denying any contract or debt alleged in the declaration; a plea of tender as to part; a plea of the Statute of Limitations, set-off, bankruptcy of the defendant, discharge under an insolvent act, *plenè administravit*, *plenè administravit præter*, infancy, coverture, payment, accord and satisfaction, release, not guilty, a denial that the property an injury to which is complained of is the plaintiff's, leave and license, son assault demeine, and any other plea which the judges of the said superior courts, or any eight or more of them, of whom the chief judges of the said courts shall be three, shall by any rule or order, to be from time to time by them made, in term or vacation, order or direct.

85. The signature of counsel shall not be required to any pleading.

86. Except in the cases herein specifically provided for, if either party plead several pleas, replications, avowries, cognisances, or other pleadings, without leave of the court or a judge, the opposite party shall be at liberty to sign judgment; provided that such judgment may be set aside by the court or a judge, upon an affidavit of merits, and such terms as to costs and otherwise as they or he may think fit.

87. One new assignment only shall be pleaded to any number of pleas to the same cause of action, and such new assignment shall be consistent with and confined by the particulars delivered in the action, if any, and shall state that the plaintiff proceeds for causes of action different from all those which the pleas profess to justify, or for an excess over and above what all the defences set up in such pleas justify, or both.

88. No plea, which has already been pleaded to the declaration, shall be pleaded to such new assignment, except a plea in denial, unless by leave of the court or a judge; and such leave shall only be granted upon satisfactory proof that the repetition of such plea is essential to a trial on the merits.

89. The form of a demurrer, except in the cases herein specifically provided for, shall be as follows, or to the like effect:—

"The defendant, by his attorney, [or in person, &c., or plaintiff], says that the declaration [or plea, &c.] is bad in substance;"

and in the margin thereof some substantial matter of law intended to be argued shall be stated; and if any demurrer shall be delivered without such statement, or with a frivolous statement, it may be set aside by the court or a judge, and leave may be given to sign judgment as for want of a plea; and the form of a joinder in demurrer shall be as follows, or to the like effect:—

"The plaintiff [or defendant] says that the declaration [or plea, &c.] is good in substance."

98. Where an amendment of any pleading is allowed, no new notice to plead thereto shall be necessary; but the opposite party shall be bound to plead to the amended pleading within the time specified in the original notice to plead, or within two days after amendment, whichever shall last expire, unless otherwise ordered by the court or a judge; and in case the amended pleading has been pleaded to before amendment, and is not pleaded to do more within two days after amendment, or within such other time as the court or a judge shall allow, the pleadings originally pleaded thereto shall stand and be considered as pleaded in answer to such amended pleading.

And whereas it is desirable that examples should be given of the statements of the causes of action, and of forms of pleading: be it enacted as follows:—

91. The forms contained in the Schedule (B.) to this act amended shall be sufficient, and those and the like forms may be used, with such modifications as may be necessary to meet the facts of the case; but nothing herein contained shall render it erroneous or irregular to depart from the letter of such forms, so long as the substance is expressed without prolixity.

And with respect to judgment by default, and the mode of ascertaining the amount to be recovered thereupon, be it enacted as follows:—

92. No rule to compute shall be necessary or used; but nothing in this act contained shall invalidate any proceedings already taken or to be taken by reason of any rule to compute made, or applied for, before the commencement of this act.

93. In actions where the plaintiff seeks to recover a debt or liquidated demand in money, judgment by default shall be final.

94. In actions in which it shall appear to the court or a judge that the amount of damages sought to be recovered by the plaintiff is substantially a matter of calculation, it shall not be necessary to issue a writ of inquiry, but the court or a judge may direct that the amount for which final judgment is to be signed shall be ascertained by one of the Masters of the said court; and the attendance of witnesses and the production of documents before such Master may be compelled by subpoena, in the same manner as before a jury upon a writ of inquiry; and it shall be lawful for such Master to adjourn the inquiry from time to time, as occasion may require; and the Master shall indorse upon the rule or order for referring the amount of damages to him, the amount found by him, and shall deliver the rule or order, with such indorsement, to the plaintiff; and such and the like proceedings may thereupon be had as to taxation of costs, signing judgment, and otherwise, as upon the finding of a jury upon a writ of inquiry.

95. In all actions where the plaintiff recovers a sum of money, the amount to which he is entitled may be awarded to him by the judgment generally, without any distinction being therein made as to whether such sum is recovered by way of a debt or damages.

96. Nothing in this act contained shall in any way affect the provisions of a certain act of Parliament passed in the 8 & 9 Will. 3, [c. 11,] intitled "An Act for the better preventing frivolous and vexatious Suits," as to the assignment or suggestion of breaches, or as to judgment for a penalty as a security for damages in respect of further breaches.

And with respect to notice of trial and inquiry, and countermand thereof, be it enacted as follows:—

97. Ten days' notice of trial or inquiry shall be given, and shall be sufficient in all cases, whether at Bar or Nisi Prius, in town or country, unless otherwise ordered by the court or a judge.

98. A countermand of notice of trial shall be given four days before the time mentioned in the notice of trial, unless short notice of trial has been given, and then two days before the time mentioned in the notice of trial, unless otherwise ordered by the court or a judge, or by consent.

99. A rule for costs of the day for not proceeding to trial pursuant to notice, or not countermanding in sufficient time, may be drawn up on affidavit, without motion.

And with respect to judgment for default in not proceeding to trial, be it enacted as follows:—

100. The act passed in the 14 Geo. 2, [c. 17,] intitled "An Act to prevent Inconveniences arising from Delays of Causes after Issues joined," so far as the same relates to judg-

ment as in the case of a nonsuit, shall be and the same is hereby repealed, except as to proceedings taken or commenced thereupon before the commencement of this act.

101. Where any issue is or shall be joined in any cause, and the plaintiff has neglected or shall neglect to bring such issue on to be tried, that is to say, in town causes where issue has been or shall be joined in, or in the vacation before, any term, for instance, Hilary Term, and the plaintiff has neglected or shall neglect to bring the issue on to be tried during or before the following term and vacation, for instance, Easter Term and Vacation, and in country causes where issue has been or shall be joined in, or in the vacation before, Hilary or Trinity Term, and the plaintiff has neglected or shall neglect to bring the issue on to be tried at or before the second assizes following such term, or if issue has been or shall be joined in, or in the vacation before, Easter or Michaelmas Term, then, if the plaintiff has neglected or shall neglect to bring the issue on to be tried at or before the first assizes after such term, whether the plaintiff shall in the meantime have given notice of trial or not, the defendant may give twenty days' notice to the plaintiff to bring the issue on to be tried at the sittings or assizes, as the case may be, next after the expiration of the notice; and if the plaintiff afterwards neglects to give notice of trial for such sittings or assizes, or to proceed to trial in pursuance of the said notice given by the defendant, the defendant may suggest on the record that the plaintiff has failed to proceed to trial, although duly required so to do, (which suggestion shall not be traversable, but only be subject to be set aside if untrue), and may sign judgment for his costs; provided that the court or a judge shall have power to extend the time for proceeding to trial, with or without terms.

And with respect to the Nisi Prius record, be it enacted as follows:—

102. The record of Nisi Prius shall not be sealed or passed, but may be delivered to the proper officer of the court in which the cause is to be tried, to be by him entered as at present, and remain until disposed of.

103. Records of the superior courts of common law shall be brought to trial and entered and disposed of in the counties palatine in the same manner as in other counties.

And with respect to juries and jury process, be it enacted as follows:—

104. The several writs of venire facias juratores, and distringas juratores, or habere corpus juratorum, and the entry jurata ponitur in respectu, shall no longer be necessary or used.

105. The precept issued by the judges of assize to the sheriff to summon jurors for the assizes shall direct that the jurors be summoned for the trial of all issues, whether civil or criminal, which may come on for trial at the assizes; and the jurors shall thereupon be summoned in like manner as at present.

106. A printed panel of the jurors summoned shall, seven days before the commission day, be made by the sheriff, and kept in the office for inspection; and a printed copy of such panel shall be delivered by the sheriff to any party requiring the same, on payment of 1s.; and such copy shall be annexed to the Nisi Prius record.

107. The sheriffs of London and Middlesex respectively shall, pursuant to a precept under the hand of a judge of any of the said superior courts, and without any other authority, summon a sufficient number of common jurors for the trial of all issues in the superior courts of common law, in like manner as before this act; and seven days before the first day of each sittings a printed panel of the jurors so summoned for the trial of causes at such sittings shall be made by such sheriffs, and kept in their offices for public inspection; and a printed copy of such panel shall be delivered by the said sheriffs to any party requiring the same, on payment of 1s.; and such copy shall be annexed to the Nisi Prius record; and the said precept shall and may be in like form as the precept issued by the judges of assize, and one thereof shall suffice for each term, and for all the superior courts; and it shall be the duty of the sheriffs respectively to apply for and procure such precept to be issued in sufficient time before each term to enable them to summon the jurors in manner aforesaid; and it shall be lawful for the several courts, or any judge thereof, at any time to issue such precept or precepts to summon jurors for disposing of the business pending in such courts, and to direct the time and

place for which such jurors shall be summoned, and all such other matters as to such judge shall seem requisite.

108. The precept issued by the judges of assize as aforesaid shall direct the sheriff to summon a sufficient number of special jurymen to be mentioned therein, not exceeding forty-eight in all, to try the special jury causes at the assizes; and the persons summoned in pursuance of such precept shall be the jury for trying the special jury causes at the assizes, subject to such right of challenge as the parties are now by law entitled to; and a printed panel of the special jurors so summoned shall be made, kept, delivered, and annexed to the Nisi Prius record, in like time and manner and upon the same terms as hereinbefore provided with reference to the panel of common jurors; and upon the trial the special jury shall be ballotted for, and called in the order in which they shall be drawn from the box, in the same manner as common jurors: provided that the court or judge, in such case as they or he may think fit, may order that a special jury be struck according to the present practice, and such order shall be a sufficient warrant for striking such special jury, and making a panel thereof for the trial of the particular cause.

109. In any county, except London and Middlesex, the plaintiff in any action, except replevin, shall be entitled to have the cause tried by a special jury, upon giving notice in writing to the defendant, at such time as would be necessary for a notice of trial, of his intention that the cause shall be so tried; and the defendant, or plaintiff in replevin, shall be so entitled, on giving the like notice within the time now limited for obtaining a rule for a special jury: provided that the court or a judge may at any time order that a cause shall be tried by a special jury, upon such terms as they or he shall think fit.

110. In London and Middlesex special jurors shall be nominated and reduced by and before the undersheriff and secondary respectively, in like manner as by the Master before this act, upon the application of either party entitled to a special jury, and his obtaining a rule for such purpose; and the names of the jurors so struck shall be placed upon a panel, which shall be delivered and annexed to the Nisi Prius record, in like manner and upon the same terms as hereinbefore provided with reference to the panel of common jurors; and upon the trial the special jury shall be ballotted for, and called in the order in which they shall be drawn from the box, in the same manner as common jurors.

111. Where the defendant in any case, or plaintiff in replevin, gives notice of his intention to try the cause by a special jury, and the venue is in London or Middlesex, the court or a judge, if satisfied that such notice is given for the purpose of delay, may order that the cause be tried by a common jury, or make such other order as to the trial of the cause as such court or judge shall think fit.

112. Where notice has been given to try by special jury, either party may, six days before the first day of the sittings in London or Middlesex, or adjournment day in London, or commission day of the assizes, give notice to the sheriff that such cause is to be tried by a special jury; and in case no such notice be given, no special jury need be summoned or attend, and the cause may be tried by a common jury, unless otherwise ordered by the court or a judge.

113. In all cases where notice is not given to the sheriff that the cause is to be tried by a special jury, and by reason thereof a special jury is not summoned or does not attend, the cause may be tried by a common jury, to be taken from the panel of common jurors, in like manner as if no proceedings had been had to try the cause by a special jury.

114. A writ of view shall not be necessary or used, but, whether the view is to be had by a common or special jury, it shall be sufficient to obtain a rule of the court or judge's order, directing a view to be had; and the proceedings upon the rule for a view shall be the same as the proceedings heretofore had under a writ of view; and the sheriff, upon request, shall deliver to either party the names of the viewers, and shall also return their names to the associates, for the purpose of their being called as jurymen upon the trial.

115. The jurors contained in such panels as aforesaid shall be the jurors to try the causes at the assizes and sittings for which they shall be summoned respectively; and all such proceedings may be had and taken before such juries in like manner, and with the like consequences in all respects, as before any jury summoned in pursuance of any writ or writs of venire

facias juratores, distringas juratores, or habeas corpus juratorum, before this act.

116. Nothing herein contained shall affect the right of a defendant to take down a cause for trial, after default by the plaintiff to proceed to trial, according to the course and practice of the court; and if records are entered for trial both by the plaintiff and the defendant, the defendant's record shall be treated as standing next in order after the plaintiff's record in the list of causes, and the trial of the cause shall take place accordingly.

And with respect to the admission of documents, be it enacted as follows:—

117. Either party may call on the other party by notice to admit any document, saving all just exceptions; and in case of refusal or neglect to admit, the costs of proving the document shall be paid by the party so neglecting or refusing, whatever the result of the cause may be, unless at the trial the judge shall certify that the refusal to admit was reasonable; and no costs of proving any document shall be allowed unless such notice be given, except in cases where the omission to give the notice is, in the opinion of the Master, a saving of expense.

118. An affidavit of the attorney in the cause, or his clerk, of the due signature of any admissions made in pursuance of such notice, and annexed to the affidavit, shall be in all cases sufficient evidence of such admissions.

119. An affidavit of the attorney in the cause, or his clerk, of the service of any notice to produce, in respect of which notice to admit shall have been given, and of the time when it was served, with a copy of such notice to produce annexed to such affidavit, shall be sufficient evidence of the service of the original of such notice, and of the time when it was served.

And with respect to execution, be it enacted as follows:—

120. A plaintiff or defendant, having obtained a verdict in a cause tried out of term, shall be entitled to issue execution in fourteen days, unless the judge who tries the cause, or some other judge, or the court, shall order execution to issue at an earlier or later period, with or without terms.

121. It shall not be necessary to issue any writ directed to the sheriff of the county in which the venue is laid, but writs of execution may issue at once into any county, and be directed to and executed by the sheriff of any county, whether a county palatine or not, without reference to the county in which the venue is laid, and without any suggestion of the issuing of a prior writ into such county.

122. All writs of every description issuing out of the superior courts of common law at Westminster, to be executed in the counties palatine, shall be directed and delivered to the sheriffs of such counties, and executed and returned by them to the courts out of which such writs are issued, in the same manner in all respects as writs are executed and returned by the sheriffs of other counties.

123. In every case of execution, the party entitled to execution may levy the poundage fees and expenses of the execution, over and above the sum recovered.

124. A writ of execution issued after the commencement of this act, if unexecuted, shall not remain in force for more than one year from the date of such writ, unless renewed in the manner hereinafter provided; but such writ may, at any time before its expiration, be renewed, by the party issuing it, for one year from the date of such renewal, and so on from time to time during the continuance of the renewed writ, either by being marked with a seal bearing the date of the day, month, and year of such renewal, (such seal to be provided and kept for that purpose at the office of the Masters of the court out of which such writ issued), or by such party giving a written notice of renewal to such sheriff, signed by the party or his attorney, and bearing the like seal of the court; and a writ of execution so renewed shall have effect, and be entitled to priority, according to the time of the original delivery thereof.

125. The production of a writ of execution, or of the notice renewing the same, purporting to be marked with such seal, shewing the same to have been renewed according to this act, shall be sufficient evidence of its having been so renewed.

126. A written order under the hand of the attorney in the cause, by whom any writ of capias ad satisfaciendum shall have been issued, shall justify the sheriff, gaoler, or person in whose custody the party may be under such writ, in discharging such

party, unless the party for whom such attorney professes to act shall have given written notice to the contrary to such sheriff, gaoler, or person in whose custody the opposite party may be; but such discharge shall not be a satisfaction of the debt, unless made by the authority of the creditor; and nothing herein contained shall justify any attorney in giving such order for discharge without the consent of his client.

127. It shall not be necessary in any case to sue out a writ of habeas corpus ad satisfaciendum to charge in execution a person already in the prison of the court, but such person may be so charged in execution by a judge's order made upon affidavit that judgment has been signed and is not satisfied; and the service of such order upon the keeper of the prison for the time being shall have the effect of a detainer.

And with respect to proceedings for the revival of judgments, and other proceedings by and against persons not parties to the record, be it enacted as follows:—

128. During the lives of the parties to a judgment, or those of them during whose lives execution may at present issue within a year and a day without a scire facias, and within six years from the recovery of the judgment, execution may issue without a revival of the judgment.

129. In cases where it shall become necessary to revive a judgment by reason either of lapse of time, or of a change, by death or otherwise, of the parties entitled or liable to execution, the party alleging himself to be entitled to execution may either sue out a writ of revivor in the form hereinafter mentioned, or apply to the court or a judge for leave to enter a suggestion upon the roll, to the effect that it manifestly appears to the Court that such party is entitled to have execution of the judgment and to issue execution thereupon; such leave to be granted by the court or a judge upon a rule to shew cause or a summons, to be served according to the present practice, or in such other manner as such court or judge may direct, and which rule or summons may be in the form contained in the Schedule (A.) to this act annexed, marked No. 7, or to the like effect.

130. Upon such application, in case it manifestly appears that the party making the same is entitled to execution, the court or judge shall allow such suggestion as aforesaid to be entered in the form contained in the Schedule (A.) to this act annexed, marked No. 8, or to the like effect, and execution to issue thereupon, and shall order whether or not the costs of such application shall be paid to the party making the same; and in case it does not manifestly so appear, the court or judge shall discharge the rule or dismiss the summons, with or without costs: provided nevertheless, that in such last-mentioned case the party making such application shall be at liberty to proceed by writ of revivor or action upon the judgment.

131. The writ of revivor shall be directed to the party called upon to shew cause why execution shall not be awarded, and shall bear teste on the day of its issuing; and, after reciting the reason why such writ has become necessary, it shall call upon the party, to whom it is directed, to appear, within eight days after service thereof, in the court out of which it issues, to shew cause why the party at whose instance such writ has been issued should not have execution against the party to whom such writ is directed, and it shall give notice that, in default of appearance, the party issuing such writ may proceed to execution; and such writ may be in the form contained in the Schedule (A.) to this act annexed, marked No. 9, or to the like effect, and may be served in any county, and otherwise proceeded upon, whether in term or vacation, in the same manner as a writ of summons; and the venue in a declaration upon such writ may be laid in any county; and the pleadings and proceedings thereupon, and the rights of the parties respectively to costs, shall be the same as in an ordinary action.

132. All writs of scire facias issued out of any of the superior courts of law at Westminster against bail on a recognisance; ad audiendum errores; against members of a joint-stock company or other body, upon a judgment recorded against a public officer or other person sued as representing such company or body, or against such company or body itself; by or against a husband to have execution of a judgment for or against a wife; for restitution after a reversal in error; upon a suggestion of further breaches after judgment for any penal sum, pursuant to the statute passed in the session holden

in the 8 & 9 Will. 3, intituled "An Act for the better preventing frivolous and vexatious Suits;" or for recovery of land taken under an elegit, shall be tested, directed, and proceeded upon in like manner as writs of revivor.

133. Notice in writing to the plaintiff, his attorney or agent, shall be sufficient appearance to a writ of revivor.

134. A writ of revivor to revive a judgment less than ten years old shall be allowed without any rule or order; if more than ten years old, not without a rule of court or a judge's order; nor, if more than fifteen, without a rule to shew cause.

(To be continued).

London Gazette.

FRIDAY, AUGUST 13.

BANKRUPTS.

THOMAS DELF and NICHOLAS TRUBNER, Paternoster-row, London, booksellers, Aug. 20 at half-past 11, and Sept. 24 at 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Hughes, 10, Chapel-street, Bedford-row.—Petition filed Aug. 10.

GEORGE BALL, Fenchurch-street, London, wine merchant, dealer and chapman, Aug. 20 and Sept. 24 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Aug. 10.

ROBERT GLEAVE SUTTON, Landport, Portsea, Southampton, proprietor of the Portchester Castle Pleasure-grounds, dealer and chapman, Aug. 20 at half-past 1, and Sept. 28 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Parnell, Portsea; Briggs & Sons, 55, Lincoln's-inn-fields.—Petition filed July 31.

JOHN STREVEVS, Bermondsey-wall, Bermondsey, Surrey, sail maker and ship chandler, Aug. 27 at 1, and Sept. 28 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hill & Matthews, St. Mary-axe, London.—Petition filed Aug. 13.

HYMAN COHEN, Booth-street, Spitalfields, Middlesex, paper hanging manufacturer, Aug. 20 at 12, and Sept. 28 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Jacobs & Forster, 6, Crosby-square, London.—Petition filed Aug. 12.

WILLIAM HOLLAMBY, Hurstperpoint, Sussex, grocer, miller, and farmer, dealer and chapman, Aug. 25 at half-past 1, and Sept. 27 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Sowton, 6, Great James-street.—Petition filed July 16.

EDWARD BUTT, Newcastle-place, Edgeware-road, Middlesex, laceman, Aug. 18 at half-past 12, and Sept. 25 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition dated Aug. 10.

GEORGE WILLIAM BRIGHT, Swansea, Glamorganshire, licensed victualler, dealer and chapman, Aug. 27 and Sept. 22 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Strick, Swansea; Hinton, Bristol.—Petition filed July 30.

JOHN SWIFT, Stavely, Derbyshire, grocer and draper, Aug. 14 and Sept. 18 (and not Oct. 9, as previously advertised) at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Hoole & Yeomans, Sheffield.—Petition dated July 20.

THOMAS LAMPLUGH, Great Driffield, Yorkshire, draper, dealer and chapman, Sept. 1 and 22 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Collinson, Great Driffield.—Petition dated July 28.

JOSEPH ROBERTS, Chester, grocer, Aug. 26 and Sept. 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool.—Petition dated Aug. 5.

MEETINGS.

Charles Louis Kelly, Artillery-place, Woolwich, Kent, grocer, Aug. 25 at 1, Court of Bankruptcy, London, aud. ac.—Geo. CowrtHope Green, Bread-st.-hill, London, and Postford Mills, near Guildford, Surrey, paper manufacturer, Aug. 25 at 12, Court of Bankruptcy, London, aud. ac.—T. Welsh, Burslem, Staffordshire, joiner, Aug. 24 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—

—*David Rees*, Brecon, Breconshire, clothier, Sept. 3 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Joe. Crosson Reeves*, Rowham Mills, Long Ashton, Somersetshire, paint manufacturer, Sept. 10 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Charles Roope*, Liverpool, wine merchant, Aug. 26 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Patrick Adair Black* and *J. Whittingham*, Liverpool, provision brokers, Aug. 26 at 11, District Court of Bankruptcy, Liverpool, and. ac. sep. est. of *J. Whittingham*.—*Henry Evans*, Ilchester, Somersetshire, carpenter, Aug. 24 at 1, District Court of Bankruptcy, Exeter, and. ac.; Sept. 15 at 1, div.—*Thos. Hichens*, St. Thomas the Apostle, Devonshire, timber merchant, Aug. 24 at 1, District Court of Bankruptcy, Exeter, and. ac.; Sept. 15 at 1, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Parsons, Merton, Surrey, retailer of beer, Sept. 4 at 11, Court of Bankruptcy, London.—*Joseph Jones*, Machea, Monmouthshire, coal owner, Sept. 8 at 11, District Court of Bankruptcy, Bristol.—*John Dallow*, Wolverhampton, Staffordshire, cooper, Sept. 7 at half-past 11, District Court of Bankruptcy, Birmingham.—*George Wood Walker* and *Wm. Henry Walker*, Silverdale, Keel, Staffordshire, silk throwsters, Sept. 7 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Henry Brett, Portsea, Southampton, grocer.—*Jas. Strange Jones*, High Holborn, Middlesex, tallow chandler.—*James Parkins*, Cheapside, London, clothier.—*Samuel Hodgkiss Brooks*, Gweryllt, Gresford, Denbighshire, wire manufacturer.

PARTNERSHIP DISSOLVED.

Wm. Henry Palmer, *Thomas France*, and *Charles James Palmer*, Bedford-row, Middlesex, attorneys and solicitors, (so far as regards *Thomas France*).

SCOTCH SEQUESTRATIONS.

John Hood & Co., Glasgow, manufacturers.—*John Morrison*, Kildalton, Islay, distiller.—*Andrew Johnston*, Banff, spirit merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Price, Kingston-upon-Hull, publican, Sept. 8 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Joseph Reading*, Birmingham, silver plate worker, Aug. 21 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Bonner*, King's Lynn, Norfolk, merchant, Aug. 25 at 4, County Court of Norfolk, at King's Lynn.—*Arthur Bryant Hastings*, King's Lynn, Norfolk, tea dealer, Aug. 25 at 10, County Court of Norfolk, at King's Lynn.—*Robert Currey*, Northwood, Norfolk, plumber, Aug. 26 at 11, County Court of Norfolk, at Thetford.—*John Perkins*, Canterbury, Kent, sail maker, Aug. 23 at 10, County Court of Kent, at Canterbury.—*Joseph Clewley*, Kingsbury, Aylesbury, Buckinghamshire, tailor, Aug. 25 at 12, County Court of Buckinghamshire, at Aylesbury.—*Henry Prickett*, Thame, Oxfordshire, baker, Aug. 21 at 11, County Court of Oxfordshire, at Thame.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner LAW.

Charles A. F. Frisbee, Britannia-st., City-road, Middlesex, upholsterer.—*Frederick Dillon*, New North-st., Red Lion-square, Middlesex, clerk in the Dead-letter Department of the General Post-office.—*Alfred Wood*, Castle-st., Oxford-st., Middlesex, gas fitter.

Nov. 5 at 11, before Mr. Commissioner PHILLIPS.

Thomas Burgess, Coopersale Hall, near Epping, Essex, out of business.—*Thomas G. Owen*, Abercorn-place, St. John's Wood, Middlesex, architect.—*John W. Martin*, Tottenham-court-road, St. Pancras, Middlesex, cheesemonger.—*Charles Tyrwhitt*, Sloane-st., Chelsea, Middlesex, gentleman.

Nov. 10 at 11, before the CHIEF COMMISSIONER.

John Wilkins, Crossley-st., New North-road, St. Leonard's, Shoreditch, Middlesex, linendraper.

Nov. 12 at 11, before the CHIEF COMMISSIONER.

Wm. Stowton, Greenwich, Kent, out of business.—*Edwin Rich. Warne*, Kent-st., Southwark, Surrey, butter dealer.—*Edward Warren*, Catherine-st., Commercial-road East, Middlesex, sofa maker.—*Wm. E. Watson*, Hayfield-court, Mile-end-road, Stepney, Middlesex, in no business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Westmoreland, at APFLEBY, Aug. 25 at 9.

John Warriner, Orrest, Applethwaite, labourer.

At the County Court of Staffordshire, at STAFFORD, Aug. 26 at 10.

Wm. Hunt, Smethwick, Harbourn, bricklayer.

At the County Court of Yorkshire, at YORK CASTLE, Aug. 30 at 10.

Sarah B. Lister, Leeds, out of business.—*Jas. E. Bilon*, Bradford, out of business.—*Robert Gray*, York, out of business.—*Matthew Handley*, Leeds, out of business.—*John Hunter*, Leeds, out of business.—*George Edison*, Leeds, butcher.—*Edward Bradley*, Barnsley, tea dealer.—*Benjamin Bates*, Wooldale, near Holmfurth, farmer's assistant.—*Wm. Jagger*, Dewsbury, confectioner.—*G. Stead*, Leeds, butcher.—*Fred. Maggi*, Chapelton, near Leeds, out of business.—*George W. Pearson*, Cottingham, near Kingston-upon-Hull, farmer's assistant.—*Benjamin Clough*, Bradford, and *Ashton-under-Lyne*, tin-plate worker.—*Martin Murphy*, Bradford, licensed retailer of beer.—*David Varley*, Slaithwaite, near Huddersfield, clothier.—*John Peel*, Dewsbury, blanket manufacturer.—*H. Whitaker*, Overton, near Wakefield, labourer.—*Thomas Dickons*, York, tailor.—*John Brownbridge*, York, cab driver.—*Wm. Squires*, York, druggist's assistant.—*John Tetley*, Eccleshill, near Bradford, out of business.—*Joseph Holroyd*, Halifax, out of business.—*James Kidd*, Lowa Wike, near Halifax, out of business.—*Samuel Brownfoot*, Leeds, cabinet maker.—*Wm. Bentley*, Leeds, out of business.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Sept. 8.

George Donovan, Kingston-upon-Hull, provision merchant.—*John Harman*, Kingston-upon-Hull, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Richard Leytham the younger, Meadup, Middleton, Lancashire, farmer: 1s. 10 $\frac{1}{2}$ d. in the pound.—*John Gyde*, Cheltenham, Gloucestershire, out of business: 10s. in the pound.—*Robt. Tinsley*, Salford, Lancashire, out of business: 7s. 8 $\frac{1}{2}$ d. in the pound.—*Thurston Newton*, Ashton-under-Lyne, Lancashire, joiner: 1s. 0 $\frac{1}{2}$ d. in the pound.—*Alexander Miller*, Sale Moor, near Manchester, linendraper: 1s. 4 $\frac{1}{2}$ d. in the pound.—*George Burney*, Falmouth, Cornwall, a master in the Royal Navy: 9s. 4d. in the pound.—*Medlicott Thomas*, Meard-street, Soho, Middlesex, hosier: 4 $\frac{1}{2}$ d. in the pound.—*Thos. Wood*, Hyde, Middlesex, baker: 6 $\frac{1}{2}$ d. in the pound.—*John Hall*, Burgate, near Fordingbridge, Hampshire, farmer: 2s. in the pound.—*Wm. H. Hawkins*, Oswestry, Shropshire, manure agent: 3 $\frac{1}{2}$ d. in the pound.—*Samuel Bearcraft*, Littleworth, Gloucestershire, smith: 4s. in the pound.—*H. Hatch*, Sutton, Surrey, rector of Sutton: 5s. in the pound.—*Wm. Westley*, Bartlett's-buildings, Holborn, London, shoe factor: 1s. 9 $\frac{1}{2}$ d. in the pound.—*Wm. Quartermann*, Cloudesley-sq., Islington, Middlesex, printer: 2s. 4 $\frac{1}{2}$ d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

TUESDAY, AUGUST 17.

BANKRUPTS.

THOMAS TOPHAM, Noble-st., London, and Ripley, near Alfreton, Derbyshire, and Walham-green, Middlesex, cotton manufacturer, and proprietor of Topham's Railway Guide, Aug. 25 at half-past 2, and Sept. 27 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hudson & Co., 23, Bucklersbury.—Petition filed Aug. 4.

CHARLES JOHNSON, Northumberland-place, Commercial-road East, Middlesex, ironmonger, dealer and chapman, Aug. 25 at 2, and Sept. 27 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Johnston, 100, Chancery-lane.—Petition dated July 19.

WILLIAM ROLPH, Billericay, Essex, brewer, and wine and spirit merchant, dealer and chapman, Aug. 31 at 2, and Oct. 5 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Woodard, Billericay, Essex; J. & J. H. Linklater, 17, Sise-lane, Bucklersbury, London.—Petition filed Aug. 12.

WILLIAM MARTIN, Stamford, Lincolnshire, grocer, dealer and chapman, Aug. 27 and Sept. 17 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Bray & Bridges, Birmingham; Hill & Mathews, St. Mary Axe, London.—Petition dated Aug. 7.

WILLIAM HORNBV, Kirkdale, Lancashire, joiner and builder, dealer and chapman, Aug. 26 and Oct. 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Atkinson, Liverpool.—Petition filed Aug. 9.

JOHN HOWE, Felling, Durham, builder, Sept. 3 at 11, and Sept. 30 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Brignal, South Shields, Durham; Hartley, 6, Southampton-st., Bloomsbury, London.—Petition filed Aug. 9.

MEETINGS.

Thomas Barnum, Pall-mall East and Willeaden, Middlesex, wine merchant, Sept. 8 at 2, Court of Bankruptcy, London, div.—*Edward Murgas*, Portman-market, Edgware-road, Middlesex, licensed victualler, Sept. 9 at 11, Court of Bankruptcy, London, div.—*Wm. Fry, Joseph Fry, and Jonathan Chapman*, St. Mildred's-court, Poultry, London, bankers, Sept. 7 at 12, Court of Bankruptcy, London, div.—*W. Boyce* the elder, Dover, Kent, hotel keeper, Sept. 7 at 2, Court of Bankruptcy, London, div.—*W. Trego*, Coleman-st., London, builder, Sept. 7 at 2, Court of Bankruptcy, London, div.—*Thomas B. Barnes*, Thaxted, Essex, surgeon, Sept. 7 at 12, Court of Bankruptcy, London, div.—*Wm. Buckle*, Pall-mall, Westminster, and Leadenhall-st., London, master mariner, Sept. 7 at 11, Court of Bankruptcy, London, div.—*John Hall*, Brighton, Sussex, victualler, Sept. 7 at 1, Court of Bankruptcy, London, div.—*Andrew Clark*, Bear-gardens, Southwark, Surrey, plumber, Sept. 7 at 1, Court of Bankruptcy, London, div.—*Wm. Bernard Franklin*, Kingston-upon-Hull, linendraper, Sept. 8 at half-past 12, District Court of Bankruptcy, Leeds, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Samuel Knight, Fore-street, Cripplegate, London, cheesemonger, Sept. 9 at 12, Court of Bankruptcy, London.—*Edw. Mountcastle*, King William-street, London, and Greenwich, Kent, hatter, Sept. 9 at 11, Court of Bankruptcy, London.—*Thos. Cowdrey*, Brighton, Sussex, wine merchant, Sept. 8 at 11, Court of Bankruptcy, London.—*Geo. Standerwick*, C. Standerwick, and *Thos. Barnes*, Bristol, auctioneers, Sept. 15 at 11, District Court of Bankruptcy, Bristol.—*Andrew Atkinson*, Dalton-in-Furness, Lancashire, maltster, Sept. 13 at 12, District Court of Bankruptcy, Manchester.—*Jas. Buck*, Manchester, engraver, Sept. 14 at 12, District Court of Bankruptcy, Manchester.—*John Walthew*, Manchester, drysalter, Sept. 14 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

George Dover, Cheltenham, Gloucestershire, builder.—*Alfred Tarrant*, High Holborn, Middlesex, bookbinder.—*R. Buck*, Church-st., Hackney, Middlesex, builder.—*Frederick Baynham*, High-st., Hounslow, Middlesex, grocer.—*Thomas Harris*, Hampstead-road, Middlesex, brewer.—*W. Rowland Ellis*, Birmingham, silversmith.

SCOTCH SEQUESTRATIONS.

John Milne, Dumbarton, saddler.—*Thomas Thompson*, Dundee, grocer.—*James Steel*, Edinburgh, drysalter.—*Wm. Geddes Smith*, Glasgow, broker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Denton, Barnsley, Yorkshire, innkeeper, Sept. 3 at

12, County Court of Yorkshire, at Barnsley.—*Wm. Davies*, Sheffield, Yorkshire, tin-plate worker, Sept. 1 at 12, County Court of Yorkshire, at Sheffield.—*George Davies*, Sheffield, Yorkshire, tin-plate worker, Sept. 1 at 12, County Court of Yorkshire, at Sheffield.—*James Wingfield*, Sheffield, Yorkshire, hosier, Sept. 1 at 12, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner LAW.

Richard Bastick, Holywell-row, Shoreditch, Middlesex, scale maker.—*Chas. Wm. Barber*, Sandy-lane, Richmond, Surrey, market gardener.

Nov. 5 at 11, before Mr. Commissioner PHILLIPS.

Richard Davey, Compton-street, Brunswick-square, Middlesex, cheesemonger.

Nov. 8 at 11, before Mr. Commissioner PHILLIPS.

George Rolph, Mortimer-terrace, Shepherd's-bush, Kensington, Middlesex, private coachman.

Nov. 10 at 11, before the CHIEF COMMISSIONER.

Edward Taft, Great Carlisle-street, Edgware-road, Middlesex, statuary mason.

Nov. 12 at 11, before the CHIEF COMMISSIONER.

George Thomas Minor, Denton's-buildings, Somers-town, Middlesex, out of business.

Nov. 17 at 11, before the CHIEF COMMISSIONER.

George Kitley the younger, Cleveland-street, Fitzroy-sq., Middlesex, coachmaker.

Saturday, Aug. 14.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Charles Rowse, Crawford-street, Marylebone, Middlesex, coffee-house keeper, No. 63,030 T.; *Thos. Walters*, assignee.—*John Gill*, Humalet, near Leeds, Yorkshire, joiner, No. 75,146 C.; *A. E. Butler*, assignee.—*Wm. Neely the younger*, Church-street, Westminster, Middlesex, out of business, No. 60,619 T.; *James Fluker*, assignee.—*Jas. Rowbottom*, Manchester, provision-shop keeper, No. 75,064 C.; *C. Bentley*, assignee.

Saturday, Aug. 14.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

John Webb, Uxbridge-road, Ealing, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Charles Bruchett*, North-st., Spitalfields-market, Middlesex, fruiterer: in the Debtors Prison for London and Middlesex.—*Chas. M. King*, Charles-terrace, Bishop's-road, Bethnal-green, Middlesex, attorney's clerk: in the Debtors Prison for London and Middlesex.—*David Williams*, Great Winchester-street, London, fruiterer: in the Debtors Prison for London and Middlesex.—*Wm. Smart*, Upper Victoria-road, Liverpool-road, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Philip Smell*, Gray's-inn-lane, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*J. Crossley the younger*, Old Montague-st., Whitechapel, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*F. Farmer*, North-street, Jubilee-street, Mile-end-gate, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Miles Fisher Monckton*, Park-street, Dorset-square, Middlesex, in no trade: in the Queen's Prison.—*Thomas Shaw*, Osnaburgh-street, Regent's-park, Middlesex, out of business: in the Queen's Prison.—*Thomas Gilman*, Erith, Kent, carpenter: in the Queen's Prison.—*Thomas Pridmore*, Sudbrook-place, John-street, East-lane, Lock's-fields, Surrey, hatter: in the Gaol of Horsemonger-lane.—*William Heise*, Westbourn-street, Pimlico, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Jacob Moses*, Durham, licensed hawkler: in the Gaol of Durham.—*James Pennington*, Manchester, game dealer: in

the Gaol of Lancaster.—*Richard Parvey*, Cheltenham, Gloucestershire, grocer: in the Gaol of Coventry.—*John Warriner*, Orreat, Applethwaite, Westmoreland, labourer: in the Gaol of Appleby.—*Samuel Brierley*, Preston, Lancashire, grocer: in the Gaol of Lancaster.—*John House*, Bosminster, Dorsetshire, labourer: in the Gaol of Dorchester.—*James Ridgway Lloyd*, Hereford, maltster: in the Gaol of Reading.—*Samuel Lovering*, Exeter, butcher: in the Gaol of Exeter.—*Isaac Rutter*, Manchester, fruiterer: in the Gaol of Lancaster.—*John Bates*, Salford, Lancashire, boiler maker: in the Gaol of Lancaster.—*John Corran*, Liverpool, provision dealer: in the Gaol of Lancaster.—*Edwin Frederick Cook*, Birmingham, builder: in the Gaol of Coventry.—*Benjamin Booth Lee*, Plymouth, Devonshire, out of business: in the Gaol of St. Thomas-the-Apostle.—*William Hughes*, Birmingham, brass-founder: in the Gaol of Coventry.—*John Hawks*, Hove, Sussex, locksmith: in the Gaol of Lewes.—*John Pillaway*, Birmingham, shoemaker: in the Gaol of Coventry.—*Mark Clyma*, Vryan, Cornwall, farmer: in the Gaol of Bodmin.—*William Collins*, Walton-place, Hans-place, Sloane-street, Chelsea, Middlesex, gentleman: in the Gaol of St. Thomas-the-Apostle, Devonshire.—*James Lowe*, Fendleton, Salford, Lancashire, oorn merchant: in the Gaol of Lancaster.—*B. Semo*, Dawlish, Devonshire, commission agent: in the Gaol of St. Thomas-the-Apostle.—*Benjamin Pearson*, Birmingham, coal dealer: in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Berkshire, at READING, Sept. 6.

Thomas Abolton, (and not *Abolon*, as before advertised), Gadsden-hill, Oxfordshire, in no trade.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Sept. 8.

George Donovan, Kingston-upon-Hull, provision merchant.

INSOLVENT DEBTOR'S DIVIDEND.

Anna Norton, widow, deceased, Congresbury, Somersetshire, Mancher's, Kingsdown, Bristol: 4s. 2d. in the pound, (making with former dividends 5s. 10d.)

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AUGUST 28, 1852.

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LONDON, AUGUST 28, 1852.

THE question whether the grand jury system shall be retained or abolished is one of serious and practical importance. Much consideration is required, on the part of those who appreciate constitutional government, before they willingly abandon a tribunal which our ancestors interposed between the subject and the Crown—a tribunal established as the result of bitter experience and of long-continued struggles, and which has remained until the present day as an integral part of the administration of justice. To admit that some evils and abuses may prevail under the present system, is only to admit that it is one of human origin; but those who are desirous of abolishing it altogether must go further than this, and shew that the change which they propose offers with a reasonable certainty greater advantages than those which result from the present institution. It is true that a Parliamentary Committee, appointed in 1849, reported against the retention of the system in question; it is also true that the metropolitan grand jury take every opportunity of presenting themselves as a nuisance; but there are many constitutional lawyers who apprehend danger from the removal of this barrier between the accuser and the accused; and the judges of the land practically declare their approval of it, by granting only in extreme cases a criminal information, which dispenses with the necessity of going before a grand jury. We are glad to find that a pamphlet upon this subject has been lately published by a member of the Bar who has had much experience in the procedure of our criminal courts, and who, after a full and candid discussion of the question, arrives at

the conclusion that it is most desirable to retain the grand inquest of the realm*. His observations are chiefly confined to the bill which was introduced into Parliament last session, "to render it unnecessary to summon the grand jury within the metropolitan district," which, in effect, proposed to abolish the grand jury in London altogether, and to confer upon the Attorney-General, the magistrates of the city, and stipendiary magistrates, the power of putting upon their trial any person whatever for an imputed offence; but the arguments used against the bill are, for the most part, applicable to the more general question, and as such we shall analyse them for our readers. The constitutional advantages of the grand inquest are, that it has protected, and may again be required to protect, the subject from unjust accusation, and that it preserves to the people the inestimable right of putting the ministers and officers of the Sovereign upon their trial, for violation of the law. It has also the minor advantage of ignoring and preventing the further prosecution of frivolous charges of crime, and thereby saving to the country the expenses incident to the trial. The objections ordinarily made to the grand jury may be classified under three heads, namely, those of expense, delay, and injustice. The expense, however, is inappreciably small: the grand jury holds its sittings at the place at which the witnesses are bound to appear, and in a room adjoining to the court; no professional assistant appears before them; while, by stopping further procedure and expense in cases of accusation

* "The Grand Jury. Is it a System which it is necessary or desirable to abolish?" By a Member of the Middle Temple. Butterworths, 1852.



brought before them on insufficient proof, a saving of cost is effected. The expenses of a prosecution are incurred in attending before the magistrate and at the trial; the first already bear a very large proportion to the total amount, and they will be considerably increased if the magistrate is substituted for the grand jury, as he will then have to enter into a minute investigation of each specific charge, which must be made the subject of distinct accusation in the court above*. With regard to the objection of delay, it has been said that the Court is prevented from speedily transacting its business by the impediments thrown in its way by the grand jury; but such delay is often the effect of only proper deliberation on the part of the jurors; often it is attributable to causes not to be provided against; often it is more apparent than real, owing to the extraordinary expedition of the Court, or to the fact of two courts for the trial of prisoners sitting on the first day of each session†.

The most serious charge is that of injustice alleged to be encouraged and committed by the grand jury; and it is said that they frequently ignore bills where no doubt exists of the guilt of the accused, that they find bills where no doubt ought to be entertained of the innocence of the accused, and that the secrecy of the tribunal encourages the commission of perjury and the compromise of criminal charges. The bill to which we have alluded proposed to retain the grand jury in the country districts; and as they, therefore, were assumed by that measure to be efficient in the discharge of their duties, it is proper to make a comparison between the result of their labours and those of the metropolitan grand jury, which were to be abolished.

The criminal returns, published annually by direction of Parliament, shew, that from the year 1840 to the year 1850 the number of commitments in England and Wales were 305,610, the number of acquittals 57,491, and the number of bills ignored 20,034; while during the same period the number of commitments in Middlesex and London were 46,249, the number of acquittals 8097, and the number of bills ignored 2702: so that in England and Wales the number of bills ignored was, as to the total number of commitments, six and a half per cent., whilst in the metropolitan district it was not six per cent. Again: during these years the acquittals were, as to the total number of commitments in the country, about nineteen, and in Middlesex seventeen and a half per cent. There is, therefore, no reason from these facts to conclude that the powers reposed in London grand juries may not as properly be left with them as with the same tribunals in the country. But even if the grand jury exercised their powers in the careless way suggested, a remedy might be found without the destruction of the entire fabric. Authority in the Court to order a prosecutor to pay costs to the defendant, in prosecutions not instituted by a committing magistrate, and the attendance of some proper officer with the grand jury, which is now frequently the practice at the Central Criminal Court, as also in the Queen's Bench, would probably remove the evil altogether‡. The objection that the secrecy of the tribunal

encourages perjury, if founded on fact, might be met by requiring that the statements of the different witnesses should be taken down by some short-hand writer, being an officer of the court. As to the compromise of criminal proceedings, there does not appear to be any ground for attributing this to the grand jury system, and certainly the remedy would seem to be in the hands of the Court, which has full power to prevent or to deal with any such offence*. Many of the objections urged against the grand jury are equally applicable to the petty jury; and the attack upon the former is intended by many to be an attack also upon the latter. No perceptible advantage will be gained by the change: "a tribunal less calculated to inspire public confidence cannot be found than the Attorney-General and stipendiary magistrates holding their appointment during pleasure, or a single magistrate sitting at a police court." If improper orders be imputed to an officer, or undue violence to the military, however fairly these persons may desire to make use of the discretion with which they will be invested, is it possible that the public will be satisfied? Could anything be conceived more unreasonable than to expect from the law officers of the Crown a calm, deliberate, and dispassionate judgment upon an alleged seditious libel, or one derogatory of the Government which they represent?

In such cases the grand jury, the *probi et legales homines*, uninfamed by popular passion, and secure from an unjust or improper leaning to despotic power, stand as arbitrators between the Crown and the subject‡.

We ought not to conclude these observations without advertising to the testimony of Mr. Greaves, an eminent authority upon all matters relating to the criminal law. He is of opinion that the grand jury should be continued, but that it should have additional facilities for the discharge of its highly important duties; that, instead of being furnished simply with the indictment and the names of the witnesses, they should be attended by a proper officer, with the depositions; that he should watch the evidence, and suggest any questions that may tend to elicit the whole of the facts; that each witness should be sworn, in the grand jury room, immediately before giving his evidence; that every case which is, strictly speaking, a criminal case should be first investigated before a magistrate, and if he dismissed the charge, he should return the depositions to the Court; and no bill should be permitted to go before the grand jury in such case, unless by leave of the Court‡.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIA.—SESSION 5.

(Continued from p. 289).

And with respect to the effect of death, marriage, and bankruptcy upon the proceedings in an action, be it enacted as follows:—

135. The death of a plaintiff or defendant shall not cause the action to abate, but it may be continued as hereinafter mentioned.

136. If there be two or more plaintiffs or defendants, and

* See the pamphlet before cited, pp. 16, 17.

† Id. 19.

‡ Id. 20—25.

* See the pamphlet before cited, pp. 25, 26.

† Id. 29.

‡ See General Observations prefixed to Lord Campbell's Acts. By C. S. Greaves, Esq., Q. C. Benning & Co. 1851.

one or more of them should die, if the cause of such action shall survive to the surviving plaintiff or plaintiffs, or against the surviving defendant or defendants, the action shall not be thereby abated; but such death being suggested upon the record, the action shall proceed at the suit of the surviving plaintiff or plaintiffs against the surviving defendant or defendants.

137. In case of the death of a sole plaintiff or sole surviving plaintiff, the legal representative of such plaintiff may, by leave of the court or a judge, enter a suggestion of the death, and that he is such legal representative, and the action shall thereupon proceed; and if such suggestion be made before the trial, the truth of the suggestion shall be tried thereat, together with the title of the deceased plaintiff, and such judgment shall follow upon the verdict in favour of or against the person making such suggestion, as if such person were originally the plaintiff.

138. In case of the death of a sole defendant or sole surviving defendant, where the action survives, the plaintiff may make a suggestion, either in any of the pleadings, if the cause has not arrived at issue, or in a copy of the issue, if it has so arrived, of the death, and that a person named therein is the executor or administrator of the deceased; and may thereupon serve such executor or administrator with a copy of the writ and suggestion, and with a notice, signed by the plaintiff or his attorney, requiring such executor or administrator to appear within eight days after service of the notice, inclusive of the day of such service, and that in default of his so doing the plaintiff may sign judgment against him as such executor or administrator; and the same proceedings may be had and taken, in case of non-appearance after such notice, as upon a writ against such executor or administrator in respect of the cause for which the action was brought; and in case no pleadings have taken place before the death, the suggestion shall form part of the declaration, and the declaration and suggestion may be served together, and the new defendant shall plead thereto at the same time; and in case the plaintiff shall have declared, but the defendant shall not have pleaded before the death, the new defendant shall plead at the same time to the declaration and suggestion; and in case the defendant shall have pleaded before the death, the new defendant shall be at liberty to plead to the suggestion, only by way of denial, or such plea as may be appropriate to and rendered necessary by his character of executor or administrator, unless, by leave of the court or a judge, he should be permitted to plead fresh matter in answer to the declaration; and in case the defendant shall have pleaded before the death, but the pleadings shall not have arrived at issue, the new defendant, besides pleading to the suggestion, shall continue the pleadings to issue in the same manner as the deceased might have done, and the pleadings upon the declaration and the pleadings upon the suggestion shall be tried together; and in case the plaintiff shall recover, he shall be entitled to the like judgment in respect of the debt or sum sought to be recovered and in respect of the costs prior to the suggestion, and in respect of the costs of the suggestion and subsequent thereto he shall be entitled to the like judgment as in an action originally commenced against the executor or administrator.

139. The death of either party between the verdict and the judgment shall not hereafter be alleged for error, so as such judgment be entered within two terms after such verdict.

140. If the plaintiff in any action happen to die after an interlocutory judgment and before a final judgment obtained therein, the said action shall not abate by reason thereof, if such action might be originally prosecuted or maintained by the executor or administrator of such plaintiff; and if the defendant die after such interlocutory judgment and before final judgment therein obtained, the said action shall not abate, if such action might be originally prosecuted or maintained against the executor or administrator of such defendant; and the plaintiff, or if he be dead after such interlocutory judgment, his executors or administrators, shall and may have a writ of revivor, in the form contained in the Schedule (A.) to this act annexed, marked No. 9, or to the like effect, against the defendant, if living after such interlocutory judgment, or if he be dead, then against his executors or administrators, to shew cause why damages in such action should not be assessed and recovered by him or them; and if such defendant, his executors or administrators, shall appear at the return of such writ, and not shew or allege any matter sufficient to arrest the

final judgment, or shall make default, a writ of inquiry of damages shall be thereupon awarded, or the amount, for which final judgment is to be signed, shall be referred to one of the Masters, as hereinbefore provided; and upon the return of the writ, or delivery of the order with the amount indorsed thereon to the plaintiff, his executors or administrators, judgment final shall be given for the said plaintiff, his executors or administrators, prosecuting such writ of revivor, against such defendant, his executors or administrators respectively.

141. The marriage of a woman plaintiff or defendant shall not cause the action to abate, but the action may, notwithstanding, be proceeded with to judgment; and such judgment may be executed against the wife alone, or, by suggestion or writ of revivor pursuant to this act, judgment may be obtained against the husband and wife, and execution issue thereon; and in case of a judgment for the wife, execution may be issued thereupon by the authority of the husband without any writ of revivor or suggestion; and if in any such action the wife shall sue or defend by attorney appointed by her when sole, such attorney shall have authority to continue the action or defence, unless such authority be countermanded by the husband, and the attorney changed according to the practice of the Court.

142. The bankruptcy or insolvency of the plaintiff in any action, which the assignees might maintain for the benefit of the creditors, shall not be pleaded in bar to such action, unless the assignees shall decline to continue, and give security for the costs thereof, upon a judge's order to be obtained for that purpose, within such reasonable time as the judge may order, but the proceedings may be stayed until such election is made; and in case the assignees neglect or refuse to continue the action, and give such security within the time limited by the order, the defendant may, within eight days after such neglect or refusal, plead the bankruptcy.

And with respect to the proceedings upon motions to arrest the judgment, and for judgment non obstante veredicto, be it enacted as follows:—

143. Upon any motion made in arrest of judgment, or to enter an arrest of judgment, pursuant to the statute passed in the 1 Will. 4, [c. 7.] intitled "An Act for the more speedy Judgment and Execution in Actions brought in his Majesty's Courts of Law at Westminster, and in the Court of Common Pleas of the County Palatine of Lancaster, and for amending the Law as to Judgment on a Cognovit Actionem in Cases of Bankruptcy," or for judgment non obstante veredicto, by reason of the non-avertment of some alleged material fact or facts, or material allegation, or other cause, the party whose pleading is alleged or adjudged to be therein defective may, by leave of the Court, suggest the existence of the omitted fact or facts, or other matter, which, if true, would remedy the alleged defect; and such suggestion may be pleaded to by the opposite party within eight days after notice thereof, or such further time as the court or a judge may allow; and the proceedings for trial of any issues joined upon such pleadings shall be the same as in an ordinary action.

144. If the fact or facts suggested be admitted, or found to be true, the party suggesting shall be entitled to such judgment as he would have been entitled to if such fact or facts or allegations had been originally stated in such pleading, and proved or admitted on the trial, together with the costs of and occasioned by the suggestion and proceedings thereon; but if such fact or facts be found untrue, the opposite party shall be entitled to his costs of and occasioned by the suggestion and proceedings thereon, in addition to any other costs to which he may be entitled.

145. Upon an arrest of judgment, or judgment non obstante veredicto, the Court shall adjudge to the party against whom such judgment is given the costs occasioned by the trial of any issues of fact arising out of the pleading for defect of which such judgment is given, upon which such party shall have succeeded; and such costs shall be set off against any money or costs adjudged to the opposite party, and execution may issue for the balance, if any.

And with respect to proceedings in error, be it enacted as follows:—

146. No judgment in any cause shall be reversed or avoided for any error or defect therein, unless error be commenced, or brought and prosecuted with effect, within six years after such judgment signed or entered of record.

147. If any person that is or shall be entitled to bring error

as aforesaid is or shall be, at the time of such title accrued, within the age of twenty-one years, feme covert, non compos mentis, or beyond the seas, then such person shall be at liberty to bring error as aforesaid, so as such person commences or brings and prosecutes the same with effect within six years after coming to or being of full age, discover, of sound memory, or return from beyond the seas; and if the opposite party shall, at the time the judgment signed or entered of record, be beyond the seas, then error may be brought, provided the proceedings be commenced and prosecuted with effect within six years after the return of such party from beyond seas.

148. A writ of error shall not be necessary or used in any cause, and the proceeding to error shall be a step in the cause, and shall be taken in manner hereinafter mentioned; but nothing in this act contained shall invalidate any proceedings already taken or to be taken by reason of any writ of error issued before the commencement of this act.

149. Either party alleging error in law may deliver to one of the Masters of the court a memorandum in writing, in the form contained in the Schedule (A.) to this act annexed, marked No. 10, or to the like effect, intitled in the court and cause, and signed by the party or his attorney, alleging that there is error in law in the record and proceedings; whereupon the Master shall file such memorandum, and deliver to the party lodging the same a note of the receipt thereof; and a copy of such note, together with a statement of the grounds of error intended to be argued, may be served on the opposite party or his attorney.

150. Proceedings in error in law shall be deemed a supersedeas of execution from the time of the service of the copy of such note, together with the statement of the grounds of error intended to be argued, until default in putting in bail, or an affirmation of the judgment, or discontinuance of the proceedings in error, or until the proceedings in error shall be otherwise disposed of without a reversal of the judgment: provided always, that if the grounds of error shall appear to be frivolous, the court or a judge, upon summons, may order execution to issue.

151. Upon any judgment hereafter to be given in any of the said superior courts of common law in any action, execution shall not be stayed or delayed by proceedings in error, or supersedeas thereupon, without the special order of the court or a judge, unless the person in whose name such proceedings in error be brought, with two, or, by leave of the court or a judge, more than two sufficient sureties, such as the court (wherein such judgment is or shall be given) or a judge shall allow of, shall, within four clear days after lodging the memorandum alleging error, or after the signing of the judgment, whichever shall last happen, or before execution executed, be bound unto the party for whom any such judgment is or shall be given, by recognisance to be acknowledged in the same court, in double the sum adjudged to be recovered by the said judgment, (except in case of a penalty, and in case of a penalty in double the sum really due, and double the costs), to prosecute the proceedings in error with effect, and also to satisfy and pay (if the said judgment be affirmed, or the proceedings in error be discontinued by the plaintiff therein) all and singular the sum or sums of money and costs adjudged or to be adjudged upon the former judgment, and all costs and damages to be also awarded for the delaying of execution, and shall give notice thereof to the defendant in error, or his attorney.

152. The assignment of and joinder in error in law shall not be necessary or used, and instead thereof a suggestion, to the effect that error is alleged by the one party and denied by the other, may be entered on the judgment-roll in the form contained in Schedule (A.) to this act annexed, marked No. 11, or to the like effect: provided, that in case the defendant in error intends to rely upon the proceeding in error being barred by lapse of time, or by release of error, or other like matter of fact, he may give four days' written notice to the plaintiff in error to assign error as heretofore, instead of entering the suggestion; and he shall, within eight days, plead thereto the bar by lapse of time, or release of error, or other like matter of fact; and thereupon such proceedings may be had as heretofore.

153. The roll shall be made up, and the suggestion last aforesaid entered by the plaintiff in error, within ten days after the service of the note of the receipt of the memorandum

alleging error, or within such other time as the court or a judge may order; and in default thereof, or of assignment of error in cases where an assignment is required, the defendant in error, his executors or administrators, shall be at liberty to sign judgment of non-pros.

154. In case error be brought upon a judgment given against several persons, and one or some only shall proceed in error, the memorandum alleging error, and the note of the receipt of such memorandum, shall state the names of the persons by whom the proceedings are taken; and in case the other persons, against whom judgment has been given, decline to join in the proceedings in error, the same may be continued, and the suggestion last aforesaid entered, stating the persons by whom the proceedings are brought, without any summons and severance; or if such other persons elect to join, then the suggestion shall state them to be, and they shall be deemed as, plaintiffs in error, although not mentioned as such in the previous proceedings.

155. Upon such suggestion of error alleged and denied being entered, the cause may be set down for argument in the court of error in the manner heretofore used; and the judgment-roll shall, without any writ or return, be brought by the Master into the court of error in the Exchequer Chamber, before the justices, or justices and barons, as the case may be, of the other two superior courts of common law, on the day of its sitting, at such time as the judges shall appoint, either in term or in vacation; or if the proceedings in error be before the High Court of Parliament, then before the High Court of Parliament, before or at the time of its sitting; and the Court of error shall and may thereupon review the proceedings, and give judgment as they shall be advised thereon; and such proceedings and judgment, as altered or affirmed, shall be entered on the original record; and such further proceedings as may be necessary thereon shall be awarded by the Court in which the original judgment was given.

156. Courts of error shall have power to quash the proceedings in error in all cases in which error does not lie, or where they are taken against good faith, or in any case in which proceedings in error might heretofore have been quashed by such Courts; and such Courts shall in all respects have such jurisdiction over the proceedings as over the proceedings in error commenced by writ of error.

157. Courts of error shall in all cases have power to give such judgment and award such process as the Court from which error is brought ought to have done, without regard to the party alleging error.

158. Either party alleging error in fact may deliver to one of the Masters of the court a memorandum in writing, in the form contained in the Schedule (A.) to this act annexed, marked No. 12, or to the like effect, intitled in the court and cause, and signed by the party or his attorney, alleging that there is error in fact in the proceedings, together with an affidavit of the matter of fact in which the alleged error consists; whereupon the Master shall file such memorandum and affidavit, and deliver to the party lodging the same a note of the receipt thereof; and a copy of such note and affidavit may be served on the opposite party or his attorney; and such service shall have the same effect, and the same proceedings may be had thereafter as heretofore had after the service of the rule for allowance of a writ of error in fact.

159. The plaintiff in error, whether in fact or law, shall be at liberty to discontinue his proceedings by giving to the defendant in error a notice, headed in the court and cause, and signed by the plaintiff in error or his attorney, stating that he discontinues such proceedings; and thereupon the defendant in error may sign judgment for the costs of and occasioned by the proceedings in error, and may proceed upon the judgment on which the error was brought.

160. The defendant in error, whether in fact or law, shall be at liberty to confess error, and consent to the reversal of the judgment, by giving to the plaintiff in error a notice, headed in the court and cause, and signed by the defendant in error or his attorney, stating that he confesses the error, and consents to the reversal of the judgment; and thereupon the plaintiff in error shall be entitled to and may forthwith sign a judgment of reversal.

161. The death of a plaintiff in error after service of the note of the receipt of the memorandum alleging error, with a statement of the grounds of error, shall not cause the proceed-

ings to abate, but they may be continued as hereinafter mentioned.

162. In case of the death of one of several plaintiffs in error, a suggestion may be made of the death, which suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the proceedings may be thereupon continued at the suit of and against the surviving plaintiff in error, as if he were the sole plaintiff.

163. In case of the death of a sole plaintiff or of several plaintiffs in error, the legal representative of such plaintiff or of the surviving plaintiff may, by leave of the court or a judge, enter a suggestion of the death, and that he is such legal representative, which suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the proceedings may thereupon be continued at the suit of and against such legal representative as the plaintiff in error; and, if no such suggestion shall be made, the defendant in error may proceed to an affirmance of the judgment according to the practice of the Court, or take such other proceedings thereupon as he may be entitled to.

164. The death of a defendant in error shall not cause the proceedings to abate, but they may be continued as herein-after mentioned.

165. In case of the death of one of several defendants in error, a suggestion may be made of the death, which suggestion shall not be traversable, but only be subject to be set aside if untrue, and the proceedings may be continued against the surviving defendant.

166. In case of the death of a sole defendant or of all the defendants in error, the plaintiff in error may proceed upon giving ten days' notice of the proceedings in error, and of his intention to continue the same, to the representatives of the deceased defendants; or if no such notice can be given, then, by leave of the court or a judge, upon giving such notice to the parties interested as he or they may direct.

167. The marriage of a woman, plaintiff or defendant in error, shall not abate the proceedings in error, but the same may be continued in like manner as hereinbefore provided with reference to the continuance of an action after marriage.

And with respect to the action of ejectment, be it enacted as follows:—

168. Instead of the present proceeding by ejectment, a writ shall be issued, directed to the persons in possession by name, and to all persons entitled to defend the possession of the property claimed, which property shall be described in the writ with reasonable certainty.

169. The writ shall state the names of all the persons in whom the title is alleged to be, and command the persons to whom it is directed to appear within sixteen days after service thereof, in the court from which it is issued, to defend the possession of the property sued for, or such part thereof as they may think fit, and it shall contain a notice that in default of appearance they will be turned out of possession; and the writ shall bear date of the day on which it is issued, and shall be in force for three months, and shall be in the form contained in the Schedule (A.) to this act annexed, marked No. 13, or to the like effect; and the name and abode of the attorney issuing the same, or if no attorney, the name and residence of the party, shall be indorsed thereon, in like manner as hereinbefore enacted with reference to the indorsements on a writ of summons in a personal action; and the same proceedings may be had to ascertain whether the writ was issued by the authority of the attorney whose name was indorsed thereon, and who and what the claimants are, and their abode, and as to staying the proceedings upon writs issued without authority, as in the case of writs in personal actions.

170. The writ shall be served in the same manner as an ejectment has heretofore been served, or in such manner as the court or a judge shall order, and in case of vacant possession, by posting a copy thereof upon the door of the dwelling-house or other conspicuous part of the property.

171. The persons named as defendants in such writ, or either of them, shall be allowed to appear within the time appointed.

172. Any other person not named in such writ shall, by leave of the court or a judge, be allowed to appear and defend, on filing an affidavit shewing that he is in possession of the land either by himself or his tenant.

173. Any person appearing to defend as landlord in respect of property, whereof he is in possession only by his tenant, shall state in his appearance that he appears as landlord; and such person shall be at liberty to set up any defence which a landlord appearing in an action of ejectment has heretofore been allowed to set up, and no other.

174. Any person appearing to such writ shall be at liberty to limit his defence to a part only of the property mentioned in the writ, describing that part with reasonable certainty in a notice intitled in the court and cause, and signed by the party appearing or his attorney, such notice to be served within four days after appearance upon the attorney whose name is indorsed on the writ, if any, and if none, then to be filed in the Master's office; and an appearance without such notice confining the defence to part shall be deemed an appearance to defend for the whole.

175. Want of "reasonable certainty" in the description of the property, or part of it, in the writ or notice, shall not nullify them, but shall only be ground for an application to a judge for better particulars of the land claimed or defended, which a judge shall have power to give in all cases.

176. The court or a judge shall have power to strike out or confine appearances and defences set up by persons not in possession by themselves or their tenants.

177. In case no appearance shall be entered into within the time appointed, or if an appearance be entered, but the defence be limited to part only, the plaintiffs shall be at liberty to sign a judgment that the person whose title is asserted in the writ shall recover possession of the land, or of the part thereof to which the defence does not apply; which judgment, if for all, may be in the form contained in the Schedule (A.) to this act annexed, marked No. 14, or to the like effect, and if for part, may be in the form contained in the Schedule (A.) to this act annexed, marked No. 15, or to the like effect.

178. In case an appearance shall be entered, an issue may once be made up, without any pleadings, by the claimants or their attorney, setting forth the writ, and stating the fact of the appearance, with its date, and the notice limiting the defence, if any, of each of the persons appearing, so that it may appear for what defence is made, and directing the sheriff to summon a jury; and such issue, in case defence is made for the whole, may be in the form contained in Schedule (A.) to this act annexed, marked No. 16, or to the like effect, and in case defence is made for part, may be in the form contained in the Schedule (A.) to this act annexed, marked No. 15, or to the like effect.

179. By consent of the parties, and by leave of a judge, a special case may be stated according to the practice heretofore used.

180. The claimants may, if no special case be agreed to, proceed to trial upon the issue in the same manner as in other actions; and the particulars of the claim and defence, if any, or copies thereof, shall be annexed to the record by the claimants; and the question at the trial shall, except in the cases hereafter mentioned, be, whether the statement in the writ of the title of the claimants is true or false, and if true, then which of the claimants is entitled, and whether to the whole or part, and if to part, then to which part of the property in question; and the entry of the verdict may be made in the form contained in the Schedule (A.) to this act annexed, marked No. 17, or to the like effect, with such modifications as may be necessary to meet the facts.

181. In case the title of the claimant shall appear to have existed as alleged in the writ, and at the time of service thereof, but it shall also appear to have expired before the time of trial, the claimant shall notwithstanding be entitled to a verdict according to the fact that he was so entitled at the time of bringing the action and serving the writ, and to a judgment for his costs of suit.

182. The court or a judge may, on the application of either party, order that the trial shall take place in any county or place other than that in which the venue is laid; and such order being suggested on the record, the trial may be had accordingly.

183. If the defendant appears, and the claimant does not appear at the trial, the claimant shall be nonsuited; and if the claimant appears, and the defendant does not appear, the claimant shall be entitled to recover as heretofore, without any proof of his title.

184. The jury may find a special verdict, or either party may tender a bill of exceptions.

185. Upon a finding for the claimant, judgment may be signed, and execution issue for the recovery of possession of the property, or such part thereof as the jury shall find the claimant entitled to, and for costs, within such time, not exceeding the fifth day in term after the verdict, as the court or judge before whom the cause is tried shall order; and if no such order be made, then on the fifth day in term after the verdict, or within fourteen days after such verdict, whichever shall first happen.

186. Upon a finding for the defendants, or any of them, judgment may be signed, and execution issue for costs against the claimants named in the writ, within such time, not exceeding the fifth day in term after the verdict, as the court or judge before whom the cause is tried shall order; and if no such order be made, then on the fifth day in term after the verdict, or within fourteen days after such verdict, whichever shall first happen.

187. Upon any judgment in ejectment for recovery of possession and costs, there may be either one writ or separate writs of execution for the recovery of possession and for the costs, at the election of the claimant.

188. In case of such an action being brought by some or one of several persons entitled as joint tenants, tenants in common, or coparceners, any joint tenant, tenant in common, or coparcener in possession, may, at the time of appearance, or within four days after, give notice in the same form as in the notice of a limited defence, that he or she defends as such, and admits the right of the claimant to an undivided share of the property, (stating what share), but denies any actual ouster of him from the property, and may within the same time file an affidavit stating with reasonable certainty that he or she is such joint tenant, tenant in common, or coparcener, and the share of such property to which he or she is entitled, and that he or she has not ousted the claimant; and such notice shall be entered in the issue in the same manner as the notice limiting the defence, and upon the trial of such an issue the additional question of whether an actual ouster has taken place shall be tried.

189. Upon the trial of such issue as last aforesaid, if it shall be found that the defendant is joint tenant, tenant in common, or coparcener with the claimant, then the question whether an actual ouster has taken place shall be tried, and unless such actual ouster shall be proved the defendant shall be entitled to judgment and costs; but if it shall be found either that the defendant is not such joint tenant, tenant in common, or coparcener, or that an actual ouster has taken place, then the claimant shall be entitled to such judgment for the recovery of possession and costs.

190. The death of a claimant or defendant shall not cause the action to abate, but it may be continued as hereinafter mentioned.

191. In case the right of the deceased claimant shall survive to another claimant, a suggestion may be made of the death, which suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the action may proceed at the suit of the surviving claimant; and if such a suggestion shall be made before the trial, then the claimant shall have a verdict and recover such judgment as aforesaid, upon its appearing that he was entitled to bring the action either separately or jointly with the deceased claimant.

192. In case of the death before trial of one of several claimants, whose right does not survive to another or others of the claimants, where the legal representative of the deceased claimant shall not become a party to the suit in the manner hereinafter mentioned, a suggestion may be made of the death, which suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the action may proceed at the suit of the surviving claimant for such share of the property as he is entitled to, and costs.

193. In case of a verdict for two or more claimants, if one of such claimants die before execution executed, the other claimant may, whether the legal right to the property shall survive or not, suggest the death in manner aforesaid, and proceed to judgment and execution for recovery of possession of the entirety of the property and the costs; but nothing herein contained shall affect the right of the legal representative of the deceased claimant, or the liability of the surviving claimant to

such legal representative; and the entry and possession of such surviving claimant under such execution shall be considered as an entry and possession on behalf of such legal representative in respect of the share of the property to which he shall be entitled as such representative, and the Court may direct possession to be delivered accordingly.

194. In case of the death of a sole claimant, or, before trial, of one of several claimants, whose right does not survive to another or others of the claimants, the legal representative of such claimant may, by leave of the court or a judge, enter a suggestion of the death, and that he is such legal representative, and the action shall thereupon proceed; and if such suggestion be made before the trial, the truth of the suggestion shall be tried thereat, together with the title of the deceased claimant, and such judgment shall follow upon the verdict in favour of or against the person making such suggestion, as hereinbefore provided with reference to a judgment for or against such claimant; and in case such suggestion in the case of a sole claimant be made after trial and before execution executed by delivery of possession thereupon, and such suggestion be denied by the defendant within eight days after notice thereof, or such further time as the court or a judge may allow, then such suggestion shall be tried; and if, upon the trial thereof, a verdict shall pass for the person making such suggestion, he shall be entitled to such judgment as aforesaid for the recovery of possession, and for the costs of and occasioned by such suggestion; and in case of a verdict for the defendant, such defendant shall be entitled to such judgment as aforesaid for costs.

195. In case of the death before or after judgment of one of several defendants in ejectment, who defend jointly, a suggestion may be made of the death, which suggestion shall not be traversable, but only be subject to be set aside if untrue, and the action may proceed against the surviving defendant to judgment and execution.

196. In case of the death of a sole defendant or of all the defendants in ejectment before trial, a suggestion may be made of the death, which suggestion shall not be traversable, but only be subject to be set aside if untrue, and the claimants shall be entitled to judgment for recovery of possession of the property, unless some other person shall appear and defend within the time to be appointed for that purpose by the order of the court or a judge, to be made upon the application of the claimants; and it shall be lawful for the court or a judge, upon such suggestion being made and upon such application as aforesaid, to order that the claimants shall be at liberty to sign judgment within such time as the court or judge may think fit, unless the person then in possession, by himself or his tenant, or the legal representative of the deceased defendant, shall within such time appear and defend the action; and such order may be served in the same manner as the writ; and in case such person shall appear and defend the same, proceedings may be taken against such new defendant as if he had originally appeared and defended the action; and if no appearance be entered and defence made, then the claimant shall be at liberty to sign judgment pursuant to the order.

197. In case of the death of a sole defendant or of all the defendants in ejectment after verdict, the claimants shall nevertheless be entitled to judgment as if no such death had taken place, and to proceed by execution for recovery of possession without suggestion or revivor, and to proceed for the recovery of the costs, in like manner as upon any other judgment for money, against the legal representatives of the deceased defendant or defendants.

198. In case of the death before trial of one of several defendants in ejectment, who defends separately for a portion of the property for which the other defendant or defendants do not defend, the same proceedings may be taken as to such portion as in the case of the death of a sole defendant, or the claimants may proceed against the surviving defendants in respect of the portion of the property for which they defend.

199. In case of the death before trial of one of several defendants in ejectment, who defends separately in respect of property for which surviving defendants also defend, it shall be lawful for the court or a judge, at any time before the trial, to allow the person at the time of the death in possession of the property, or the legal representative of the deceased defendant, to appear and defend on such terms as may appear reasonable and just, upon the application of such person or

representative; and if no such application be made or leave granted, the claimant, suggesting the death in manner aforesaid, may proceed against the surviving defendant or defendants to judgment and execution.

200. The claimant in ejectment shall be at liberty at any time to discontinue the action as to one or more of the defendants, by giving to the defendant or his attorney a notice, headed in the court and cause, and signed by the claimant or his attorney, stating that he discontinues such action; and thereupon the defendant to whom such notice is given shall be entitled to and may forthwith sign judgment for costs in the form contained in the Schedule (A.) to this act annexed, marked No. 18, or to the like effect.

201. In case one of several claimants shall be desirous to discontinue, he may apply to the court or a judge to have his name struck out of the proceedings, and an order may be made thereupon upon such terms as to the court or judge may seem fit, and the action shall thereupon proceed at the suit of the other claimants.

202. If after appearance entered the claimant, without going to trial, allow the time allowed for going to trial by the practice of the Court in ordinary cases after issue joined to elapse, the defendant in ejectment may give twenty days' notice to the claimant to proceed to trial at the sittings or assizes next after the expiration of the notice; and if the claimant afterwards neglects to give notice of trial for such sittings or assizes, or to proceed to trial in pursuance of the said notice given by the defendant, and the time for going to trial shall not be extended by the court or a judge, the defendant may sign judgment in the form contained in the Schedule (A.) to this act annexed, marked No. 19, and recover the costs of defence.

203. A sole defendant or all the defendants in ejectment shall be at liberty to confess the action, as to the whole or part of the property, by giving to such claimant a notice headed in the court and cause, and signed by the defendant or defendants, such signature to be attested by his or their attorney; and thereupon the claimant shall be entitled to and may forthwith sign judgment and issue execution for the recovery of possession and costs in the form contained in the Schedule (A.) to this act annexed, marked No. 20, or to the like effect.

204. In case one of several defendants in ejectment, who defends separately for a portion of the property for which the other defendant or defendants do not defend, shall be desirous of confessing the claimant's title to such portion, he may give a like notice to the claimant; and thereupon the claimant shall be entitled to and may forthwith sign judgment and issue execution for the recovery of possession of such portion of the property, and for the costs occasioned by the defence relating to the same, and the action may proceed as to the residue.

205. In case one of several defendants in ejectment, who defends separately in respect of property for which other defendants also defend, shall be desirous of confessing the claimant's title, he may give a like notice thereof; and thereupon the claimant shall be entitled to and may sign judgment against such defendant for the costs occasioned by his defence, and may proceed in the action against the other defendants to judgment and execution.

206. It shall not be necessary, before issuing execution upon any judgment under the authority of this act, to enter the proceedings upon any roll, but an insepitator thereof may be made upon paper, shortly describing the nature of the judgment according to the practice heretofore used, and judgment may thereupon be signed, and costs taxed, and execution issued, according to the practice heretofore used: provided nevertheless, that the proceedings may be entered upon the roll whenever the same may become necessary for the purpose of evidence, or of bringing error, or the like.

207. The effect of a judgment in an action of ejectment under this act shall be the same as that of a judgment in the action of ejectment heretofore used.

208. Error may be brought in like manner as in other actions upon any judgment in ejectment, after a special verdict found by the jury, or a bill of exceptions, or by consent after a special case stated, but, except in the case of such consent as aforesaid, execution shall not be thereby stayed, unless the plaintiff in error shall, within four clear days after lodging the memorandum alleging error, or after the signing of the judgment, whichever shall last happen, or before execution

executed, be bound unto the claimant, who shall have recovered judgment in such action of ejectment, in double the yearly value of the property, and double the costs recovered by the judgment, with condition, that if the judgment shall be affirmed by the Court of error, or the proceedings in error be discontinued by the plaintiff therein, then the plaintiff in error shall pay such costs, damages, and sum or sums of money as shall be awarded upon or after such judgment affirmed or discontinuance; and it shall be lawful for the Court wherein execution ought to be granted upon such affirmation or discontinuance, upon the application of the claimant, to issue a writ to inquire as well of the mesne profits as of the damage by any waste committed after the first judgment in ejectment, which writ may be tested on the day on which it shall issue, and be returnable immediately after the execution thereof; and upon the return thereof judgment shall be given, and execution awarded for such mesne profits and damages, and also for costs of suit.

209. Every tenant to whom any writ in ejectment shall be delivered, or to whose knowledge it shall come, shall forthwith give notice thereof to his landlord, or his bailiff or receiver, under penalty of forfeiting the value of three years improved or rack rent of the premises, demised or holden in the possession of such tenant, to the person of whom he holds, to be recovered by action in any court of common law having jurisdiction for the amount.

210. In all cases between landlord and tenant, as often as it shall happen that one half-year's rent shall be in arrear, and the landlord or lessor, to whom the same is due, hath right by law to re-enter for the non-payment thereof, such landlord or lessor shall and may, without any formal demand or re-entry, serve a writ in ejectment for the recovery of the demised premises, or in case the same cannot be legally served, or no tenant be in actual possession of the premises, then such landlord or lessor may affix a copy thereof upon the door of any demised messuage, or in case such action in ejectment shall not be for the recovery of any messuage, then upon some notorious place of the lands, tenements, or hereditaments comprised in such writ in ejectment, and such affixing shall be deemed legal service thereof, which service or affixing such writ in ejectment shall stand in the place and stead of a demand and re-entry; and in case of judgment against the defendant for non-appearance, if it shall be made appear to the Court where the said action is depending, by affidavit, or be proved upon the trial in case the defendant appears, that half-a-year's rent was due before the said writ was served, and that no sufficient distress was to be found on the demised premises, countervailing the arrears then due, and that the lessor had power to re-enter, then and in every such case the lessor shall recover judgment and execution in the same manner as if the rent in arrear had been legally demanded and a re-entry made; and in case the lessee or his assignee, or other person claiming or deriving under the said lease, shall permit and suffer judgment to be had and recovered on such trial in ejectment, and execution to be executed thereon, without paying the rent and arrears, together with full costs, and without proceeding for relief in equity within six months after such execution executed, then and in such case the said lessee, his assignee, and all other persons claiming and deriving under the said lease, shall be barred and foreclosed from all relief or remedy in law or equity, other than by bringing error for reversal of such judgment, in case the same shall be erroneous, and the said landlord or lessor shall from thenceforth hold the said demised premises discharged from such lease; and if on such ejectment a verdict shall pass for the defendant, or the claimant shall be nonsuited therein, then and in every such case such defendant shall have and recover his costs: provided that nothing herein contained shall extend to bar the right of any mortgagee of such lease, or any part thereof, who shall not be in possession, so as such mortgagee shall and do, within six months after such judgment obtained and execution executed, pay all rent in arrear, and all costs and damages sustained by such lessor or person entitled to the remainder or reversion as aforesaid, and perform all the covenants and agreements which, on the part and behalf of the first lessee, are and ought to be performed.

211. In case the said lessee, his assignee, or other person claiming any right, title, or interest, in law or equity, of, in, or to the said lease, shall, within the time aforesaid, proceed for relief in any court of equity, such person shall not have or continue any injunction against the proceedings at law on such

ejection, unless he does or shall, within forty days next after a full and perfect answer shall be made by the claimant in such ejection, bring into court, and lodge with the proper officer, such sum and sums of money as the lessor or landlord shall in his answer swear to be due and in arrear over and above all just allowances, and also the costs taxed in the said suit, there to remain till the hearing of the cause, or to be paid out to the lessor or landlord on good security, subject to the decree of the Court; and in case such proceedings for relief in equity shall be taken within the time aforesaid, and after execution is executed, the lessor or landlord shall be accountable only for so much, and no more, as he shall really and bonâ fide, without fraud, deceit, or wilful neglect, make of the demised premises from the time of his entering into the actual possession thereof; and if what shall be so made by the lessor or landlord happen to be less than the rent reserved on the said lease, then the said lessee or his assignee, before he shall be restored to his possession, shall pay such lessor or landlord what the money so by him made fell short of the reserved rent for the time such lessor or landlord held the said lands.

212. If the tenant or his assignee do or shall, at any time before the trial in such ejection, pay or tender to the lessor or landlord, his executors or administrators, or his or their attorney in that cause, or pay into the court where the same cause is depending, all the rent and arrears, together with the costs, then and in such case all further proceedings on the said ejection shall cease and be discontinued; and if such lessee, his executors, administrators, or assigns, shall upon such proceedings as aforesaid be relieved in equity, he and they shall have, hold, and enjoy the demised lands, according to the lease thereof made, without any new lease.

213. Where the term or interest of any tenant now or hereafter holding, under a lease or agreement in writing, any lands, tenements, or hereditaments for any term or number of years certain, or from year to year, shall have expired or been determined either by the landlord or tenant by regular notice to quit, and such tenant, or any one holding or claiming by or under him, shall refuse to deliver up possession accordingly, after lawful demand in writing made and signed by the landlord or his agent, and served personally upon or left at the dwelling-house or usual place of abode of such tenant or person, and the landlord shall thereupon proceed by action of ejection for the recovery of possession, it shall be lawful for him, at the foot of the writ in ejection, to address a notice to such tenant or person, requiring him to find such bail, if ordered by the court or a judge, and for such purposes as are hereinafter next specified; and upon the appearance of the party on an affidavit of service of the writ and notice, it shall be lawful for the landlord producing the lease or agreement, or some counterpart or duplicate thereof, and proving the execution of the same by affidavit, and upon affidavit that the premises have been actually enjoyed under such lease or agreement, and that the interest of the tenant has expired, or been determined by regular notice to quit, as the case may be, and that possession has been lawfully demanded in manner aforesaid, to move the Court or apply by summons to a judge at chambers for a rule or summons for such tenant or person to shew cause, within a time to be fixed by the court or judge on a consideration of the situation of the premises, why such tenant or person should not enter into a recognisance by himself and two sufficient sureties in a reasonable sum conditioned to pay the costs and damages which shall be recovered by the claimants in the action; and it shall be lawful for the court or judge, upon cause shewn, or upon affidavit of the service of the rule or summons in case no cause shall be shewn, to make the same absolute in the whole or in part, and to order such tenant or person, within a time to be fixed, upon a consideration of all the circumstances, to find such bail, with such conditions and in such manner as shall be specified in the said rule or summons, or such part of the same so made absolute; and in case the party shall neglect or refuse so to do, and shall lay no ground to induce the court or judge to enlarge the time for obeying the same, then the lessor or landlord filing an affidavit that such rule or order has been made and served, and not complied with, shall be at liberty to sign judgment for recovery of possession and costs of suit in the form contained in the Schedule (A.) to this act annexed, marked No. 21, or to the like effect.

214. Wherever it shall appear on the trial of any ejection, at the suit of a landlord against a tenant, that such tenant or

his attorney hath been served with due notice of trial, the judge before whom such cause shall come on to be tried shall, whether the defendant shall appear upon such trial or not, permit the claimant on the trial, after proof of his right to recover possession of the whole or of any part of the premises mentioned in the writ in ejection, to go into evidence of the mesne profits thereof which shall or might have accrued from the day of the expiration or determination of the tenant's interest in the same down to the time of the verdict given in the cause, or to some preceding day to be specially mentioned therein; and the jury on the trial finding for the claimant shall in such case give their verdict upon the whole matter, both as to the recovery of the whole or any part of the premises, and also as to the amount of the damages to be paid for such mesne profits; and in such case the landlord shall have judgment within the time hereinbefore provided, not only for the recovery of possession and costs, but also for the mesne profits found by the jury: provided always, that nothing hereinbefore contained shall be construed to bar any such landlord from bringing any action for the mesne profits which shall accrue from the verdict, or the day so specified therein, down to the day of the delivery of possession of the premises recovered in the ejection.

215. In all cases in which such security shall have been given as aforesaid, if upon the trial a verdict shall pass for the claimant, unless it shall appear to the judge before whom the same shall have been had that the finding of the jury was contrary to the evidence, or that the damages given were excessive, such judge shall not, except by consent, make any order to stay judgment or execution, except on condition that within four days from the day of the trial the defendant shall actually find security, by the recognisance of himself and two sufficient sureties, in such reasonable sum as the judge shall direct, conditioned not to commit any waste, or act in the nature of waste, or other wilful damage, and not to sell or carry off any standing crops, hay, straw, or manure produced or made (if any) upon the premises, and which may happen to be thereupon, from the day on which the verdict shall have been given to the day on which execution shall finally be made upon the judgment, or the same be set aside, as the case may be: provided always, that the recognisance last above mentioned shall immediately stand discharged and be of no effect, in case proceedings in error shall be brought upon such judgment, and the plaintiff in error shall become bound in the manner hereinbefore provided.

216. All recognisances and securities entered into as last aforesaid may and shall be taken respectively in such manner and by and before such persons as are provided and authorized in respect of recognisances of bail upon actions and suits depending in the court in which any such action of ejection shall have been commenced; and the officer of the same court with whom recognisances of bail are filed shall file such recognisances and securities, for which respectively the sum of 2s. 6d., and no more, shall be paid; but no action or other proceeding shall be commenced upon any such recognisance or security after the expiration of six months from the time when possession of the premises, or any part thereof, shall actually have been delivered to the landlord.

(To be continued).

London Gazette.

FRIDAY, AUGUST 20.

BANKRUPTS.

WILLIAM MARSHALL, Hay's-wharf, Tooley-street, Surrey, provision agent, dealer and chapman, Aug. 23 at 12, and Oct. 1 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Ashurst & Son, 6, Old Jewry.—Petition filed Aug. 16.

GEORGE MORTON, Crown-wharf, Scotland-yard, Middlesex, coal merchant, dealer and chapman, Aug. 27 at 11, and Oct. 1 at 1, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Selby & Mackeson, 59, Lincoln's-inn-fields.—Petition filed Aug. 18.

THOMAS SECRET, Barnet, Middlesex, common brewer, Sept. 3 at half-past 11, and Oct. 1 at 12, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Goren, 29, South Molton-street, Oxford-street.—Petition filed Aug. 13.

THOMAS FRANKLIN NICHOLL, Poole, auctioneer and upholsterer, Sept. 2 at half-past 11, and Oct. 1 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Barber, 17, King-street, Cheapside.—Petition filed Aug. 10.

JOHN BELL, Ludgate-hill, London, tailor and draper, dealer and chapman, Sept. 1 at 2, and Oct. 5 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Cobb, 10, Gray's-inn-square, Holborn, Middlesex.—Petition filed July 18.

THOMAS TOWNSEND, Bath, hat manufacturer, dealer and chapman, Sept. 3 and Oct. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Abbot & Lucas, Bristol; Linklaters, 17, Sise-lane, London.—Petition filed Aug. 7.

WILLIAM MARTIN, Stamford, Lincolnshire, grocer, dealer and chapman, Aug. 27 and Sept. 17 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Bray & Bridges, Birmingham; Hill & Mathews, St. Mary-axe, London.—Petition dated July 27, and not August, as before advertised.

WILLIAM JONES WILLIAMS, Wolverhampton, Staffordshire, hosier, haberdasher, and general dealer, Aug. 26 and Sept. 25 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Chambers, Sheffield.—Petition dated Aug. 6.

WILLIAM MOLE, Birmingham, victualler and innkeeper, dealer and chapman, Sept. 7 and 21 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. E. & H. Wright, Birmingham.—Petition dated July 12.

MEETINGS.

Thomas Hurst, Warrington, Lancashire, printer, Aug. 31 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*George Wyatt* and *Henry Thompson*, Portpool-lane, Gray's-inn-lane, Middlesex, common brewers, Sept. 13 at 12, Court of Bankruptcy, London, fin. div. sep. est. of *Henry Thompson*.—*Wm. Bernard Frankish*, Kingston-upon-Hull, linendraper, Sept. 8 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, first and fin. div.—*Wm. Haden Richardson*, Darlaston, Staffordshire, tube manufacturer, Sept. 21 at half-past 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Brown Drew, Wittam's-buildings, Old-street-road, Middlesex, carpenter, Sept. 13 at half-past 11, Court of Bankruptcy, London.—*Frank Castelli*, Bury-court, St. Mary-axe, London, merchant, Sept. 14 at half-past 11, Court of Bankruptcy, London.—*Francisco F. Braggiotti*, Manchester, and Bury-court, St. Mary-axe, London, merchant, Sept. 14 at half-past 11, Court of Bankruptcy, London.—*George Standerwick* and *Thomas Barnes*, Bristol, auctioneers, Sept. 15 at 11, District Court of Bankruptcy, Bristol.—*Julius Harris*, Liverpool, jeweller, Sept. 14 at 11, District Court of Bankruptcy, Liverpool.—*J. Timothy*, Liverpool, flour dealer, Sept. 13 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John Dallinger, Wickham Market, Suffolk, broker.—*Thos. F. Millar*, Bath, Somersetshire, publisher.—*John Jutsum*, Greenwich, Kent, licensed victualler.—*Benjamin Wyon*, Regent-street, Middlesex, engraver.—*Samuel Haynes*, London-street, Paddington, Middlesex, wheelwright.—*G. Lillywhite, sen.*, Cumberland-place, Brixton-rise, Surrey, farrier.—*Isaac Wakefield*, Liverpool, tea dealer.

SCOTCH SEQUESTRATION.

Alexander M'Nair, Glasgow, wright.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Fildes, Worcester, plumber, Sept. 15 at 10, County Court of Worcestershire, at Worcester.—*James Stringer*, Worcester, out of business, Sept. 15 at 10, County Court of Worcestershire, at Worcester.—*Edward Jones* the younger, Lulsey, Suckley, Worcestershire, fruit dealer, Sept. 15 at 10, County Court of Worcestershire, at Worcester.—*John Hill*, Norwich, wool sorter, Sept. 21 at 10, County Court of Norfolk, at Norwich.—*Wm. Tooley*, Norwich, licensed victualler,

Sept. 21 at 10, County Court of Norfolk, at Norwich.—*Hem. Rogers*, Petworth, Sussex, dissenting minister, Sept. 3 at 12, County Court of Sussex, at Petworth.—*Mary Winter*, widow, Doncaster, Yorkshire, out of business, Sept. 6 at 12, County Court of Yorkshire, at Doncaster.—*Robert Duke*, Chudleigh, Devonshire, following no occupation, Sept. 11 at 10, County Court of Devonshire, at Newton Abbot.—*John Kilmister*, Brighton, Sussex, tailor, Aug. 27 at 11, County Court of Sussex, at Brighton.—*John Hayward*, Brighton, Sussex, licensed victualler, Aug. 27 at 11, County Court of Sussex, at Brighton.—*Christopher Spencer* the younger, Brighton, Sussex, currier, Aug. 27 at 11, County Court of Sussex, at Brighton.—*W. Pettit*, Brighton, Sussex, assistant schoolmaster, Sept. 10 at 11, County Court of Sussex, at Brighton.—*Wm. Fearly*, York, farmer, Aug. 30 at 10, County Court of Yorkshire, at York.—*S. Drisell*, Chew Stoke, Somersetshire, hay dealer, Aug. 30 at 11, County Court of Somersetshire, at Clutton.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cheshire, at CHESTER, Aug. 31 at 11.

John Leech, jun., Middlewich, grocer.—*H. Rains*, Newton-moor, near Hyde, boiler maker.—*Thos. W. Shaw*, Macclesfield, joiner.

At the County Court of Devonshire, at EXETER, Sept. 3 at 10.

Isaac Isaacs, Plymouth, dealer in watches.

Sept. 4, at the same hour and place.

Wm. Collins, Exeter, gentleman.—*Wm. Ellis*, Totness, out of business.—*Benj. Samo*, Dawlish, commission agent.—*B. B. Lee*, Plymouth, out of business.

At the County Court of Berkshire, at READING, Sept. 6.

Wm. White the younger, Reading, butcher.—*James R. Lloyd*, Hereford, in no business.

At the County Court of Sussex, at LEWES, Sept. 7.

John Hawks, Hove, near Brighton, locksmith.

At the County Court of Dorsetshire, at DORCHESTER, Sept. 7 at 12.

John House, Beaminster, labourer.

At the County Court of Gloucestershire, at BRISTOL, Sept. 8 at 11.

John Green, Yatton, Somersetshire, builder.

At the County Court of Denbighshire, at RUTHIN, Sept. 8 at 11.

John F. Gee, Acre Fair, Ruabon, manager of the Victoria Fire Clay Works.

At the County Court of Oxfordshire, at OXFORD, Sept. 13 at 11.

Thomas Weston Martin, Oxford, tailor.

TUESDAY, AUGUST 24.

BANKRUPTS.

SAMUEL WALTER GILLAM, Turlington-place, Edge-ware-road, Middlesex, wine merchant, dealer and chapman, Sept. 3 and Oct. 8 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed Aug. 13.

JAMES HOLMES, Regent-street, Westminster, Middlesex, shawl warehouseman, dealer and chapman, Sept. 3 at 11, and Oct. 8 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-st., Cheapside.—Petition filed Aug. 19.

RICHARD JAMES DANGERFIELD, Dunstable, Bedfordshire, printer, bookseller, and stationer, Sept. 8 at 2, and Oct. 12 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Medland, Dunstable, Bedfordshire; Armstrong & Westbrook, 2, Great James-st., Bedford-row, London.—Petition filed Aug. 23.

ANN CRAWFORD, Warden, Northumberland, paper manufacturer, dealer and chapman, Sept. 2 at 11, and Oct. 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Messrs. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Petition filed Aug. 18.

WILLIAM PATTEN, late of Mark's Tey, Essex, licensed victualler and dealer in horses, and now of Teering, Essex, dealer in horses by commission, dealer and chapman, Sept. 6 at 11, and Oct. 5 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Abel, Colchester, Essex, and 8, Romney-terrace, Horseferry-road, Westminster.—Petition filed Aug. 16.

CHARLES O'NEILL, Birmingham, metal dealer, dealer and chapman, (trading under the firm or style of Charles O'Neill & Co.), Sept. 7 and Oct. 5 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Jabet, Birmingham.—Petition dated Aug. 12.

MEEETINGS.

John D. Randall and *George T. Dick*, Greek-st., Soho, Middlesex, leathersellers, Sept. 21 at half-past 1, Court of Bankruptcy, London, last ex. and aud. ac.—*Thomas Severs*, Basinghall-st., London, cloth warehouseman, Sept. 23 at 12, Court of Bankruptcy, London, last ex. and aud. ac.—*E. S. Manico*, Mark-lane, London, merchant, Sept. 23 at half-past 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Philip Summers*, Tabernacle-walk, Finsbury, Middlesex, fancy printer, Sept. 16 at 2, Court of Bankruptcy, London, last ex.—*Joshua C. Foster*, Club-row, Shoreditch, and New Gloucester-place, Hoxton, Middlesex, timber merchant, Sept. 17 at 11, Court of Bankruptcy, London, last ex.—*John Hints Watkins*, Woolwich, Kent, grocer, Sept. 21 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Charles W. Wass*, New Bond-st., Middlesex, picture dealer, Sept. 17 at half-past 1, Court of Bankruptcy, London, last ex. and aud. ac.—*Thomas Jenkins*, Tredegar, Monmouthshire, innkeeper, Sept. 6 at 11, District Court of Bankruptcy, Bristol, last ex.—*John Rymer*, Gateshead, Durham, paper manufacturer, Sept. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Emil Kretzschmar*, King-square, Middlesex, manufacturing jeweller, Sept. 7 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. F. Blackburn*, St. George's-place, Knightsbridge, and Motcombe-st., Belgrave-sq., Middlesex, bookseller, Sept. 17 at 12, Court of Bankruptcy, London, aud. ac.—*John Bailey Capper*, Montpelier-vale, Blackheath, Kent, chemist, Sept. 17 at 12, Court of Bankruptcy, London, aud. ac. and div.—*Charles Ritchie*, Oxford-st., St. Marylebone, Middlesex, jeweller, Sept. 21 at 12, Court of Bankruptcy, London, aud. ac.; Sept. 24 at 11, div.—*S. Tripp*, Serjeants'-inn, Fleet-st., London, money scrivener, Sept. 23 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Haden Richardson*, *Benjamin Richardson*, and *Jonathan Richardson*, Wordesley, Staffordshire, and Lamb's Conduit-st., Middlesex, glass manufacturers, Oct. 5 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*A. W. Bellairs*, Stamford, Lincolnshire, and *James Bellairs*, his son, Derby, bankers, Sept. 17 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Bates*, *Schofield Sheard*, and *John Sheard*, Halifax, Yorkshire, engineers, Sept. 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Sept. 14 at 11, div.—*Henry Husst*, Kingston-upon-Hull, merchant, Sept. 8 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Frederick Sutton*, Kingston-upon-Hull, furnishing ironmonger, Sept. 22 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Oct. 6 at 12, div.—*William Cloughton*, Kingston-upon-Hull, auctioneer, Sept. 8 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Thomas Cottingham*, West Barkwith, Lincolnshire, wool buyer, Sept. 29 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Oct. 6 at 12, div.—*John Newton* the elder, Washington, Lincolnshire, boat owner, Sept. 8 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Benj. Halifax*, Gutter-lane, Cheapside, London, warehouseman, Sept. 17 at 11, Court of Bankruptcy, London, div.—*Robert Woods*, Brighton, Sussex, grocer, Sept. 21 at 11, Court of Bankruptcy, London, div.—*Adolphus Miller*, Emsworth, Southampton, rope maker, Sept. 16 at 12, Court of Bankruptcy, London, div.—*George Walker*, Philpot-lane, London, merchant, Sept. 24 at 12, Court of Bankruptcy, London, div.—*Ephraim Gwalter*, Plaistow, West Ham, Essex, baker, Sept. 24 at 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles Ritchie, Oxford-street, St. Marylebone, Middlesex, jeweller, Sept. 21 at 12, Court of Bankruptcy, London.

—*Wm. Fred. Blackburn*, St. George's-place, Knightsbridge, and Motcombe-st., Belgrave-square, Middlesex, bookseller, Sept. 17 at 12, Court of Bankruptcy, London.—*John Vevers*, Ironmonger-lane, London, woollen warehouseman, Sept. 23 at 12, Court of Bankruptcy, London.—*Fred. Wm. Macandrew*, Mill-wall, Poplar, Middlesex, brewer, Sept. 16 at 1, Court of Bankruptcy, London.—*Charles Stuart Voules*, New Windsor, Berkshire, scrivener, Sept. 23 at half-past 1, Court of Bankruptcy, London.—*Stevens Tripp*, Serjeants'-inn, Fleet-st., London, money scrivener, Sept. 23 at 11, Court of Bankruptcy, London.—*John Miller*, Conduit-st. West, Paddington, Middlesex, corn dealer, Sept. 16 at 11, Court of Bankruptcy, London.—*Archibald Reeves*, Taunton, Somersetshire, scrivener, Sept. 15 at 1, District Court of Bankruptcy, Exeter.—*Charles Belton*, Birmingham, chemist, Sept. 21 at half-past 11, District Court of Bankruptcy, Birmingham.—*Wm. Haden Richardson*, *Benj. Richardson*, and *Jonathan Richardson*, Wordesley, Staffordshire, and Lamb's Conduit-st., Middlesex, glass manufacturers, Sept. 21 at half-past 11, District Court of Bankruptcy, Birmingham.—*Charles Green*, Spalding, Lincolnshire, scrivener, Oct. 15 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Edward Morgan, Portman Market, Edgeware-road, Middlesex, licensed victualler.—*Thos. Wm. Dornford*, Suffolk-lane, Cannon-st., London, wine merchant.—*John Barker*, Newcastle-upon-Tyne, and North Shields, Northumberland, merchant.—*Henry Evans*, Ilchester, Somersetshire, carpenter.—*John Webb*, Rugby, Warwickshire, brazier.—*John Buntingham*, Worcester, milliner.—*Robert James*, Lenton, Nottinghamshire, lace maker.

SCOTCH SEQUESTRATIONS.

John Paterson Brown, Glasgow, merchant.—*Geo. Mearns*, Cumnock, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Pincock Badcock, Birmingham, butcher, Sept. 4 at 10, County Court of Warwickshire, at Birmingham.—*T. Smith*, Redditch, Worcestershire, needle maker, Sept. 18 at 10, County Court of Worcestershire, at Redditch.—*Thomas Elliott*, Beckley, Sussex, carpenter, Sept. 13 at 12, County Court of Sussex, at Rye.—*John Firminger*, Cowden, Kent, licensed retailer of beer, Sept. 8 at 12, County Court of Sussex, at East Grinstead.—*John Johnson* the younger, Foleshill, Warwickshire, ribbon weaver, Sept. 14 at 10, County Court of Warwickshire, at Coventry.—*John Moore*, Simonburn, Northumberland, butcher, Sept. 13 at half-past 11, County Court of Northumberland, at Hexham.—*Robert Stringer*, Scarborough, Yorkshire, shoemaker, Sept. 15 at 10, County Court of Yorkshire, at Scarborough.—*Robert Farmage*, Parkstone, Dorsetshire, drilling master, Sept. 14 at 12, County Court of Dorsetshire, at Poole.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner LAW.

Samuel Stapley, Peckham Rye, Surrey, waiter.—*Simcon Jones*, Princes-row, Pimlico, Middlesex, builder.

Nov. 8 at 11, before Mr. Commissioner PHILLIPS.

D. J. Pickering, Southwark-bridge-road, Surrey, out of business.—*Thomas Tysan*, Abbey-wood, Plumstead, Kent, out of business.

Nov. 18 at 11, before the CHIEF COMMISSIONER.

George Raffey the younger, High-street, Woolwich, Kent, corn dealer.—*Ambrose W. Warren*, Brompton-row, Brompton, Middlesex, stationer.

Saturday, Aug. 21.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Robert Wake, Brompton, Middlesex, commission agent,

No. 75,400 C.; Benjamin Biggs, assignee.—*J. Heslop*, Shotley-bridge, Durham, builder, No. 75,392 C.; *J. T. Hoyle*, assignee.—*Charles Bedford*, Manchester, tile maker, No. 75,293 C.; *Hartley Wilman*, assignee.—*Robert Tibbitts*, Warwick, attorney at law, No. 75,043 C.; *Chas. Pixell*, assignee.—*Edward A. Estall*, Wilton-terrace, Islington, Middlesex, builder, No. 63,103 T.; *Thomas Thomas*, assignee.—*George Tyson*, Castle-street, Falcon-square, London, printer, No. 62,057 T.; *James Sparke*, assignee.—*Joseph Parker*, Loughborough, Leicestershire, attorney at law, No. 72,558 C.; *R. Griffin*, assignee.—*Jerome Goodrich*, Worthing, Sussex, artist, No. 75,323 C.; *G. Marshall* and *W. Huffell*, assignees.

Saturday, Aug. 21.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Nathaniel Troughton, Exeter Hall Hotel, Strand, Middlesex, clerk in the Audit-office, Somerset-house: in the Debtors Prison for London and Middlesex.—*George Porter*, Terrace, High-st., Kensington, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*John State*, Holly-street South, Dalston, Middlesex, coal merchant's clerk: in the Debtors Prison for London and Middlesex.—*Richard Doidge*, Apollo-buildings South, East-street, Walworth, Surrey, in no profession: in the Queen's Prison.—*Henry Albon*, Burlington-place, Old Kent-road, Surrey, haberdasher: in the Queen's Prison.—*G. H. Green*, Grove-hill Glebe, Grove-lane, Camberwell, Surrey, out of business: in the Debtors Prison for London and Middlesex.—*Richard O. Potts*, Albany-street, Regent's-park, not in any business: in the Debtors Prison for London and Middlesex.—*Wm. White* the younger, Reading, Berkshire, butcher: in the Gaol of Reading.—*Thomas Price*, Plymouth, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*J. Aitken*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*Richard W. Barrington*, Tavistock-street, Covent-garden, Middlesex, commission agent: in the Gaol of Maidstone.—*Isaac Isaacs*, Plymouth, Devonshire, dealer in watches: in the Gaol of St. Thomas the Apostle.—*Wm. Lubbock*, Wilson-street, New Cross-road, Deptford, Kent, manufacturer of British cordials: in the Gaol of Maidstone.—*David Parry*, Trosnant, near Pontypool, Monmouthshire, retailer of beer: in the Gaol of Monmouth.—*Wm. Fox*, Manchester, cabinet maker: in the Gaol of Lancaster.—*John H. Hamp*, Bactan-villa, Bactan, Herefordshire, in no business: in the Gaol of Hereford.—*Geo. W. Turner*, Exeter, attorney at law: in the Gaol of St. Thomas the Apostle.—*G. Chappel*, Barmby-upon-Marsh, near Howden, Yorkshire, hop bag manufacturer: in the Gaol of York.—*Wm. Ward*, Paulton, Somersetshire, saddler: in the Gaol of Wilton.—*Edward Michelson*, Manchester, cap manufacturer: in the Gaol of Lancaster.—*Thos. R. Bulpin*, Knapp, North Curry, Somersetshire, assistant to a farmer: in the Gaol of Wilton.—*John A. Edwards*, Vambrugh Fields, Greenwich, Kent, out of business: in the Gaol of Maidstone.—*James Brown*, Wigan, Lancashire, smallware dealer: in the Gaol of Lancaster.—*W. Davies*, Oldham, Lancashire, cabinet maker: in the Gaol of Lancaster.—*Daniel Luke*, Manchester, out of business: in the Gaol of Lancaster.—*Richard Malony*, Blackfriars-road, Surrey, out of business: in the Gaol of Maidstone.—*Joseph Porter*, Dukinfield, near Ashton-under-Lyne, Lancashire, out of business: in the Gaol of Lancaster.—*Thomas Perry*, Liverpool, builder: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner LAW.

William Seymour Blackstone, Burlington-gardens, Middlesex, gentleman.—*William Hall*, Berkeley-street, Clerkenwell, Middlesex, grocer.—*George Delos*, Radnor-terrace, Brownlow-road, Queen's-road, Dalston, Middlesex, foreman to a baker.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Alfred Francis Warner, Dorset-street, Spitalfields, Middlesex, tin-plate worker.—*Edw. Hale Hughes*, Shaftesbury-place, Alderagate-street, London, traveller.—*John Warren*, George-street, Hanover-square, Middlesex, dentist.

Nov. 17 at 11, before the CHIEF COMMISSIONER.

Thomas Cory, Brook-street, Gloucester-place, Hyde-park,

livery-stable keeper.—*Stephen Hardwick*, Star-court, Broad-st., Cheapside, London, agent to Manchester warehousemen.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Sept. 7 at 12.

John King, Edenbridge, out of business.—*Thomas Edward Richards*, Gravesend, schoolmaster.—*Richard Malony*, Maidstone, out of business.—*William Lubbock*, Wilson-street, New Cross-road, Deptford, British cordial manufacturer.—*William Vigor*, Folkestone, mail contractor.—*Richard William Barrington*, Tavistock-street, Covent-garden, Middlesex, commission agent.—*John Allen Edwards*, Greenwich, merchant's clerk.

At the County Court of Cardiganshire, at CARDIGAN, Sept. 8 at 10.

John Richard Jones, Aberayron, Henfniw, ironmonger.

At the County Court of Cornwall, at BODMIN, Sept. 8 at 10.

Mark Clyma, Veryan, farmer.—*Richard Hocking*, Bodmin, out of business.

At the County Court of Somersetshire, at TAUNTON, Sept. 9.

Thomas Richard Bulpin, Knapp, North Curry, assistant to a farmer.—*William Ward*, Paulton, saddler.

At the County Court of Warwickshire, at COVENTRY, Sept. 14 at 10.

Richard Pursey, Cheltenham, Gloucestershire, packer.—*James Butler*, Hales Owen, Worcestershire, out of business.—*William Hughes*, Birmingham, brassfounder.—*Benjamin Pearson* the elder, Birmingham, out of business.—*Edwin Frederick Cook*, Birmingham, builder.—*John Pittaway*, Birmingham, shoemaker.

INSOLVENT DEBTORS' DIVIDENDS.

Henry Judd, Blackfriars-road, Surrey, cabinet maker: 2s. 2½d. in the pound.—*Henry Clode*, Albion-street, Rotherhithe, Surrey, coal meter: 7s. 5d. in the pound.—*Hervey Yeates*, Guildford, Surrey, surveyor of taxes: 5s. in the pound, (making 5s. 7d.)—*Robert Tait*, Skelton-street, Greenwich, Kent, saddler: 2s. 1d. in the pound.—*Henry Nurse*, Old Cavendish-street, Oxford-street, Middlesex, carver: 1s. 9d. in the pound.—*Henry Fenton Jadis*, Upper Cheyne-row, Chelsea, Middlesex, deputy comptroller of corn returns: 9½d. in the pound.—*George D'Aranda*, Billericay, Essex, surgeon: 2s. 7d. in the pound, (making 4s. 7d.)—*William Hurst Ford*, Biester, Oxfordshire, licensed victualler: 8½d. in the pound.—*Elizabeth Nicholson*, New Bond-street, Middlesex, milliner: 11½d. in the pound.—*Benjamin Berridge*, Carey, near Stamford, Lincolnshire, farmer: 7d. in the pound.—*Hen. Lowndes*, Cheltenham-place, Westminster-road, Surrey, assistant to a carpenter: 20s. in the pound.—*Richard Cooper*, Princes-street, Hanover-square, Middlesex, in no business: 20s. in the pound.—*Thos. Nathen Hornsby*, North Shields, Northumberland, builder: 4½d. in the pound.—*Luther Yeates*, South-terrace, Sutherland-sq., Walworth, Surrey, attorney's clerk: 2s. 4d. in the pound.—*Henry Offord*, New North-st., Red Lion-square, Middlesex, robe maker: 8d. in the pound.—*Edwin Lees*, Munster-street, Regent's-park, Middlesex, cheesemonger: 8d. in the pound.—*Joseph Henry Biks*, Regent-street, St. James's, Middlesex, boot maker: 6d. in the pound.—*Samuel Bradford*, White-street, Finsbury, London, grocer: 1s. 9d. in the pound.—*Samuel Irvin Hoyle*, New Bond-street, Middlesex, out of business: 1s. in the pound.—*Edw. Slater*, York-buildings, New-road, Middlesex, schoolmaster: 1s. in the pound.

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SEPTEMBER 4, 1852.

PRICE 1s.

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LONDON, SEPTEMBER 4, 1852.

A DECISION was recently pronounced in one of the small debts courts, which, if it be law—and we doubt exceedingly whether it is—is certainly not very consistent with good sense, and the ordinary understanding of men of business. An insurance office, being applied to to insure a life, required, as usual, a reference to a medical practitioner, and was, according to the usual course of business in such matters, referred by the applicant to her medical attendant. He accordingly received a letter of the usual kind from the office, asking various questions to be answered, as to the constitution, state of health, &c. of his patient. He returned his answers in writing, accompanied by a written notice that his fee for answering the questions was a guinea. The office received the opinion, and acted upon it—at least, they accepted the life; but they refused payment of the guinea, and the action was brought by the medical man to recover payment. In this action it was held that the office was not bound to pay—in other words, that there was no actual or implied contract.

Now, we apprehend, in the first place, that this is bad law, and that the transaction possessed all the elements to constitute a contract on the part of the office to pay the fee, if they accepted and used the opinion. If a man goes to a coach-office, and is expressly informed of the fare to a given place, and he gets into the coach and rides to that place; or if he gets into any public conveyance, as an omnibus or a steam-boat, for travelling by which, for any given distance, there is a well-known customary charge, and he travels that distance, beyond all question he is under an implied contract to pay, and is legally liable to do so. So, if A. writes to B. for goods, and B. sends them, with an invoice, and A. takes

and uses the goods, there can be no question that he contracts to pay the price stated.

Again: if a man applies to a company for shares, and scrip is sent to him, and he takes it and uses it, he would clearly be bound to pay his calls; or if A. writes to B., asking him whether he will sell his house, and for how much, and B. replies that he will sell the house for a given sum, and A. thereupon takes possession and remains in possession, it is not to be doubted that he would be under a binding contract to pay the money named by B. as the price. Now, in what all these cases differ from the one to which we have referred as just decided, we are at a loss to see. There is no doubt that a medical practitioner is legally entitled, as such, to charge for his professional opinion or advice, even if he were not entitled, as any other man would be to say, "You ask from me a given something; you may have it if you will pay for it; and here it is, but you must pay so much;"—and therefore, if a medical practitioner is sent for, and gives advice, he may sue for his reasonable remuneration without any express contract. No doubt, in such a case as that of the insurance office, it not being at all a settled custom for such offices to remunerate the medical referee, it is not contended that any implied contract would arise, binding upon the office, by the mere fact of their applying to the medical referee, and being answered by him; still, his answer, being in respect of matters which he knows only as a medical practitioner, being valuable only as being the result of his medical knowledge, and being accepted and acted upon by the insurance office as medical testimony, is, we submit, as much medical advice, and as much the subject of lawful charge, as advice given to a patient for the purpose of regulating his health. There can scarcely be a doubt, that if the medical man, instead of sending his answer, coupled w



fee, had replied that he could not send it unless he was paid, and the office had then replied, "Send it," they would have been under a contract to pay: so that the question reduces itself to this, whether sending the answer, coupled with a claim for a fee, did or did not amount to saying, "I send my opinion, and it is yours to use on paying for it, but not otherwise." Now, if that is not the effect of the notice, so as to affect the office using the opinion for its own benefit, with an implied contract to pay, we are at a loss to know why, in any case where a tradesman hands goods over the counter to a stranger, with a mere statement of the price, there is an implied contract on the customer to pay that price if he takes and uses the goods. Suppose one to go to a horse-dealer and ask him to send a horse, would there be any difference whether he sent the horse with a note that the price was so much, or whether he sent a note first to say the price was so much, and then received an order to send the horse? In either case, if the purchaser kept the horse, he would be under a legal contract to pay. For the purpose of the question under discussion, there is no distinction between a sale of goods and a sale of professional advice. Once it is admitted that a medical practitioner may lawfully charge for his advice, the general law of contract applies to that right as much as to the right of a tradesman. We should, however, be disposed to put the case still higher, and to say that, upon the broad principle that any man has a right to annex a price to any article produced by him, the possession of which is desired by another, if any one chooses, when asked to give up the possession of such article, to say, "Here it is, provided you pay so much for it," the other party, by taking and using it for his own benefit and profit, enters into an implied contract to pay the price demanded.

Of the policy of the law recognising the right of a medical referee to receive a reasonable remuneration for his opinion, and from the office, there cannot be much doubt. No one would contend that it is proper that medical practitioners should be obliged to write professional opinions, sometimes requiring much thought and consideration, for nothing. Every one who knows anything about insurance knows that the business could not be satisfactorily carried on between the assurer and the assured without the aid of medical information; and the reason why the office ought to pay for it is simply this—that if the patient paid it, that might lead to an imputation upon the fairness of the opinion, and, producing an element of doubt on the part of the office in the fairness of the transaction, lead to a corresponding want of confidence, on the part of the assured, in the certainty of their policies being paid without dispute.

REGULA GENERALIS.

ORDER OF COURT.—Aug. 7, 1852.

The Right Hon. EDWARD BURTENSHAW Lord ST. LEONARD'S, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. Sir JOHN ROMILLY, Master of the Rolls, the Right Hon. the Lord Justice Sir JAMES LEWIS-KNIGHT BRUCE, the Right Hon. the Lord Justice Lord CRANWORTH, the Right Hon. the Vice-Chancellor Sir GEORGE JAMES TURNER, the Hon. the Vice-Chancellor Sir RICHARD TORIN KINDERSLEY, and the Hon. the Vice-Chancellor Sir JAMES PARKER, doth hereby, in pursuance of an act of Parliament passed in the fifteenth and sixteenth years of her present Majesty, intitled "An Act to amend the Practice and Course of Proceeding in the High Court of Chancery," and in pursuance and execution of all other powers enabling him in that behalf, order and direct—

That all and every the orders, rules, and directions

hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, General Orders and Rules of the High Court of Chancery," viz.—

Printing.

I. Bills and claims are to be printed on writing royal paper, quarto, in pica type, leaded; and the copy to be filed is to be interleaved with paper of the same description.

II. No costs are to be allowed, either as between party and party, or as between solicitor and client, for any written bill or written copy of a bill, filed under the 15 & 16 Vict. c. 88, s. 6, or for any written copy thereof, served upon any defendant thereto, or for any written brief of such bill, unless the Court shall, in disposing of the costs of the cause, direct the allowance thereof.

III. The Clerk of Records and Writs shall, at the expiration of fourteen days from the filing of any written bill or written copy of a bill, take off the files of the Court, without further order, the bill or copy so filed, unless a printed copy thereof shall in the meantime have been filed, and the plaintiff in the suit, or his solicitor, who shall personally have undertaken to file such printed copy, shall pay to the defendant all the costs incurred by him in the suit, such costs to be taxed by the Taxing Master, without further order, upon production to him of the certificate of the Clerk of Records and Writs that a printed copy of the bill has not been filed pursuant to such undertaking, and to be recoverable in like manner as costs ordered to be paid by a party in a suit to another party in a suit are now recoverable.

IV. In lieu of the fees now payable to solicitors for instructions for bills, for ingrossing bills and claims, for copies of bills and claims, for abbreviating bills and making a brief thereof, solicitors shall be entitled to charge, and be allowed in suits commenced after these Orders come into operation, the fees specified in Schedule (A.) to these Orders.

V. The payment to be made by the defendant to the plaintiff for printed copies of the bill or claim shall be at the rate of one halfpenny per folio.

VI. No defendant shall be at liberty to demand from the plaintiff more than ten printed copies of his bill or claim.

Amendment of Bills and Claims.

VII. Where, according to the present practice of the Court, an amendment of a bill or claim may be made without a new ingrossment thereof, a bill or claim may be amended by written alterations in the printed bill of complaint or claim so to be filed, and by additions on the paper to be interleaved therewith, according to the directions of Order I.

VIII. The practice of amending a defendant's copy of the bill shall, with respect to the amendment of bills filed after these Orders come into operation, be abolished.

IX. A copy of an amended bill or claim, whether upon an amendment by a reprint, or by such alterations and additions as mentioned in Order VII, is to be served upon the defendant or his solicitor; and such copy may be partly printed and partly written, if the amendment is not made by a reprint: but in every case the copy to be served is to be stamped with the proper stamp by one of the Clerks of Records and Writs, indicating the filing of such amended bill or claim, and the date of the filing thereof.

X. In all cases where, according to the present practice of the Court, a subpoena to appear to and to answer an amended bill may be served upon the solicitor of a defendant, service upon the defendant's solicitor of a copy of an amended bill, whether wholly printed, or partly printed and partly written, shall be good service on the defendant.

XI. Where a defendant has appeared in person to any bill, service at the address for service of such defendant of a copy of an amended bill, whether wholly printed, or partly printed and partly written, shall be good service on the defendant.

Limitation of preceding Orders.

XII. None of the preceding Orders shall apply to bills or claims filed before these Orders come into operation, though afterwards amended; and the existing practice of the Court is to continue in force with reference to the amendment of such bills and claims.

XIII. The existing practice of the Court, with reference to issuing and serving writs of subpoena to appear to and answer bills and writs of summons on claims, is also to continue in force with respect to bills and claims filed before these Orders come into operation.

Form of Bill.

XIV. Bills may be in a form similar to the form set out in Schedule (B.) to these Orders, with such variations as the nature and circumstances of each particular case may require.

Interrogatories.

XV. The interrogatories for the examination of the defendant to a bill may be in a form similar to the form set out in Schedule (C.) to these Orders, with such variations as the nature and circumstances of each particular case may require.

XVI. In cases in which the plaintiff requires an answer to any bill from any defendant or defendants thereto, the interrogatories for the examination of such defendant or defendants are to be filed within eight days after the time limited for the appearance of such defendant or defendants.

XVII. If the defendant appear in person, or by his own solicitor, within the time limited for that purpose by the rules of the Court, the plaintiff is, within eight days after the time allowed for such appearance, to deliver to the defendant or defendants so required to answer, or to his or their solicitor or solicitors, a copy of the interrogatories so filed as aforesaid, or of such of them as the particular defendant or defendants shall be required to answer; and the copy so to be delivered is to be examined with the original, and the number of folios counted by the Clerks of Records and Writs, who, on finding that such copy is duly stamped and properly written, are to mark the same as an office copy.

XVIII. If any defendant to a suit commenced by bill do not appear in person, or by his own solicitor, within the time allowed for that purpose by the rules of the Court, and the plaintiff has filed interrogatories for his examination, the plaintiff may deliver a copy of such interrogatories, so examined and marked as aforesaid, to the defendant, at any time after the time allowed to such defendant to appear, and before his appearance in person, or by his own solicitor; or the plaintiff may deliver a copy of such interrogatories, so examined and marked as aforesaid, to the defendant or his solicitor after the appearance of such defendant in person, or by his own solicitor, but within eight days after such appearance.

XIX. A defendant required to answer a bill must put in his plea, answer, or demurrer thereto, not demurring alone, within fourteen days from the delivery to him or his solicitor of a copy of the interrogatories which he is required to answer; but the Court shall have full power to enlarge the time, from time to time, upon application being made to the Court for that purpose.

XX. After the time allowed by Order XVI for filing interrogatories for the examination of any defendant, no interrogatories are to be filed for the examination of such defendant, without special leave of the Court, to be applied for upon notice of motion.

Form of Answer.

XXI. Answers may be in a form similar to the form set out in Schedule (D.) to these Orders, with such variations as the nature and circumstances of each particular case may require.

Motion for Decree.

XXII. One month's notice is to be given by the plaintiff, to the defendant or defendants, of the motion for a decree or decretal order.

XXIII. The affidavits to be used in support of such motion are to be filed before the service of such notice, and a list of such affidavits is to be set forth at the foot of such notice.

XXIV. The defendant, within fourteen days after service of such notice, is to file his affidavits in answer, and to furnish the plaintiff or his solicitor with a list thereof.

XXV. Within seven days after the expiration of such fourteen days the plaintiff is to file his affidavits in reply, which affidavits shall be confined to matters strictly in reply, and he is to furnish the defendant or his solicitor with a list thereof; and, except so far as these affidavits are in reply, they are not to be regarded by the Court, unless upon the hearing of the motion the Court shall give leave to the defendant to answer them; and in that case, the costs of such affidavits, and of the further affidavits consequent upon them, shall be paid by the plaintiff, unless the Court shall otherwise order.

XXVI. No further evidence on either side is to be used, upon such motion for a decree or decretal order, without leave of the Court.

XXVII. Every notice of motion for a decree or decretal order is to be entered with the Registrar, who is to make out a list of such motions; and the same are to be heard according to such list, unless the Court shall make order to the contrary.

XXVIII. Where a defendant shall not have been required to answer, and shall not have answered, the plaintiff's bill, so that, under the 15 & 16 Vict. c. 86, s. 26, he is to be considered as having traversed the case made by the bill, issue is nevertheless to be joined by filing a replication in the form or to the effect of the replication now in use.

Dismissal for Want of Prosecution.

XXIX. A defendant to a suit commenced by bill, who shall not have been required to answer the bill, and shall not have answered the same, shall be at liberty to apply for an order to dismiss the bill for want of prosecution, at any time after the expiration of three months from the time of his appearance, unless a motion for a decree or decretal order shall have been set down in the meantime, or the cause shall have been set down to be heard; and the Court may, upon such application, if it shall think fit, make an order dismissing the bill, or make such other order or impose such terms as may appear just and reasonable.

Impertinence.

XXX. The application to be made for the costs of any impertinent matter introduced into any bill, answer, or other proceeding, is to be made at the time when the Court disposes of the costs of the cause or matter, and not at any other time.

Evidence.

XXXI. The time within which the plaintiff in any suit commenced by bill is to give the defendant notice of the mode in which he desires that the evidence to be adduced in the cause shall be taken is to be seven days after issue joined therein; and if the plaintiff shall not within such time give any such notice, or if the plaintiff shall give such notice, and shall therein desire the evidence to be adduced upon affidavit, the plaintiff and

defendant respectively shall be at liberty to verify their respective cases by affidavit, unless the defendant, or some or one of the defendants if more than one, shall, within fourteen days after the expiration of the said period of seven days, give notice to the plaintiff, or his solicitor, that he or they desire the evidence to be oral.

XXXII. The evidence on both sides in any cause, to be used at the hearing thereof, whether taken orally (and including the cross-examination and re-examination of any witness or witnesses) or taken upon affidavit, is to be closed within nine weeks after issue joined therein, except that any witness, who has made an affidavit intended to be used by any party to such cause at the hearing thereof, shall be subject to cross-examination within one month after the expiration of such period of nine weeks.

XXXIII. No affidavit filed before issue joined in any cause shall be received or receivable at the hearing thereof, unless within one month after issue joined notice in writing shall have been given by the party intending to use the same, to the opposite party, of his intention in that behalf.

XXXIV. Any party desiring to cross-examine a witness, who has made an affidavit in any cause intended to be used at the hearing thereof, shall give forty-eight hours' notice to the party on whose behalf such affidavit was filed, or to the party intending to use the same, of the time and place of such intended cross-examination, in order that such party may, if he shall think fit, be present at such cross-examination.

XXXV. The re-examination of any such witness is immediately to follow his cross-examination, and is not to be delayed to a future period.

XXXVI. Any party in any cause or matter requiring the attendance of any witness before an examiner, for the purpose of his being examined or cross-examined, with a view to his evidence being used upon any claim, motion, petition, or other proceeding before the Court, not being the hearing of a cause, shall give to the opposite party or parties forty-eight hours' notice at least of his intention to examine such witness, and of the time and place of such examination, unless the Court shall in any case think fit to dispense with such notice.

XXXVII. And where it is desired to cross-examine any party, whether a party to the cause or matter or not, who has made an affidavit to be used, or which shall be used, on any claim, motion, petition, or other proceeding before the Court, not being the hearing of a cause, the party desiring so to cross-examine such deponent shall give such notice to the opposite party as is required by Order XXXIV, with reference to the cross-examination of a witness who has made an affidavit to be used on the hearing of a cause.

XXXVIII. All the above Orders, with reference to the examination, cross-examination, and re-examination of witnesses, shall extend and be applicable to evidence taken in any cause subsequently to the hearing thereof.

XXXIX. In suits in which issue shall have been joined when these Orders came into operation, the evidence to be used at the hearing of the cause shall be taken according to the existing practice of the Court, unless the parties shall consent, or the Court shall order, that the same shall be taken in the mode prescribed by the act 15 & 16 Vict. c. 86, and these Orders.

Adding to Decree.

XL. The time within which a party served with notice of a decree, under sect. 42 of the above act, may apply to the Court to add to the decree, is to be one month after such service.

XLI. A memorandum of the service upon any person or persons of notice of the decree in any suit under

the said section, rule 8, is to be entered in the office of the Clerks of the Records and Writs, upon due proof by affidavit of such service.

Summons.

XLII. The summons to be obtained under sect. 45 of the above act may be in a form similar to the form set forth in Schedule (E.) to these Orders, with such variations as the circumstances of the case may require.

Revivor and Supplement.

XLIII. Any party under no disability, or under the disability of coverture, who may be served with an order to revive any suit, or to carry on the proceedings therein, may apply to the Court to discharge such order within twelve days after such service; and any party being under any disability, other than coverture, who may be so served, may apply to the Court to discharge such order within twelve days after the appointment of a guardian or guardians ad litem for such party; and until such period of twelve days shall have expired such order shall have no force or effect as against such last-mentioned party.

New Facts or Circumstances.

XLIV. If the plaintiff in any cause, which is not in such a state as to allow of an amendment being made in the bill, shall desire to state or put in issue any facts or circumstances which may have occurred after the institution of the suit, he may state the same, and put the same in issue by filing in the Record and Writ Clerk's office a statement, either written or printed, to be annexed to the bill; and such proceedings, by way of answer, evidence, and otherwise, are to be had and taken upon the statement so filed as if the same were embodied in a supplemental bill: provided always, that the Court may make any Order which it shall think fit for accelerating the proceedings thereunder, or proceedings therein, in any manner which may appear just and practicable.

Injunction.

XLV. No injunction for stay of proceedings at law is to be granted as of course, for default of appearance or answer to the bill.

Power of Court.

XLVI. The power of the Court to enlarge or abridge the time for doing any act or taking any proceedings in any cause or matter, upon such, if any, terms as the justice of the case requires, is unaffected by these Orders.

Commencement of Orders.

XLVII. These Orders shall take effect and come into operation on the 2nd day of November, 1852.

Interpretation.

XLVIII. In these Orders the following words have the several meanings hereby assigned to them, over and above their several ordinary meanings, unless there be something in the subject or context repugnant to such construction, viz.—

1. Words importing the singular number include the plural number, and words importing the plural number include the singular number.
2. Words importing the masculine gender include females.
3. The word "bill" includes "information."
4. The word "party" includes "a body politic or corporate."
5. The word "affidavit" includes "affirmation."

ST. LEONARD'S, C.

JOHN ROMILLY, M. R.

J. L. KNIGHT BRUCE, L. J.

CRANWORTH, L. J.

G. J. TURNER, V. C.

RICHARD T. KINDERSLEY, V. C.

JAMES PARKER, V. C.

SCHEDULE (A.)

TABLE OF FEES.

	£	s.	d.
For instructions for bill	1	14	0
For making a copy of a bill or claim for the printer, per folio	0	0	4
For correcting the proof sheet, per folio	0	0	2
For printer's bill, (as paid), deducting any copies paid for by the defendant			
For amending each copy of a bill or claim to serve where there is no reprint	0	13	4
Instructions for brief to be allowed on a replication being filed, or on a motion for a decree on a bill, or in an injunction cause on moving for the injunction, but so that this fee shall be charged once only in the progress of a cause	1	1	0
For amending each brief of a bill or claim where there is no reprint	0	13	4
For perusing and considering the bill on behalf of each defendant, or set of defendants, appearing by the same solicitor	1	1	0

SCHEDULE (B.)

Form of Bill.

In Chancery.
 John Lee..... Plaintiff.
 James Styles }
 and }
 Henry Jones } Defendants.

Bill of Complaints.

To the Right Hon. Edward Burtenshaw Baron St. Leonard's, of Slaugham, in the county of Sussex, Lord High Chancellor of Great Britain,

Humbly complaining, sheweth unto his Lordship, John Lee, of Bedford-square, in the county of Middlesex, Esq., the above-named plaintiff, as follows:—

1. The defendant James Styles, being seised in fee simple of a farm called Blackacre, in the parish of A., in the county of B., with the appurtenances, did, by an indenture dated the 1st May, 1850, and made between the defendant James Styles of the one part, and the plaintiff of the other part, grant and convey the said farm, with the appurtenances, unto and to the use of the plaintiff, his heirs and assigns, subject to a proviso for redemption thereof, in case the defendant James Styles, his heirs, executors, administrators, or assigns, should on the 1st May, 1851, pay to the plaintiff, his executors, administrators, or assigns, the sum of 5000*l.*, with interest thereon at the rate of 5*l.* per centum per annum, as by the said indenture will appear.

2. The whole of the said sum of 5000*l.*, together with interest thereon at the rate aforesaid, is now due to the plaintiff.

3. The defendant Henry Jones claims to have some charge upon the farm and premises comprised in the said indenture of mortgage of the 1st May, 1850, which charge is subsequent to the plaintiff's said mortgage.

4. The plaintiff has frequently applied to the defendants, James Styles and Henry Jones, and required them either to pay the said debt, or else to release the equity of redemption of the premises, but they have refused so to do.

5. The defendants, James Styles and Henry Jones, pretend that there are some other mortgages, charges, or incumbrances affecting the premises, but they refuse to discover the particulars thereof.

6. There are divers valuable oak, elm, and other timber, and timber-like trees growing and standing on the farm and lands comprised in the said indenture of mortgage of the 1st May, 1850, which trees and

timber are a material part of the plaintiff's said security; and if the same, or any of them, were felled and taken away, the said mortgaged premises would be an insufficient security to the plaintiff for the money due thereon.

7. The defendant James Styles, who is in possession of the said farm, has marked for felling a large quantity of the said oak and elm trees and other timber, and he has, by handbills published on the 2nd December instant, announced the same for sale, and he threatens and intends forthwith to cut down and dispose of a considerable quantity of the said trees and timber on the said farm.

Prayer.

The plaintiff prays as follows:—

1. That an account may be taken of what is due for principal and interest on the said mortgage.
2. That the defendants, James Styles and Henry Jones, may be decreed to pay to the plaintiff the amount which shall be so found due, together with his costs of this suit, by a short day to be appointed for that purpose; or, in default thereof, that the defendants, James Styles and Henry Jones, and all persons claiming under them, may be absolutely foreclosed of all right and equity of redemption in or to the said mortgaged premises.
3. That the defendant James Styles may be restrained by the injunction of this honourable Court from felling, cutting, or disposing of any of the timber or timber-like trees now standing or growing in or upon the said farm and premises comprised in the said indenture of mortgage, or any part thereof.
4. That the plaintiff may have such further or other relief as the nature of the case may require.

Names of defendants.

The defendants to this bill of complaint are,
 James Styles,
 Henry Jones.

Y. Y.,

(Name of counsel).

Note.—This bill is filed by Messrs. A. B. & C. D., of Lincoln's-inn, in the county of Middlesex, solicitors for the above-named plaintiff.

SCHEDULE (C.)

Form of Interrogatories.

In Chancery.
 John Lee..... Plaintiff.
 James Styles }
 and }
 Henry Jones } Defendants.

Interrogatories for the examination of the above-named defendants in answer to the plaintiff's bill of complaint.

1. Does not the defendant Henry Jones claim to have some charge upon the farm and premises comprised in the indenture of mortgage of the 1st May, 1850, in the plaintiff's bill mentioned?

2. What are the particulars of such charge, if any, the date, nature, and short effect of the security, and what is due thereon?

3. Are there or is there any other mortgages or mortgage, charges or charge, incumbrances or incumbrance, in any and what manner affecting the aforesaid premises, or any part thereof?

4. Set forth the particulars of such mortgages or mortgage, charges or charge, incumbrances or incumbrance; the date, nature, and short effect of the security; what is now due thereon; and who is or are entitled thereto respectively; and when and by whom, and in what manner, every such mortgage, charge, or incumbrance was created.

The defendant James Styles is required to answer all these interrogatories.

The defendant Henry Jones is required to answer the interrogatories numbered 1 and 2.

Y. Y.,
(Name of counsel).

SCHEDULE (D.)

Form of Answer.

In Chancery.

John Lee Plaintiff.
James Styles }
and } Defendants.
Henry Jones }

The answer of James Styles, one of the above-named defendants, to the bill of complaint of the above-named plaintiff.

In answer to the said bill, I, James Styles, say as follows:—

1. I believe that the defendant Henry Jones does claim to have a charge upon the farm and premises comprised in the indenture of mortgage of the 1st May, 1850, in the plaintiff's bill mentioned.

2. Such charge was created by an indenture dated the 1st November, 1850, made between myself of the one part, and the said defendant Henry Jones of the other part, whereby I granted and conveyed the said farm and premises, subject to the mortgage made by the said indenture of the 1st May, 1850, unto the defendant Henry Jones, for securing the sum of 2000*l.*, and interest at the rate of 5*l.* per centum per annum, and the amount due thereon is the said sum of 2000*l.*, with interest thereon from the date of such mortgage.

3. To the best of my knowledge, remembrance, and belief, there is not any other mortgage, charge, or incumbrance affecting the aforesaid premises.

M. N.
(Name of counsel).

SCHEDULE (E.)

Form of Summons.

In Chancery.

In the Matter of the Estate of John Thomas, late of the Parish of A., in the County of B., deceased.

Joseph Wilson
against
William Jackson.

Upon the application of Joseph Wilson, of Russell-square, in the county of Middlesex, Esq., who claims to be a creditor upon the estate of the above-named John Thomas, let William Jackson, the executor of the said John Thomas, attend at my chambers [in the Rolls-yard, Chancery-lane, Middlesex], [or at No. —, — square, Lincoln's-inn, Middlesex], on the — day of —, at — o'clock in the afternoon, and shew cause, if he can, why an order for the administration of the personal estate of the said John Thomas, by the High Court of Chancery, should not be granted.

Dated the — day of —, 1852.

JOHN ROMILLY, Master of the Rolls, *or*,
G. J. TURNER, Vice-Chancellor, *or*,
RICHD. T. KINDERSLEY, Vice-Chancellor, *or*,
JAMES PARKER, Vice-Chancellor.

Note.—If the above-named William Jackson does not attend, either in person or by his solicitor, at the time and place above mentioned, such order will be made in his absence as the judge may think just and expedient.

This summons was taken out by A. & B., of Lincoln's-inn, in the county of Middlesex, solicitors for the above-named Joseph Wilson.

ORDER OF COURT.—Aug. 7, 1852.

The Right Hon. EDWARD BURTENSHAW Lord ST. LEONARD's, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. Sir JOHN ROMILLY, Master of the Rolls, the Right Hon. the Lord Justice Sir JAMES LEWIS KNIGHT BRUCE, the Right Hon. the Lord Justice Lord CRANWORTH, the Right Hon. the Vice-Chancellor Sir GEORGE JAMES TURNER, the Hon. the Vice-Chancellor Sir RICHARD TORIN KINDERSLEY, and the Hon. the Vice-Chancellor Sir JAMES PARKER, doth hereby, in pursuance and execution of all powers enabling him in that behalf, order and direct—

That all and every the orders, rules, and directions hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, General Orders and Rules of the High Court of Chancery, viz.—

I. That no appeal from any decree, order, or dismissal, or any rehearing of the case on which such decree, order, or dismissal is founded, shall be allowed, unless the same is set down for hearing, and the requisite notice thereof duly served, within five years from the date of any such decree, order, or dismissal respectively.

II. That all decrees and orders, and all dismissals, pronounced or made in any cause, claim, or matter in this court, which shall be inrolled, shall be so inrolled within six calendar months after the same shall be so pronounced or made respectively, and not at any time after, without special leave of the Court, such leave to be obtained in manner next hereinafter mentioned.

III. In case any party is desirous to inrol a decree, or order, or dismissal after the expiration of six calendar months from the time the same shall have been made, he shall obtain an order for that purpose, and which order, unless made by consent of the adverse party, or on motion and notice to all the parties, shall be a conditional order in the first instance, but shall become absolute without further order, unless cause is shewn against it within twenty-eight days after service of the order.

IV. That where a caveat is entered with the proper officer to stay the signing of the docket of the inrolment of any decree, order, or dismissal, such caveat shall be prosecuted with effect within twenty-eight days after the docket of such decree, order, or dismissal shall be left to be signed with the proper officer by the party who entered the same, otherwise such caveat shall be of no force; and the docket of such decree, order, or dismissal may, immediately after the expiration of the said twenty-eight days, be presented to be signed, as if no such caveat had been entered.

V. That no inrolment of any decree, order, or dismissal shall be allowed after the expiration of five years from the date thereof.

VI. That the Lord Chancellor, either sitting alone, or with the Lords Justices, or either of them, shall be at liberty, where it shall appear to him, under the peculiar circumstances of the case, to be just and expedient, to enlarge the periods hereinbefore appointed for a rehearing, or an appeal, or for an inrolment.

VII. That these Orders shall take effect on and from the 28th day of October next.

(Signed) ST. LEONARD'S, C.
JOHN ROMILLY, M. R.
J. L. KNIGHT BRUCE, L. J.
CRANWORTH, L. J.
G. J. TURNER, V. C.
RICHARD T. KINDERSLEY, V. C.
JAMES PARKER, V. C.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIA.—SESSION 5.

(Continued from p. 300).

217. In all actions of ejectment hereafter to be brought in any of her Majesty's courts at Westminster by any landlord against his tenant, or against any person claiming through or under such tenant, for the recovery of any lands or hereditaments in any county, except London or Middlesex, where the tenancy shall expire, or the right of entry into or upon such lands or hereditaments shall accrue to such landlord, in or after Hilary or Trinity Terms respectively, it shall be lawful for the claimant in any such action, at any time within ten days after such tenancy shall expire, or right of entry accrue as aforesaid, to serve a writ in ejectment in the form contained in the Schedule (A.) to this act annexed, marked No. 13, except that it shall command the persons to whom it is directed to appear within ten days after service thereof in the court in which such action may be brought; and the like proceedings shall be thereupon had as hereinbefore provided, save that it shall be sufficient to give at least six clear days' notice of trial to the defendant before the commission-day of the assizes at which such ejectment is intended to be tried; and any defendant in such action may, at any time before the trial thereof, apply to a judge by summons to stay or set aside the proceedings, or to postpone the trial until the next assizes; and it shall be lawful for the judge, in his discretion, to make such order in the said cause as to him shall seem expedient.

218. Nothing herein contained shall be construed to prejudice or affect any other right of action or remedy which landlords may possess in any of the cases hereinbefore provided for, otherwise than hereinbefore expressly enacted.

219. Where an action of ejectment shall be brought by any mortgagee, his heirs, executors, administrators, or assignees, for the recovery of the possession of any mortgaged lands, tenements, or hereditaments, and no suit shall be then depending in any of her Majesty's courts of equity in that part of Great Britain called England, for or touching the foreclosing or redeeming of such mortgaged lands, tenements, or hereditaments, if the person having right to redeem such mortgaged lands, tenements, or hereditaments, and who shall appear and become defendant in such action, shall, at any time pending such action, pay unto such mortgagee, or, in case of his refusal, shall bring into court where such action shall be depending all the principal monies and interest due on such mortgage, and also all such costs as have been expended in any suit at law or in equity upon such mortgage (such money for principal, interest, and costs to be ascertained and computed by the Court where such action is or shall be depending, or by the proper officer by such Court to be appointed for that purpose), the monies so paid to such mortgagee, or brought into such court, shall be deemed and taken to be in full satisfaction and discharge of such mortgage, and the Court shall and may discharge every such mortgagor or defendant of and from the same accordingly; and shall and may, by rule of the same Court, compel such mortgagee, at the costs and charges of such mortgagor, to assign, surrender, or reconvey such mortgaged lands, tenements, and hereditaments, and such estate and interest as such mortgagee has therein, and deliver up all deeds, evidences, and writings in his custody, relating to the title of such mortgaged lands, tenements, and hereditaments, unto such mortgagor, who shall have paid or brought such monies into the court, his heirs, executors, or administrators, or to such other person or persons as he or they shall for that purpose nominate or appoint.

220. Nothing herein contained shall extend to any case where the person, against whom the redemption is or shall be prayed, shall (by writing under his hand, or the hand of his attorney, agent, or solicitor, to be delivered, before the money shall be brought into such court of law, to the attorney or solicitor for the other side) insist, either that the party praying a redemption has not a right to redeem, or that the premises are chargeable with other or different principal sums than what appear on the face of the mortgage, or shall be admitted on the other side; or to any case where the right of redemption to the mortgaged lands and premises in question in any cause or suit shall be controverted or questioned by or between different defendants in the same cause or suit; or shall be any prejudice to any subsequent mortgage or subsequent incum-

brance, anything herein contained to the contrary thereof in anywise notwithstanding.

221. The several courts and the judges thereof respectively shall and may exercise over the proceedings the like jurisdiction as heretofore exercised in the action of ejectment, so as to insure a trial of the title, and of actual ouster, when necessary, only, and for all other purposes for which such jurisdiction may at present be exercised; and the provisions of all statutes not inconsistent with the provisions of this act, and which may be applicable to the altered mode of proceeding, shall remain in force, and be applied thereto.

And whereas the power of amendment now vested in the courts and the judges thereof is insufficient to enable them to prevent the failure of justice by reason of mistakes and objections of form: be it enacted as follows:—

222. It shall be lawful for the superior courts of common law, and every judge thereof, and any judge sitting at Nisi Prius, at all times to amend all defects and errors in any proceeding in civil causes, whether there is anything in writing to amend by or not, and whether the defect or error be that of the party applying to amend or not; and all such amendments may be made with or without costs, and upon such terms as to the court or judge may seem fit; and all such amendments as may be necessary for the purpose of determining in the existing suit the real question in controversy between the parties shall be so made.

And in order to enable the courts and judges to carry this act thoroughly into effect, and to enable them from time to time to make rules and regulations, and to frame writs and proceedings for that purpose, be it enacted as follows:—

223. It shall be lawful for the judges of the said courts, or any eight or more of them, of whom the chiefs of each of the said courts shall be three, from time to time to make all such General Rules and Orders for the effectual execution of this act, and of the intention and object hereof, and for fixing the costs to be allowed for and in respect of the matters herein contained, and the performance thereof, and for apportioning the costs of issues, and for the purpose of enforcing uniformity of practice in the allowance of costs in the said courts, and of insuring as far as may be practicable an equal division of the business of taxation amongst the Masters of the said courts, as in their judgment shall be necessary or proper, and for that purpose to meet from time to time as occasion may require: and it shall further be lawful for the judges of the said courts, or any eight or more of them, of whom the chiefs of each of the said courts shall be three, from time to time to exercise all the powers and authority given to them by an act of Parliament passed in the session of Parliament held in the 13 & 14 Vict. [c. 16.] intitled "An Act to enable the Judges of the Common Law at Westminster to alter the Forms of Pleading," with respect to any matter herein contained relative to practice or pleading, anything in this act to the contrary notwithstanding; and the provisions of the said last-mentioned act as to the rules, orders, or regulations made in pursuance thereof shall be held applicable to any rules, orders, or regulations which shall be made in pursuance of this act: provided that nothing herein contained shall be construed to restrain the authority or limit the jurisdiction of the said courts or the judges thereof to make rules or orders, or otherwise to regulate and dispose of the business therein.

224. Such new or altered writs and forms of proceedings may be issued, entered, and taken, as may by the judges of the said courts, or any eight or more of them, of whom the chiefs of each of the said courts shall be three, be deemed necessary or expedient for giving effect to the provisions hereinbefore contained, and in such forms as the judges of such courts respectively shall from time to time think fit to order; and such writs and proceedings shall be acted upon and enforced in such and the same manner as writs and proceedings of the said courts are now acted upon and enforced, or as near thereto as the circumstances of the case will admit; and any existing writ or proceeding, the form of which shall be in any manner altered in pursuance of this act, shall nevertheless be of the same force and virtue as if no alteration had been made therein, except so far as the effect thereof may be varied by this act.

225. It shall and may be lawful to and for the judges of each of the said courts from time to time to make such rules and orders for the government and conduct of the ministers

and officers of their respective courts, in and relating to the distribution and performance of the duties and business to be done and performed in the execution of this act, as such judges may think fit and reasonable: provided always, that no additional charge be thereby imposed on the suitors.

And whereas it is expedient that injunctions and orders to stay proceedings should be rendered more effectual: be it enacted as follows:—

226. In case any action, suit, or proceeding in any court of law or equity shall be commenced, sued, or prosecuted, in disobedience of and contrary to any writ of injunction, rule, or order of either of the superior courts of law or equity at Westminster, or of any judge thereof, in any other court than that by or in which such injunction may have been issued, or rule or order made, upon the production to any such other court or judge thereof of such writ of injunction, rule, or order, the said other court, (in which such action, suit, or proceeding may be commenced, prosecuted, or taken), or any judge thereof, shall stay all further proceedings contrary to any such injunction, rule, or order; and thenceforth all further and subsequent proceedings shall be utterly null and void to all intents and purposes: provided always, that nothing herein contained shall be held to diminish, alter, abridge, or vary the liability of any person or persons commencing, suing, or prosecuting any such action, suit, or proceeding contrary to any injunction, rule, or order of either of the Courts aforesaid, to any attachment, punishment, or other proceeding to which any such person or persons are, may, or shall be liable in cases of contempt of either of the Courts aforesaid, in regard to the commencing, suing, or prosecuting such action, suit, or proceeding.

And be it enacted as follows:—

227. In the construction of this act the word "court" shall be understood to mean any one of the superior courts of common law at Westminster in which any action is brought; and the word "judge" shall be understood to mean a judge or baron of any of the said courts; and the word "master" shall be understood to mean a master of any of the said courts; and the word "action" shall be understood to mean any personal action brought by writ of summons in any of the said courts; and no part of the United Kingdom of Great Britain and Ireland, nor the islands of Man, Guernsey, Jersey, Alderney, or Sark, nor any islands adjacent to any of them, being part of the dominions of her Majesty, shall be deemed to be "beyond the seas" within the meaning of this act: and wherever in this act, in describing or referring to any person or party, matter or thing, any word importing the singular number or masculine gender is used, the same shall be understood to include and shall be applicable to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided, or there be something in the subject or context repugnant to such construction.

228. It shall be lawful for her Majesty from time to time, by an Order in Council, to direct that all or any part of the provisions of this act, or of the rules to be made in pursuance thereof, shall apply to all or any court or courts of record in England or Wales, and within one month after such order shall have been made and published in the London Gazette such provisions and rules respectively shall extend and apply in like manner directed by such order; and any such order may be in like manner from time to time altered or annulled.

229. And whereas it is expedient to apply the provisions of this act, with the requisite modifications, to the superior courts of the counties palatine of Lancaster and Durham respectively: all the enactments and provisions of this act with respect to writs for the commencement of personal actions, except such as relate to the teste thereof in the name of a judge, to concurrent writs, and to the service of writs elsewhere than in the counties palatine of Lancaster and Durham respectively, and proceedings against parties residing out of the jurisdiction of the said courts; and all the provisions of this act with respect to the appearance of the defendant and proceedings of the plaintiff in default of appearance; and with respect to the joinder of parties to actions and joinder of causes of action; and with respect to the determination of questions raised by consent of the parties without pleading; and with respect to the language and form of pleadings, and provisions as to pleadings, profert, oyer, setting out of documents; and with regard

to the time and manner of declaring; and as to pleas and subsequent pleadings, and incident thereto; and examples and forms of pleading and causes of action; and with respect to judgment by default, and the mode of ascertaining the amount to be recovered thereupon and incident thereto; and all the provisions of this act with respect to juries and jury process; and with respect to the admission of documents; and with respect to the expenses of execution and the remaining in force and renewal of execution, the discharging of parties from execution, and charging in execution persons in prison; and with respect to proceedings for the revival of judgments and other proceedings by and against persons not parties to the record; and with respect to the effect of death, marriage, and bankruptcy upon the proceedings in an action; and with respect to the proceedings upon motions to arrest the judgment and for judgment non obstante veredicto; and with respect to proceedings in error subject to the proviso hereinafter contained; and all the provisions of this act with respect to the action of ejectment, and incident thereto; and with respect to the power of amendment by courts and the judges thereof, shall extend and apply to the Court of Common Pleas at Lancaster and the Court of Pleas at Durham, and actions and proceedings therein respectively.

230. All the powers given by this act to the judges of the said superior courts at Westminster to make rules and regulations for the execution of this act, and to frame writs and proceedings for that purpose; and to the judges of the said respective courts to make rules or orders for the government and conduct of the ministers and officers thereof; and all other powers by this act given to or vested in the judges of the said superior courts at Westminster to be exercised by more than one of them, except the powers and authority given by the said act of Parliament passed in the 13 & 14 Vict., intitled "An Act to enable the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading," shall and may be exercised by the respective judges of the said Court of Common Pleas at Lancaster and Court of Pleas at Durham, being judges of one of the said common-law courts at Westminster, or any two of them, with respect to the said Court of Common Pleas at Lancaster and Court of Pleas at Durham respectively, and the ministers and officers thereof, and matters and proceedings therein, within the jurisdiction of the same courts respectively; and all powers under this act exercisable by any one judge of the superior courts at Westminster shall and may be exercisable by one judge of the said superior courts of the said counties palatine, being also a judge of one of the said courts at Westminster, as to matters and proceedings in the said superior courts of the said counties palatine.

231. It shall and may be lawful to and for the judges of each of the said Courts of Common Pleas at Lancaster and Pleas at Durham, being judges of one of the superior courts at Westminster, or any two of them, from time to time to make rules and orders for applying any of the other provisions of this act to the said respective superior courts of the said counties palatine, and matters and proceedings therein and parties thereto, with such modifications and alterations with reference to the constitution and peculiar circumstances of such court as they may think fit and reasonable; and for modifying any of the provisions hereby applied to such last-mentioned courts respectively with reference to such constitution and peculiar circumstances; and from time to time to rescind, amend, or alter such rules or orders; and that such rules or orders, subject to such power of rescission, amendment, and alteration, shall have the same force as if the same were made by and embodied in this act.

232. Provided always, that all the provisions of this act applicable to Masters of the said courts at Westminster shall apply to the respective prothonotaries of the Court of Common Pleas at Lancaster and Court of Pleas at Durham, and their respective deputies, who may singly exercise, with reference to matters and proceedings in the last-mentioned courts respectively, the powers hereby given to any one or more of the Masters of the superior courts at Westminster; and that such respective officers shall record the proceedings of trials of causes depending in the said respective courts, and draw up and return postea on records from the superior courts at Westminster, tried in the said counties palatine respectively, and officiate at the trial of such causes therein as heretofore.

233. Provided also, as to proceedings in error, that the Court of Queen's Bench shall still be the Court of Error from the said Court of Common Pleas at Lancaster and Court of

Pleas at Durham; and that it shall be sufficient to transmit to the said Court of Queen's Bench a transcript of the record of any judgment or proceedings in those courts on which error is alleged; and that the judgment of the Court of Queen's Bench thereon shall be certified by one of the Masters of the said Court of Queen's Bench on the said transcript, or by rule of court, as the said Court may direct; and that thereupon such judgment shall be entered on the original record in the said respective Courts of Common Pleas at Lancaster and Pleas at Durham; and such further proceedings as may be necessary thereon shall be awarded by the said respective Courts, subject to the right of either party to allege errors in the said judgment in the said Court of Queen's Bench, and proceed thereon as provided by this act in the case of errors alleged in actions depending in that court.

234. From the time when this act shall commence and take effect, so much of a certain act of Parliament passed in the 4 & 5 Will. 4. [c. 62.] intitled "An Act for improving the Practice and Proceedings in the Court of Common Pleas of the County Palatine of Lancaster," and so much of a certain other act of Parliament passed in the 2 & 3 Vict. [c. 16.] intitled "An Act for improving the Practice and Proceedings of the Court of Pleas of the County Palatine of Durham and Sadberge," as relate to the duration of writs, and to alias and pluries writs, and to the proceedings necessary for making the first writ in any action available to prevent the operation of any statute whereby the time for the commencement of any action may be limited, shall be repealed, except so far as may be necessary for supporting any writs that have been issued before the commencement of this act, and any proceedings taken or to be taken thereon; but that the other provisions of the said last-mentioned acts of Parliament, so far as they are not altered by or inconsistent with the provisions of this act, shall remain in force.

235. In citing this act in any instrument, document, or proceeding, it shall be sufficient to use the expression "The Common-law Procedure Act, 1852."

236. Nothing in this act shall extend to Ireland or Scotland, except in the cases herein specially mentioned.

SCHEDULES REFERRED TO IN THE FOREGOING ACT.

SCHEDULE (A.)

No. 1.

Writ where the Defendant resides within the Jurisdiction.

Victoria, by the grace of God, &c.

To C. D., of —, in the county of —.

We command you, that within eight days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in our court of —, in an action at the suit of A. B.; and take notice, that in default of your so doing the said A. B. may proceed therein to judgment and execution. Witness, &c.

Memorandum to be subscribed on the Writ.

N. B.—This writ is to be served within (six) calendar months from the date thereof, or, if renewed, from the date of such renewal, including the day of such date, and not afterwards.

Indorsement to be made on the Writ before the Service thereof.

This writ was issued by E. F., of —, attorney for the said plaintiff, or this writ was issued in person by A. B., who resides at —, [mention the city, town, or parish, and also the name of the hamlet, street, and number of the house of the plaintiff's residence, if any such.]

Indorsement to be made on the Writ after Service thereof.

This writ was served by X. Y. on L. M. [the defendant, or one of the defendants] on Monday, the — day of —, 18—. (Signed) X. Y.

No. 2.

Writ where the Defendant, being a British Subject, resides out of the Jurisdiction.

Victoria, by the grace of God, &c.

To C. D., of —, in the county of —.

We command you, that within [here insert a sufficient number of days within which the defendant might appear, with reference to the distance he may be at from England]

days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in our court of —, in an action at the suit of A. B.; and take notice, that in default of your so doing the said A. B. may, by leave of the court or a judge, proceed therein to judgment and execution. Witness, &c.

Memorandum to be subscribed on the Writ.

N. B.—This writ is to be served within (six) calendar months from the date thereof, or, if renewed, from the date of such renewal, including the day of such date, and not afterwards.

Indorsement to be made on the Writ before the Service thereof.

This writ is for service out of the jurisdiction of the Court, and was issued by E. F., of —, attorney for the said plaintiff, or this writ was issued in person by A. B., who resides at —, [mention the city, town, or parish, and also the name of the hamlet, street, and number of the house of the plaintiff's residence, if any such.]

[The indorsement required by the 8th section should be made on this writ, but should allow the defendant the time limited for appearance to pay the debt and costs.]

No. 3.

Writ where the Defendant, not being a British Subject, resides out of the Jurisdiction.

Victoria, by the grace of God, &c.

To C. D., late of —, in the county of —.

We command you, that within [here insert a sufficient number of days within which the defendant might appear, with reference to the distance he may be at from England] days after notice of this writ is served on you, inclusive of the day of such service, you do cause an appearance to be entered for you in our court of —, in an action at the suit of A. B.; and take notice, that in default of your so doing the said A. B. may, by leave of the court or a judge, proceed therein to judgment and execution. Witness, &c.

Memorandum to be subscribed on the Writ.

N. B.—Notice of this writ is to be served within (six) calendar months from the date thereof, including the day of such date, and not afterwards.

[Indorsements as in other cases.]

Notice of the foregoing writ.

To G. H., late of [Brighton, in the county of Sussex], or now residing at [Paris, in France].

Take notice, that A. B., of —, in the county of —, England, has commenced an action at law against you, C. D., in her Majesty's Court of Queen's Bench, by a writ of that Court, dated the — day of —, A. D. 18—; and you are required, within — days after the receipt of this notice, inclusive of the day of such receipt, to defend the said action, by causing an appearance to be entered for you in the said court to the said action; and in default of your so doing the said A. B. may, by leave of the court or a judge, proceed thereon to judgment and execution.

[Here state amount of claim as required by the 8th section, but allowing the defendant the time limited for appearance to pay debt and costs.]

(Signed) A. B., of —, &c.

or

E. F., of —, &c.

Attorney for A. B.

No. 4.

Special Indorsement.

[After the indorsement required by the 8th section of this act, this special indorsement may be inserted.]

The following are the particulars of plaintiff's claim:—

1849.—June 20. Half-year's rent to this day	£	s.	d.
of house and premises in — street, Westminster	25	10	0
Sept. 12. Ten sacks of flour at 40s...	20	0	0
Dec. 1. Money received by defendant	17	0	0

62 10 0

Paid..... 15 0 0

Balance due..... £47 10 0

Or,
To butcher's meat supplied between the 1st of January, 1849,
and the 1st of January, 1850..... £52
Paid..... 20

Balance £32
[If any account has been delivered, it may be referred to,
with its date, or the plaintiff may give such a description of
his claim as in a particular of demand, so as to prevent the
necessity of an application for further particulars.]

Or,
£50 principal and interest due on a bond dated the — day
of —, conditioned for the payment of 100l.

Or,
£90 principal and interest due on a covenant contained in a
deed dated the — day of —, to pay 100l. and interest.

Or,
A penalty of 100l. under the stat. 56 Geo. 3, c. 137.

Or,
£85 on a bill of exchange for 100l., dated the 2nd February,
1849, accepted, or drawn, or indorsed by the defendant.

Or,
£50 on a guarantee dated the 1st of January, 1850, whereby
the defendant guaranteed the due payment by E. F. of goods
supplied or to be supplied to him.

[To any of the above may be added, in cases where interest
is payable, "the plaintiff also claims interest on £— of the
above sum from the date of the writ until judgment."]

N.B.—Take notice, that if a defendant served with this
writ within the jurisdiction of the Court do not appear
according to the exigency thereof, the plaintiff will be
at liberty to sign final judgment for any sum not exceed-
ing the sum above claimed [with interest at the rate
specified], and the sum of £— for costs, and issue
execution at the expiration of eight days from the last
day for appearance.

No. 5.

In the Queen's Bench :

On the — day of —, A. D. 18—,

[Day of signing the judgment.]

England, } A. B., in his own person [or by —, his attorney],
to wit. } sued out a writ of summons against C. D., in-
dorsed, according to "The Common-law Procedure Act, 1852,"
as follows :—

[Here copy special indorsement.]

And the said C. D. has not appeared: therefore it is con-
sidered that the said A. B. recover against the said C. D.
£—, together with £— for costs of suit.

No. 6.

In the Queen's Bench :

The — day of —, in the year of our Lord 18—.

Yorkshire, } Whereas A. B. has sued C. D., and — affirms,
to wit. } and — denies.

[Here state the question or questions of fact to be tried.]

And it has been ordered by the Hon. Mr. Justice —,
according to "The Common-law Procedure Act, 1852," that
the said question shall be tried by a jury: therefore let the
same be tried accordingly.

No. 7.

Form of Rule or Summons where a Judgment Creditor applies
for Execution against a Judgment Debtor.

[Formal parts as at present.]

C. D., shew cause why A. B. [or as the case may be] should
not be at liberty to enter a suggestion upon the roll in an
action wherein the said A. B. was plaintiff and the said C. D.
was defendant, and wherein the said A. B. obtained judg-
ment for £— against the said C. D. on the — day of
—, that it manifestly appears to the Court that the said
A. B. is entitled to have execution of the said judgment, and
to issue execution thereupon, and why the said C. D. should
not pay to the said A. B. the costs of this application, to be
taxed.

[Note.—The above form may be modified so as to meet the
case of an application by or against the representative of a
party to the judgment.]

No. 8.

Form of Suggestion that the Judgment Creditor is entitled to
Execution against the Judgment Debtor.

And now, on the — day of —, it is suggested and ma-
nifestly appears to the Court that the said A. B. [or C. D.,
as executor of the last will and testament of the said A. B.,
deceased, or as the case may be] is entitled to have execution
of the judgment aforesaid against the said E. F. [or against
G. H., as executor of the last will and testament of the said
E. F., or as the case may be]: therefore it is considered by the
Court that the said A. B. [or C. D., as such executor as afore-
said, or as the case may be] ought to have execution of the
said judgment against the said E. F. [or against G. H., as
such executor as aforesaid, or as the case may be.]

No. 9.

Form of Writ of Review.

Victoria, by the grace of God, &c., to E. E., of —,
greeting.

We command you, that within eight days after the ser-
vice of this writ upon you, inclusive of the day of such service, you
appear in our court of — to shew cause why A. B. [or
C. D., as executor of the last will and testament of the said
A. B., deceased, or as the case may be] should not have exe-
cution against you [if against a representative, here insert, "as
executor of the last will and testament of —, deceased," or
as the case may be] of a judgment, whereby the said A. B., [or
as the case may be], on the — day of —, in the said court,
recovered against you [or as the case may be] £—; and
take notice, that in default of your doing so the said A. B. [or
as the case may be] may proceed to execution.

Witness, &c.

No. 10.

In the Queen's Bench :

The — day of —, in the year of our Lord 18—.

[The day of lodging note of error.]

A. B. and C. D.

The plaintiff [or defendant] says that there is error in law
in the record and proceedings in this action; and the defend-
ant [or plaintiff] says that there is no error therein.

(Signed) A. B., plaintiff.

[or C. D., defendant.]

[or E. F., attorney for plaintiff or defendant.]

No. 11.

The — day of —, in the year of our Lord 18—.

[The day of making the entry on the roll.]

The plaintiff [or defendant] says that there is error in the
above record and proceedings, and the defendant [or plaintiff]
says there is no error therein.

No. 12.

In the Queen's Bench :

The — day of —, in the year of our Lord 18—.

[The day of lodging note of error.]

A. B. and C. D. in error.

The plaintiff [or defendant] says that there is error in fact
in the record and proceedings in this action, in the particulars
specified in the affidavit herewith annexed.

(Signed) A. B., plaintiff.

[or C. D., defendant.]

[or E. F., attorney for plaintiff or defendant.]

No. 13.

ВЪЗМЪННѢ.

Form of Writ.

Victoria, &c., to X., Y., Z., and all persons entitled to de-
fend the possession of —, [describe the property with rea-
sonable certainty], in the parish of —, in the county of
—, to the possession whereof A., B., and C., some or one of
them, claim to be [or to have been on and since the — day
of —, A. D. —] entitled, and to eject all other persons
therefrom: these are to will and command you, or such of you
as deny the alleged title, within sixteen days after service
hereof, to appear in our court of — to defend the said pro-
perty, or such part thereof as you may be advised; in default
whereof judgment may be signed, and you turned out of pos-
session.

Witness, &c.

No. 14.

Judgment in Ejectment in Case of Non-appearance.

In the Queen's Bench :

The — day of —, 18—.

[Date of writ.]

Lancashire, } On the day and year above written, a writ of our
to wit. } lady the Queen issued forth of this court in
these words; that is to say,

Victoria, by the grace of God [*Here copy the writ*]; and no appearance has been entered or defence made to the said writ: therefore it is considered that the said [*Here insert the names of the persons in whom title is alleged in the writ*] do recover possession of the land in the said writ mentioned, with the appurtenances.

No. 15.

In the Queen's Bench :

On the — day of —, A. D. 18—.

Cumberland, } On the day and year above written, a writ of
to wit. } our lady the Queen issued forth of this court
in these words; that is to say,

Victoria, by the grace of God [*Here copy the writ*]; and C. D. has, on the — day of —, appeared, by —, his attorney, [*or in person*], to the said writ, and has defended for a part of the land in the writ mentioned; that is to say, [*Here state the part*], and no appearance has been entered or defence made to the said writ, except as to the said part: therefore it is considered that the said A. B. [*the claimant*] do recover possession of the land in the said writ mentioned, except the said part, with the appurtenances, and that he have execution thereof forthwith; and as to the rest, let a jury come &c.

No. 16.

In the Queen's Bench :

On the — day of —, A. D. 18—.

Cumberland, } On the day and year above written, a writ of
to wit. } our lady the Queen issued forth of this court
in these words; that is to say,

Victoria, by the grace of God [*Here copy the writ*]; and C. D. has, on the — day of —, appeared, by —, his attorney, [*or in person*], to the said writ, and defended for the whole of the land therein mentioned: therefore let a jury come &c.

No. 17.

Afterwards, on the — day of —, A. D. —, before — and —, justices of our lady the Queen, assigned to take the assizes in and for the within county, come the parties within mentioned; and a jury of the said county being sworn to try the matters in question between the said parties, upon their oath say that A. B., [*the claimant*], within mentioned, on the — day of —, A. D. —, was, and still is, entitled to the possession of the land within mentioned, as in the writ alleged: therefore &c.

No. 18.

In the Queen's Bench :

On the — day of —, 18—.

[Date of writ.]

Lancashire, } On the day and year above written, a writ of our
to wit. } lady the Queen issued forth of this court in
these words; that is to say,

Victoria, by the grace of God [*Here copy the writ*]; and C. D. has, on the — day of —, appeared, by —, his attorney, [*or in person*], to the said writ, and A. B. has discontinued the action: therefore it is considered that the said C. D. be acquitted, and that he recover against the said A. B. £— for his costs of defence.

No. 19.

In the Queen's Bench :

The — day of —, 18—.

[Date of writ.]

Lancashire, } On the day and year above written, a writ of our
to wit. } lady the Queen issued forth of this court in
these words; that is to say,

Victoria, by the grace of God [*Here copy the writ*]; and C. D. has, on the — day of —, appeared, by —, his attorney, [*or in person*], to the said writ, and A. B. has failed

to proceed to trial, although duly required so to do: therefore it is considered that the said C. D. be acquitted, and that he recover against the said A. B. £— for his costs of defence.

No. 20.

In the Queen's Bench :

The — day of —, 18—.

[Date of writ.]

Lancashire, } On the day and year above written, a writ of our
to wit. } lady the Queen issued forth of this court in
these words; that is to say,

Victoria, by the grace of God [*Here copy the writ*]; and C. D. has, on the — day of —, appeared, by —, his attorney, [*or in person*], to the said writ, and the said C. D. has confessed the said action [*or has confessed the said action as to part of the said land*]; that is to say, *Here state the part*: therefore it is considered that the said A. B. do recover possession of the land in the said writ mentioned [*or of the said part of the said land*], with the appurtenances, and £— for costs.

No. 21.

In the Queen's Bench :

The — day of —, A. D. 18—.

[Date of writ.]

Yorkshire, } On the day and year above written, a writ of our
to wit. } lady the Queen issued forth of this court, with
a notice thereunder written, the tenor of which writ and notice follows in these words; that is to say,

[*Here copy the writ and notice, which latter may be as follows:—*

“Take notice, that you will be required, if ordered by the court or a judge, to give bail by yourself and two sufficient sureties, conditioned to pay the costs and damages which shall be recovered in this action.”]

And C. D. has appeared, by —, his attorney, [*or in person*], to the said writ, and has been ordered to give bail, pursuant to the statute, and has failed so to do: therefore it is considered that the said [*Here insert name of landlord*] do recover possession of the land in the said writ mentioned, with the appurtenances, together with £— for costs of suit.

SCHEDULE (B.)

FORMS OF PLEADINGS.

STATEMENTS OF CAUSES OF ACTION.

On Contracts.

1. Money payable by the defendant to the plaintiff for [*these words "money payable," &c., should precede money counts, like 1 to 14, but need only be inserted in the first*] goods bargained and sold by the plaintiff to the defendant.
2. Work done and materials provided by the plaintiff for the defendant at his request.
3. Money lent by the plaintiff to the defendant.
4. Money paid by the plaintiff for the defendant at his request.
5. Money received by the defendant for the use of the plaintiff.
6. Money found to be due from the defendant to the plaintiff on accounts stated between them.
7. A message and lands sold and conveyed by the plaintiff to the defendant.
8. The goodwill of a business of the plaintiff, sold and given up by the plaintiff to the defendant.
9. The defendant's use, by the plaintiff's permission, of messages and lands of the plaintiff.
10. The defendant's use, by the plaintiff's permission, of a fishery of the plaintiff.
11. Fines payable by the defendant as tenant of customary tenements of the manor of — to the plaintiff as lord of the said manor, for the admission of the defendant into the said customary tenements.
12. The hire of [*as the case may be*], by the plaintiff let to hire to the defendant.
13. Freight for the conveyance by the plaintiff for the defendant, at his request, of goods in ships.
14. The demurrage of a ship of the plaintiff kept on demurrage by the defendant.
15. That the defendant on the — day of —, A. D. —, by his promissory note, now overdue, promised to pay to the plaintiff £— [*two*] months after date, but did not pay the same.

16. That one A., on &c., [date], by his promissory note, now overdue, promised to pay to the defendant, or order, £— [two] months after date; and the defendant indorsed the same to the plaintiff; and the said note was duly presented for payment, and was dishonoured, whereof the defendant had due notice, but did not pay the same.

17. That the plaintiff, on &c., [date], by his bill of exchange, now overdue, directed to the defendant, required the defendant to pay to the plaintiff £— [two] months after date; and the defendant accepted the said bill, but did not pay the same.

18. That the defendant, on &c., [date], by his bill of exchange, directed to A., required A. to pay to the plaintiff £— [two] months after date; and the said bill was duly presented for acceptance, and was dishonoured, of which the defendant had due notice, but did not pay the same.

19. That the plaintiff and defendant agreed to marry one another, and a reasonable time for such marriage has elapsed, and the plaintiff has always been ready and willing to marry the defendant, yet the defendant has neglected and refused to marry the plaintiff.

20. That the plaintiff and defendant agreed to marry one another on a day now elapsed, and the plaintiff was ready and willing to marry the defendant on that day, yet the defendant neglected and refused to marry the plaintiff.

21. That the defendant, by warranting a horse to be then sound and quiet to ride, sold the said horse to the plaintiff, yet the said horse was not then sound and quiet to ride.

22. That the plaintiff and the defendant agreed by charter-party that the plaintiff's ship, called The Ariel, should with all convenient speed sail to R., or so near thereto as she could safely get, and that the defendant should there load her with a full cargo of tallow or other lawful merchandise, which she should carry to H., and there deliver on payment of freight, £— per ton, and that the defendant should be allowed ten days for loading, and ten for discharge, and ten days for demurrage, if required, at £— per day; and that the plaintiff did all things necessary on his part to entitle him to have the agreed cargo loaded on board the said ship at R., and that the time for so doing has elapsed, yet the defendant made default in loading the agreed cargo.

23. That the plaintiff let to the defendant a house, No. 401, Piccadilly, for seven years, to hold from the — day of —, A. D. —, at £— a year, payable quarterly, of which rent — quarters are due and unpaid.

24. That the plaintiff by deed let to the defendant a house, No. 401, Piccadilly, to hold for seven years from the — day of —, A. D. —, and the defendant by the said deed covenanted with the plaintiff well and substantially to repair the said house during the said term, [according to the covenant], yet the said house was during the said term out of good and substantial repair.

For Wrongs independent of Contract.

25. That the defendant broke and entered certain land of the plaintiff, called the Big Field, and depastured the same with cattle.

26. That the defendant assaulted and beat the plaintiff, gave him into custody to a policeman, and caused him to be imprisoned in a police office.

27. That the defendant debauched and carnally knew the plaintiff's wife.

28. That the defendant converted to his own use, or wrongfully deprived the plaintiff of the use and possession of the plaintiff's goods; that is to say, iron, hops, household furniture, [or as the case may be.]

29. That the defendant detained from the plaintiff his title-deeds of land called Belmont, in the county of —; that is to say, [describe the deeds.]

30. That the plaintiff was possessed of a mill, and by reason thereof was entitled to the flow of a stream for working the same, and the defendant, by cutting the bank of the said stream, diverted the water thereof away from the said mill.

31. That the plaintiff was the first and true inventor of a certain new manufacture; that is to say, of "certain improvements in the manufacture of sulphuric acid;" and thereupon her Majesty Queen Victoria, by letters-patent under the Great Seal of England, granted the plaintiff the sole privilege to make, use, exercise, and vend the said invention within England for the term of fourteen years from the — day of —, A. D. —, subject to a condition that the plaintiff should, within six calendar months next after the date of the said

letters-patent, cause to be enrolled in the High Court of Chancery an instrument in writing under his hand and seal, particularly describing and ascertaining the nature of his said invention, and in what manner the same was to be and might be performed, and the plaintiff did within the time prescribed fulfil the said condition, and the defendant during the said term did infringe the said patent right.

32. That the defendant falsely and maliciously spoke and published of the plaintiff the words following; that is to say, "he is a thief;"

[if there be any special damage, here state it with such reasonable particularity as to give notice to the defendant of the peculiar injury complained of; for instance];

whereby the plaintiff lost his situation as gamekeeper in the employ of A.

33. That the defendant falsely and maliciously printed and published of the plaintiff, in a newspaper, called —, the words following; that is to say, "he is a regular prover under bankruptcies," the defendant meaning thereby that the plaintiff had proved and was in the habit of proving fictitious debts against the estates of bankrupts, with the knowledge that such debts were fictitious.

COMMENCEMENT OF PLEA.

34. The defendant, by —, his attorney, [or in person], says [here state the substance of the plea.]

35. And for a second plea the defendant says [here state the second plea.]

Pleas in Actions on Contracts.

36. That he never was indebted as alleged.

[This plea is applicable to declarations like those numbered 1 to 14.]

37. That he did not promise as alleged.

[This plea is applicable to other declarations on simple contracts, not on bills and notes, such as those numbered 19 to 22. It would be unobjectionable to use "did not warrant," "did not agree," or any other appropriate denial.]

38. That the alleged deed is not his deed.

39. That the alleged cause of action did not accrue within six years [state the period of limitation applicable to the case] before this suit.

40. That before action he satisfied and discharged the plaintiff's claim by payment.

41. That the plaintiff at the commencement of this suit was, and still is, indebted to the defendant in an amount equal to the plaintiff's claim, for [here state the cause of set-off, as in a declaration; see Forms, ante] which amount the defendant is willing to set off against the plaintiff's claim.

42. That after the alleged claim accrued, and before this suit, the plaintiff by deed released the defendant therefrom.

Pleas in Actions for Wrong independent of Contract.

43. That he is not guilty.

44. That he did what is complained of by the plaintiff's leave.

45. That the plaintiff first assaulted the defendant, who thereupon necessarily committed the alleged assault in his own defence.

46. That the defendant, at the time of the alleged trespass, was possessed of land, the occupiers whereof for twenty years before this suit enjoyed as of right, and without interruption, a way on foot and with cattle from a public highway over the said land of the plaintiff to the said land of the defendant, and from the said land of the defendant over the said land of the plaintiff to the said public highway, at all times of the year, for the more convenient occupation of the said land of the defendant, and that the alleged trespass was a use by the defendant of the said way.

47. That the defendant, at the time of the alleged trespass, was possessed of land, the occupiers whereof for thirty years before this suit enjoyed as of right, and without interruption, common of pasture over the said land of the plaintiff for all their cattle, levant and couchant, upon the said land of the defendant, at all times of the year, as to the said land of the defendant appertaining, and that the alleged trespass was a use by the defendant of the said right of common.

REPLICATIONS.

48. The plaintiff takes issue upon the defendant's first, second, &c., pleas.

49. The plaintiff as to the second plea says [*here state the answer to the plea as in the following Forms.*]

50. That the alleged release is not the plaintiff's deed.

51. That the alleged release was procured by the fraud of the defendant.

52. That the alleged set-off did not accrue within six years before this suit.

53. That the plaintiff was possessed of land whereon the defendant was trespassing and doing damage, whereupon the plaintiff requested the defendant to leave the said land, which the defendant refused to do; and thereupon the plaintiff gently laid his hands on the defendant in order to remove him, doing no more than was necessary for that purpose, which is the alleged first assault by the plaintiff.

54. That the occupiers of the said land did not for twenty years before this suit enjoy as of right and without interruption the alleged way.

NEW ASSIGNMENT.

55. The plaintiff, as to the — and — pleas, says, that he sues not for the trespasses therein admitted, but for trespasses committed by the defendant in excess of the alleged rights, and also in other parts of the said land and on other occasions, and for other purposes than those referred to in the said pleas.

[*If the plaintiff replies and new assigns, the new assignment may be as follows:—*]

56. And the plaintiff, as to the — and — pleas, further says, that he sues not only for the trespasses in those pleas admitted, but also for &c.

[*If the plaintiff replies and new assigns to some of the pleas, and new assigns only to the other, the form may be as follows:—*]

57. And the plaintiff, as to the — and — pleas, further says, that he sues not for the trespasses in the — pleas [*the pleas not replied to*] admitted, but for the trespasses in the — pleas [*the pleas replied to*] admitted, and also for &c.

(*To be continued.*)

London Gazettes.

FRIDAY, AUGUST 27.

BANKRUPTS.

GEORGE BOLTON, Albany-street, Regent's-park, Middlesex, coachmaker, dealer and chapman, Sept. 13 at 1, and Oct. 5 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Surr & Gribble, 80, Lombard-street, London.—Petition filed Aug. 26.

HENRY BROMAGE ROBERTS, Nicholas-lane, London, and Ann-street, Britannia-fields, Middlesex, tailor and draper, dealer and chapman, Sept. 6 at 1, and Oct. 8 at 2, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Aug. 24.

EDWARD HALFORD DALBY, Hornsey-road, Middlesex, butcher, dealer and chapman, Sept. 6 at half-past 11, and Oct. 8 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Neal, 5, Austin-friars.—Petition filed Aug. 26.

PATRICK HAYES, Widnes, Lancashire, oil manufacturer, (carrying on business under the firm of Patrik Hayes & Co.), Sept. 6 and 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Payne, Liverpool.—Petition filed Aug. 21.

MEETINGS.

Henry Norman Barnes, Margareting, Essex, milkman, Sept. 9 at 12, Court of Bankruptcy, London, aud. ac.—Thos. Hughes, Newport, Monmouthshire, shipowner, Sept. 9 at 11, District Court of Bankruptcy, Bristol, aud. ac.—Samuel Mason, Newcastle-under-Lyne, Staffordshire, draper, Sept. 21 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Sept. 25 at half-past 11, fin. div.—Thomas Dalton and Thos. Edwards, Birmingham, ironfounders, Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—Richard Fowke, Wolverhampton, Staffordshire, chemist, Sept. 21 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; Sept. 25 at half-past 11, fin. div.—

Richard Hayling the younger, Hereford, grocer, Sept. 21 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—William Royde Fearn, Birmingham, draper, Sept. 21 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; Sept. 25 at half-past 11, div.—John Septimus Marygold, Tipton, Staffordshire, provision dealer, Sept. 21 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—Philemon Augustine Morley, Great-bridge, Staffordshire, iron manufacturer, Sept. 25 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles Rogers, Camborne, Cornwall, draper, Sept. 28 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Charles Louis Kelly, Artillery-place, Woolwich, Kent, grocer.—John Stafford, West Smithfield, London, tailor.—Sarah Curson and George Curson, Exeter, booksellers.—George Augustus Davis, Skinner-st., London, distiller.—D. Lloyd Williams, Cwmnantywar Colliery, Thornhill, Carmarthenshire, and Albert-st., Camden-town, Middlesex, coal owner.—John Marsden, Manchester, laceman.

PETITION ANNULLLED.

Samuel Pownceby, High-street, Shadwell, stationer, and Munster-st., Regent's-park, Middlesex, victualler.

SCOTCH SEQUESTRATIONS.

Charles Hutcherson, Glasgow, merchant.—James Hogg, Southfield, by Lauder, farmer.—Robert Thomson, Leith, carter.—John M' Lachin, Glasgow, carter.—Thos. Buchan & Co., Leith, wood merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Merritt, Birmingham, pin manufacturer, Sept. 4 at 10, County Court of Warwickshire, at Birmingham.—T. Gardiner, Birmingham, tailor, Sept. 4 at 10, County Court of Warwickshire, at Birmingham.—George Allen, Birmingham, baker, Sept. 4 at 10, County Court of Warwickshire, at Birmingham.—Edw. Bowker, Chester, coach builder, Aug. 31 at 11, County Court of Cheshire, at Chester Castle.—D. Jones, Swansea, Glamorganshire, joiner, Sept. 16 at 10, County Court of Glamorganshire, at Swansea.—S. Daniel, Cardiff, Glamorganshire, butcher, Sept. 11 at 10, County Court of Glamorganshire, at Cardiff.—Anthony Page, Dursley, Gloucestershire, attorney's clerk, Sept. 27 at 11, County Court of Gloucestershire, at Dursley.—H. Grundy, Nottingham, chemist, Sept. 9 at 9, County Court of Nottinghamshire, at Nottingham.—John Leake Heighton, Nottingham, commission agent, Sept. 9 at 9, County Court of Nottinghamshire, at Nottingham.—George Fairless, Dunston, Durham, joiner, Sept. 15 at 10, County Court of Durham, at Gateshead.—J. Gray, Heworth Shore, Durham, steam-boat captain, Sept. 15 at 10, County Court of Durham, at Gateshead.—M. Hastings, North Shields, Tynemouth, Northumberland, publican, Sept. 17 at half-past 10, County Court of Northumberland, at North Shields.—J. Wood, Cowpen, Horton, Woodhorn, Northumberland, publican, Sept. 17 at half-past 10, County Court of Northumberland, at North Shields.—John Newton, Dukinfield, Cheshire, grocer, Sept. 9 at 12, County Court of Lancashire, at Ashton-under-Lyne.—John Moss, Chester, out of business, Aug. 31 at 11, County Court of Cheshire, at Chester.—Geo. Hardwick, Bristol, beer retailer, Oct. 13 at 11, County Court of Gloucestershire, at Bristol.—John Thomas, Bristol, marble mason, Sept. 22 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner L.A.W.

Pierce Rice, Princes-street, Drury-lane, Middlesex, dealer in fruit.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Frederick Wm. Austin, Bridport-place, Hoxton Old-town, Middlesex, mathematical instrument maker.

Nov. 17 at 11, before the CHIEF COMMISSIONER.

Wm. Karvaker, Winchester-place, Summer-street, Commercial-road, Peckham, Surrey, baker.

ERRATA.—In the Gazette of Tuesday, Aug. 24, (ante, p. 302), in the cases of *George Raffey* and *Amrose Wm. Warren*, advertised for hearing for the "18th" November, read the "17th."

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 13 at 11, before the CHIEF COMMISSIONER.

W. Cutbush, Hercules-buildings, Westminster-road, Lambeth, Surrey, selling goods on commission.—*Fred. Coventry*, Swan-place, Old Kent-road, Surrey, builder.—*George Henry de Strabolgie Neville Plantagenet Harrison*, North-bank, Regent's-park, Middlesex, not in any business.

Sept. 13 at 10, before Mr. Commissioner LAW.

Newman Sapsford, Gloucester-place, Portland-street, Walworth, Surrey, foreman to a bookbinder.—*Jas. T. Lingham*, Outwell-terrace, Clapham-rd., Surrey, clerk in the Solicitor's office for Stamps and Taxes, Somerset-house, Strand, Middlesex.—*Jabez Miller*, High-street, Stoke Newington, Middlesex, linendraper.

Sept. 13 at 11, before Mr. Commissioner PHILLIPS.

Chas. J. Culliford, Southampton-street, Strand, Middlesex, lithographic draughtsman.—*John Whittle*, Haverhill-street, Commercial-road East, Middlesex, out of business.—*Edw. Taylor*, Noel-street, Islington, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Richard Bonser, Manchester, grocer, No. 75,286; *Thomas Horner*, assignee.—*Samuel Morley*, Chorlton-upon-Medlock, Manchester, out of business, No. 75,410; *J. Roberts*, assignee.—*Abraham Saxon*, Ashton-under-Lyne, licensed victualler, No. 75,412; *John B. Carr*, assignee.—*Roger Coupe*, Goosnargh, near Preston, out of business, No. 75,406; *Mary Ann Anderton*, assignee.—*Wm. Henshaw*, Edgeley, near Stockport, Cheshire, joiner, No. 75,390; *John Longson*, assignee.—*Hugh M'Corquodale*, Golborne, Newton-in-the-Willows, near Warrington, out of business, No. 75,480; *J. Harbottle*, assignee.—*Wm. Halliday*, Liverpool, licensed victualler, No. 75,460; *Wm. Quarrell*, assignee.—*Joseph Thompson*, Liverpool, licensed victualler, No. 75,452; *Geo. Mason*, assignee.—*D. Quigley*, Liverpool, shoemaker, No. 75,447; *W. Brew*, assignee.—*John Beckett*, Davyhulme, near Manchester, out of business, No. 75,441; *John Milnes*, assignee.—*D. Douglas*, Hulme, Manchester, joiner, No. 75,444; *John Farrington*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Sept. 10 at 11.

James Lowe, Pendleton, Salford, corn merchant.—*Edward Michelson*, Manchester, cap manufacturer.—*John Craven*, Birkenhead, out of business.—*Wm. Davies*, Oldham, cabinet maker.—*Daniel Luke*, Manchester, out of business.—*Thomas Perry*, Liverpool, builder.—*Joseph Porter*, Dukinfield, near Ashton-under-Lyne, out of business.—*Thomas O. Dobson*, Liverpool, farmer.—*Thomas Carter*, Birkenhead, near Liverpool, coal dealer.—*J. M'Carley*, Manchester, cabinet maker.—*Charles Kitson*, Lancaster, stonemason.—*William Clegg*, Liverpool, out of business.—*W. Brown*, Hulme, Manchester, beer-seller.—*Wm. Jackson*, Liverpool, commercial traveller.—*Isaac Rutter*, Manchester, fruiterer.—*Edward Evans*, Salford, licensed retailer of beer.—*Henry Johnson*, Blackburn, tailor.—*John Aitken*, Salford, joiner.—*John Holmes*, Hulme, Manchester, cabinet maker.

At the County Court of Devonshire, at EXETER, Sept. 11 at 10.

Samuel Lovering, Exeter, out of business.—*John Youldon*, Exmouth, tailor.

At the County Court of Glamorganshire, at CARDIFF, Sept. 11.

Thos. Harwood, Swansea, attorney.—*J. Thomas*, Village, mineral surveyor.

At the County Court of Gloucestershire, at BRISTOL, Sept. 15 at 11.

Henry J. Braham, Bristol, optician.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Sept. 21 at 10.

Stephen A. Cooke, Cawston, near Reepham, clerk.

At the County Court of Monmouthshire, at MONMOUTH, Sept. 22 at 11.

David Parry, Treonant, retailer of beer.—*Henry Mallett*, Pantegally, Llantillo, Pertholey, railway contractor.

TUESDAY, AUGUST 31.

BANKRUPTS.

WILLIAM HOARE, late of Portland-cottage, Kentish-town, Middlesex, but now of Manor-place, Walworth-road, Surrey, bricklayer and builder, Sept. 6 at 2, and Oct. 15 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Lee, 55, Regent-square, St. Pancras.—Petition filed Aug. 20.

GEORGE BATTERSBY, Turnham-green, Chiswick, Middlesex, victualler, dealer and chapman, Sept. 13 at half-past 12, and Oct. 12 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Gammon, 9, Cloak-lane, London.—Petition filed Aug. 21.

HENRY TAINSH, Hatton-garden, Middlesex, dealer in Bibles, Prayer-books, and fancy goods, Sept. 13 at half-past 2, and Oct. 19 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Digby, 1, Circus-place, Finsbury-circus, London.—Petition filed Aug. 28.

THOMAS SPURGING, Road-side, Mile-end-road, Middlesex, victualler, dealer and chapman, Sept. 13 at 2, and Oct. 12 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Roberts, 8, Barge-yard-chambers, Bucklersbury, London.—Petition filed Aug. 27.

ROBERT FULKES, Park-street, Camden-town, Middlesex, ironmonger, dealer and chapman, Sept. 13 at half-past 1, and Oct. 12 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Oxley, Rotherham, Yorkshire; Surr & Gribble, 80, Lombard-street, London.—Petition filed Aug. 19.

HOWARD JAMES and **THOMAS JAMES**, Rushall-mills, Rushall, Staffordshire, millers, dealers and chapmen, Sept. 23 and Oct. 5 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Reece, Birmingham.—Petition dated Aug. 27.

FREDERICK WALE, Leicester, draper, Sept. 10 and Oct. 8 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Hawker, Leicester; Hodgson, Birmingham.—Petition dated Aug. 7.

EDWIN HENRY GRIFFIN, late of Valparaiso, Chile, South America, merchant, dealer and chapman, but now of Liverpool, (and now or lately carrying on business at Valparaiso in partnership with Robert Struthers, under the style or firm of E. H. Griffin), Sept. 13 and Oct. 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Ewer, Liverpool.—Petition filed Aug. 20.

JOHN CRAVEN, late of Birkenhead, Cheshire, grocer and flour dealer, but now a prisoner for debt in the Castle of Lancaster, Sept. 9 and Oct. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool.—Petition dated Aug. 23.

MEETINGS.

John Hick, Wakefield, Yorkshire, corn merchant, Sept. 21 at 11, District Court of Bankruptcy, Leeds, last ex.—*Thomas Crocker*, Wisbeach, Ely, Cambridgeshire, sail maker, Sept. 14 at 11, Court of Bankruptcy, London, and ac.—*Eliza Babb*, Grosvenor-street West, Eaton-square, Middlesex, dressmaker, Sept. 15 at 11, Court of Bankruptcy, London, and ac.—*W. R. Carter*, Ingram-court, Fenchurch-st., London, wine merchant, Sept. 15 at half-past 11, Court of Bankruptcy, London, and ac.—*William Soiff*, Percival-st., Clerkenwell, Middlesex, clock maker, Sept. 15 at half-past 12, Court of Bankruptcy, London, and ac.—*John Brown Drew*, Williams-buildings, Old-street-road, Middlesex, carpenter, Sept. 13 at half-past 11,

Court of Bankruptcy, London, and. as.—*Wm. Goldsmith*, Benhall, Suffolk, corn merchant, Sept. 23 at 11, Court of Bankruptcy, London, fin. div.—*James Brotherton*, Liverpool, merchant, Sept. 23 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Baker and *George Baker* the younger, Thread-needle-street, London, stockbrokers, Sept. 23 at 12, Court of Bankruptcy, London.—*James Black*, Bucklersbury, London, wine merchant, Sept. 23 at half-past 1, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Thomas Mills, Lisidloes, Montgomeryshire, grocer.—*Thomas Pearce* and *Wm. Thackray*, Sunderland, Durham, timber merchants.

FIAT ANNULLED.

Thomas Lindfield the younger, Staahope-st., Hampstead-road, Middlesex, builder.

PETITION ANNULLED.

James Hurn, Godney Hill, Lincolnshire, miller.

PARTNERSHIP DISSOLVED.

Charles Savery, *Edward Clark*, *James Flower Fussell*, and *Foskett Savery*, Bristol, attorneys and solicitors, (under the firm of Savery, Clark, & Co., so far as regards *Foskett Savery*).

SCOTCH SQUEWERATIONS.

Robert Smart, Milngavie, Stirlingshire, surgeon.—*Robert Aitken*, Edinburgh, leather factor.—*John Cruickshank*, Marcellis, near Forres, dealer in cattle.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

J. Wilkinson, Paddock, Huddersfield, Yorkshire, stonemason, Sept. 16 at 10, County Court of Yorkshire, at Huddersfield.—*S. Stump*, St. Sidwell, Exeter, brickmaker, Sept. 11 at 10, County Court of Devonshire, at Exeter.—*Richard Browning*, Exeter, shoemaker, Sept. 11 at 10, County Court of Devonshire, at Exeter.—*Richard W. Clappitt*, Exeter, ale and porter agent, Sept. 11 at 10, County Court of Devonshire, at Exeter.—*Vincent Capella*, Coventry, Warwickshire, out of business, Sept. 14 at 10, County Court of Warwickshire, at Coventry.—*Thomas Pulley*, Coventry, Warwickshire, ironmonger, Sept. 14 at 10, County Court of Warwickshire, at Coventry.—*Daniel D. Howard*, Coventry, Warwickshire, box dealer, Sept. 14 at 10, County Court of Warwickshire, at Coventry.—*Joseph Greenway*, Coventry, Warwickshire, out of business, Sept. 14 at 10, County Court of Warwickshire, at Coventry.—*Robert Lewis*, Ty Cylog, St. John, near Cardiff, Glamorganshire, labourer, Sept. 11 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Hedley*, Bishopwearmouth, Durham, grocer, Sept. 22 at 10, County Court of Durham, at Sunderland.—*Geo. Hindmarch*, Sunderland, Durham, tailor, Sept. 22 at 10, County Court of Durham, at Sunderland.—*Wm. Herbert*, Rugby, Warwickshire, relieving officer, Sept. 16 at 10, County Court of Warwickshire, at Rugby.

Saturday, Aug. 28.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Rich. Antram, Slapton, Devonshire, clerk, No. 75,081 C.; *Thomas Harvey* and *John Blakter*, assignees.—*Abraham Saxon*, Ashton-under-Lyne, Lancashire, licensed victualler, No. 75,412 C.; *John Bentley Carr*, assignee.—*George Plummer*, Hastings, Sussex, carpenter, No. 76,431 C.; *Henry Dunk*, assignee.

Saturday, Aug. 28.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Richards, James-street, New-cut, Lambeth, Surrey, pie-man: in the Queen's Prison.—*John M'Carney*, Minerva-terrace, Barnsbury-park, Islington, Middlesex, traveller to a

warehouseman: in the Debtors Prison for London and Middlesex.—*Elizabeth Grant*, Bedford-street, Strand, Middlesex, dairywoman: in the Debtors Prison for London and Middlesex.—*Alfred Wray Darling*, Stanley-st., Chelsea, Middlesex, collector of rents: in the Debtors Prison for London and Middlesex.—*Hockley Frederick Wood*, Crescent-terrace, Millbank, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*John Sisy*, Charrington-street, St. Pancras, Middlesex, salesman to a brewer: in the Debtors Prison for London and Middlesex.—*John Robson*, Addiscomb, Croydon, Surrey, farm labourer: in the Gaol of Surrey.—*Joseph Rowley Porter*, Howard-st., Strand, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Edward Drewry*, Southampton-place, Camberwell, Surrey, manager at a brewery: in the Queen's Prison.—*Chas. Somers*, Paulton-square, Chelsea, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*William Mason*, Edmund's-place, Aldersgate-st., London, optician: in the Debtors Prison for London and Middlesex.—*Henry Reeve*, Morton-terrace, Kantiish-town, Middlesex, assistant to a surgeon: in the Debtors Prison for London and Middlesex.—*Geo. Davies*, Barnet-grove, Hart's-lane, Bethnal-green, Middlesex, horsekeeper to a cabriolet proprietor: in the Debtors Prison for London and Middlesex.—*Kate Elizabeth Verity*, spinster, Montague-st., Portman-square, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*George Jos. Murray*, Devonshire-st., Queen-square, Bloomsbury, Middlesex, furniture commission broker: in the Debtors Prison for London and Middlesex.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 14 at 11, before the CHIEF COMMISSIONER.

Thos. James, Great Portland-st., near Portland-place, Middlesex, baker.—*Richard Perkins*, Burton-st., Compton-st., Walworth-common, Surrey, plasterer.—*William Pullam* the elder, Hyde-place, Hoxton Old-town, Middlesex, wholesale milliner.

Sept. 14 at 10, before Mr. Commissioner LAW.

John Morgan Whitehurst, Prospect-place, Maida-hill, Paddington, Middlesex, in no trade.—*Ruben Michael*, City-terrace, City-road, Middlesex, in no business.—*David Jacobs*, Middlesex-st., Whitechapel, Middlesex, retailer of fish.

Sept. 14 at 11, before Mr. Commissioner PHILLIPS.

Charles B. Fletcher, Tyssen-place, Shacklewell-green, and Amyerst-terrace, Shacklewell-road, Middlesex, carpenter.—*Thomas Dewey*, Gresham-street, London, licensed victualler.—*Z. Lloyd*, Tyssen-place, Shacklewell-green, and Amyerst-terrace, Shacklewell-road, Middlesex, carpenter.

Sept. 15 at 11, before the CHIEF COMMISSIONER.

Robert Osborn, Little Randolph-street, Camden-town, Middlesex, carpenter.—*Wm. P. Soufies*, Newgate-market, London, meat salesman.—*Charles Newall*, Vassall-road, North Brixton, Surrey, foreman to a carman.

Sept. 15 at 10, before Mr. Commissioner LAW.

James Ayres, King-street, Hammersmith, Middlesex, shoe manufacturer.—*George Johnson*, Jacob's-well Mews, Manchester-square, Middlesex, and Sexton-street, Long-lane, Bermondsey, Surrey, cabriolet driver.—*Henry Mapple*, Child's-hill, Hendon, Middlesex, clockmaker.

Sept. 15 at 11, before Mr. Commissioner PHILLIPS.

E. G. Papworth, Newman-street, Oxford-street, Middlesex, artists' modeller.—*John Smith*, Montague-terrace, Kingsland, Middlesex, commission traveller.—*Jos. H. Wetton*, North Audley-street, St. George's, Hanover-square, Middlesex, foreman to a news-vender.

Sept. 16 at 11, before the CHIEF COMMISSIONER.

Thomas Ashby, Kensal-road, Kensal New-town, Harrow-road, Middlesex, baker.—*James Wood*, Somers-town-terrace, Ossulston-street, Somers-town, Middlesex, pianoforte maker.

Sept. 16 at 10, before Mr. Commissioner LAW.

John Clark, Stamford-street, Blackfriars-road, Surrey, engineer.—*John Bath*, Strand, Middlesex, cabinet maker.

Sept. 16 at 11, before Mr. Commissioner PHILLIPS.

Charles Squire, Old Fish-street, Doctors'-commons, London, carver.—*Wm. Routh*, Harswood-square, Dorset-square, Marylebone, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Sept. 14 at 10.

John Pickard, Bedworth, weaver.

At the County Court of Kent, at DOVER, Sept. 15 at 10.

Mary Ann Wright, widow, Margate, brewer.—Chas. T. Sansom, Dover, clerk to the Masters of the Court of Queen's Bench.

At the County Court of Carmarthenshire, at CARMARTHEN, Sept. 15 at 10.

John L. Williams, Carmarthen, victualler.

At the County Court of Suffolk, at IPSWICH, Sept. 17 at 10.

James Saunders, Ipswich, grocer.—Geo. B. Baker, Combs, near Stowmarket, not following any business.—John Barker, Winesham, near Ipswich, innkeeper.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. Coleman, Hemmings-row, St. Martin's-lane, Middlesex, shirt maker: 3s. 7½d. in the pound.—Edward W. Hay, Kingsbury-green, near Edgware, Middlesex, clerk in the War Office: 20s. in the pound.—Wm. C. Austin, Strand, Middlesex, out of business: 2s. 1d. in the pound.—Richard Howling, High-street, Poplar, Middlesex, china dealer: 4s. 1½d. in the pound.—Joseph Caves, Mount-pleasant, Clerkenwell, Middlesex, wheelwright: 8½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

The Queen has been pleased to appoint William à Beckett, Esq., to be Chief Justice, and Redmond Barry, Esq., to be Puisne Judge, of the Supreme Court of the colony of Victoria; James Simpson, Esq., to be Sheriff of that colony; and James Denham Pinnock, Esq., to be Registrar of the Supreme Court of that colony. Also, William Arrindell, Esq., to be Chief Justice of the colony of British Guiana; Robert R. Craig, Esq., to be her Majesty's Attorney-General, and John Lucie Smith, Esq., to be her Majesty's Solicitor-General, for that colony.

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The Jurist

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PRICE 1s.

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LONDON, SEPTEMBER 11, 1852.

We regret to see that the New Orders in Chancery, printed in our last number, do not extend the printing of the pleadings beyond printing bills and claims. The result will be, we are afraid, inconvenience rather than convenience. If all the pleadings and the evidence (that is, wherever it would be formally written, and form part of the brief) were printed, great convenience would result throughout the progress of a suit, it being familiar to every one, that a page of clear print is read more quickly, and with less mental fatigue, than an equivalent quantity of writing; we say nothing of the diminution of bulk and weight, no mean practical advantage in these days, when personally or vicariously every man engaged in business, has to transport papers over an average distance of four or five miles per day. But a printed bill, which will rarely be above three or four pages, with, as the Orders require it, interleaved pages of paper, will be rather a nuisance than otherwise. We can attach no value, therefore, to printing the bill, except in so far as it may be intended to lead, and may lead, to the general substitution of printing for writing the pleadings.

The doubt which appeared to arise upon the act, whether oral cross-examination of a witness, who has given his evidence in chief upon affidavit, is to be applied to an interlocutory application, as well as to the hearing of the cause, is cleared up by the 37th Order, which directs, that "where it is desired to cross-examine any party, whether a party to the cause or matter or not, who has made an affidavit to be used, or which shall be used, on any claim, motion, petition, or other proceeding before the Court, not being the hearing of a cause, the party desiring so to cross-examine such de-

ponent shall give such notice to the opposite party as is required by Order 34, with reference to the cross-examination of a witness who has made an affidavit to be used on the hearing of a cause;"—specifically, therefore, applying cross-examination of the witnesses upon affidavit, to interlocutory applications. But as the 39th clause of the act speaks of oral examination in court, only in reference to the *hearing* of the cause; and as the 31st clause of the act directs generally that oral evidence shall be taken before the examiners; and as the 37th Order seems only to refer to cross-examination before an examiner, it is probable, that, on a motion, oral cross-examination in court, of the persons who have made affidavits, will not be allowed. If this should be the true construction of the Act and Orders, we must take leave to repeat the observation made in a previous number of *The Jurist*, (ante, p. 249), that the omission is a great mistake, inasmuch as there is no class of business in which the examination of the witnesses in open court is so much wanted, as in motions for injunctions, and the like; and particularly now that, by the 62nd clause of the act, the Court is to determine the legal right of a party seeking equitable relief founded upon such legal right—a clause evidently pointed at motions for injunctions in aid of legal rights—it would be most desirable that the Court should have every means of ascertaining correctly the facts, so as not to be driven to direct a trial before a jury, but to be able to determine at once all the questions before it.

The form of bill given in Schedule (B.) is a great improvement upon the old bill, though there is still retained in it something of the old style. The fourth and fifth paragraphs, for instance, stating the frequent applications and refusals, and the pretences of the defend-

ants, might, we should have thought, be usefully abandoned. They are, except in very special cases, omitted in the best drawn modern bills; and it seems a pity that General Orders should now lead them the aid of their countenance and authority.

The common injunction, with all its intricate consequences and technical learning, seems gone for ever; the effect of the 58th clause of the act and the 45th Order together, being to substitute for it a special application, like an application for any other special injunction upon the merits.

Upon this subject it is to be observed also, that by the 59th clause of the act, the rule of giving peculiar credit to the answer on certain motions is abolished; so that, under the new practice, there will be no shutting out of the plaintiff's evidence as to title, on motions for injunctions, and certain other motions; and this new practice, as well as all the practice under the Orders upon evidence, it seems, will apply to motions in old as well as in new suits. The 39th Order, limiting the application of the Orders upon evidence, to suits in which issue shall not have been joined till after the 2nd of November, only applies to the *hearing* of the cause; and there is nothing, either in the Act or the Orders, limiting the application of the 59th clause to motions in new suits.

But having regard to the 39th Order, it will be well, in any suit recently instituted, for the party who deems it his interest to avail himself of the new practice, to avoid putting the cause at issue before the 2nd of November; since, if he does allow issue to be joined, the old practice alone will apply.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIA.—SESSION 5.

(Continued from p. 317).

CAP. LXXVII.

An Act to abolish the Office of Lord Chancellor's Secretary of Bankrupts, and to regulate the Office of Chief Registrar of the Court of Bankruptcy. [30th June, 1852.]

1. Office of secretary of bankrupts abolished.
2. Appointment of the chief registrar of the Court of Bankruptcy.
3. Vacancies in office of chief registrar to be filled up from the registrars.
4. Declaration of insolvency to be filed in office of chief registrar.
5. Certificates of unclaimed dividends to be filed in office of chief registrar.
6. Certified copy of declaration of insolvency to be evidence.
7. Retiring allowance to Mr. Robert Brown.
8. Appointment of chief clerk in the office of the chief registrar.
9. All acts done since death of late chief registrar made valid.
10. Present registrar to continue.
11. Office of clerk of enrolments abolished, and duties transferred to office of chief registrar.
12. Compensation to clerk of enrolments.
13. Interpretation of terms.
14. Commencement of act.

CAP. LXXVIII.

An Act to enable the Commissioners of her Majesty's Works and Public Buildings to complete Improvements in Pimlico and in the Neighbourhood of Buckingham Palace. [30th June, 1852.]

CAP. LXXIX.

An Act to amend and further extend the Acts for the Inclosure, Exchange, and Improvement of Land.

[30th June, 1852.]

CAP. LXXX.

An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Dispatch of Business in the said Court. [30th June, 1852.]

1. Office of Master in Ordinary in Chancery abolished.
2. Vacancies in Office of Master not to be filled up.
3. Two of the Masters in Ordinary released from their Duties on the first Day of Michaelmas Term, 1852, &c. Proviso as to certain Matters depending before the said Masters.
4. Option to Masters to retire according to Seniority, &c. Power to Lord Chancellor to release remaining Masters.
5. Masters' Salaries and Compensation Allowances continued by Way of retiring Pensions, &c.
6. Retiring Pensions, &c. to be paid in the same Manner as present Salaries.
7. Power to Masters to summon Parties, &c., and to settle and wind up Proceedings before them.
8. Power to Court, upon Master's Report or Certificate, to make Order for Prosecution or final Disposal of any Suit, &c., and for Payment of Costs, &c.
9. On Neglect of Parties to bring Master's Report before the Court, Solicitor to Suitors' Fee Fund to do so, and his Costs provided for.
10. No fresh References to Masters, except in Cases already before them, and in Matters under Winding-up Acts, 1848 and 1849. Until all the Masters are released from their Duties, those remaining shall prosecute all the Business depending. Power now vested in Masters reserved to them for such Purposes.
11. Power to Master of the Rolls and Vice-Chancellors to sit at Chambers for the Dispatch of Business, &c.
12. Power to Lord Chancellor to provide Chambers for the Master of the Rolls and Vice-Chancellors.
13. Judges to have same Power and Jurisdiction as in open Court.
14. Orders made in Chambers to be ordinarily drawn up by Judges' Clerks, but Judges may direct them to be drawn up by Registrars of the Court, and may require their Attendance at Chambers for the Purpose.
15. Orders made at Chambers to have same Force as Orders of Court, &c.
16. Power to Judges to appoint two Chief Clerks to each Court to assist in the Business of the Court.
17. Chief Clerks to Judges to have been Chief Clerks to Masters in Ordinary, or Solicitors or Attorneys of ten Years Practice. Certain Chief Clerks to be Chief Clerks of three of the Equity Judges.
18. Power to Judges to appoint Junior Clerks.
19. Power to Lord Chancellor to remove any Officer appointed under this Act engaging in other Employment, or accepting any Fee or Emolument whatever other than his Salary.
20. Solicitors, &c. appointed to any Office under this Act to be struck off the Rolls.
21. Chief Clerks to hold Office during good Behaviour.
22. And Clerks during Pleasure.
23. Chief and Junior Clerks to be under Control and Direction of Judges.
24. Chief and Junior Clerks subject to same Penalties, &c. as imposed &c. under Act 3 & 4 Will. 4, c. 94, as respects Officers of the Court of Chancery.
25. Power to Lord Chancellor, with Concurrence of Judges, to remove Chief Clerks.
26. Business to be disposed of in Chambers by the Judges.

37. Judges may adjourn from open Court to Chambers, and vice versa, the Consideration of any Matter.
38. Mode of proceeding before Judges at Chambers to be by Summons, as at Common Law.
39. Power to the Judges to direct what Matters, &c. shall be heard and investigated by themselves, and what by their Chief Clerks. Right to Suitor to bring any Point before the Judge.
39. Power to Chief Clerks to issue Advertisements and Summonses, to administer Oaths, &c., as the Judge shall direct.
31. Parties, &c. not attending, liable to Process of Contempt and to Penalties for false swearing, &c.
32. Result of Proceedings before Chief Clerk to be embodied in Form of short Certificate, &c.
33. No Exceptions to lie to Certificate, &c. Parties at Liberty to take Opinion of Judge upon any particular Point.
34. Certificate, &c., signed and adopted by Judge, binding on all Parties, unless discharged or varied.
35. Sects. 13, 14, and 15 of 3 & 4 Will. 4, c. 94, repealed.
36. All Powers possessed by Masters to be exercised by Judges.
37. Power to Judges to exercise the Powers given by Sects. 7, 8, and 9 of this Act, and to dispose of any Cause, &c. in open Court.
38. Power to Lord Chancellor, with Advice, &c. of Judges, to make Rules and Orders for regulating the Mode of Procedure at Chambers, Payment of Fees, &c.
39. Business in Masters' Offices to be conducted in the same Manner as similar Business is conducted by Judges, &c.
40. Power to Judges at Chambers to take Opinion of Conveyancing Counsel in certain Matters. Parties may object to such Opinion, which may be disposed of in Chambers or open Court.
41. Power to Lord Chancellor to nominate not less than six Conveyancing Counsel of ten Years' Practice, &c.
42. Power to obtain the Assistance of Accountants, Merchants, &c.
43. Tusing Master to regulate Fees to Conveyancing Counsel, &c., subject to Appeal.
44. Salary of 1200l. to be paid to each Chief Clerk, and 250l. to each Junior Clerk, with Power to the Lord Chancellor from Time to Time to increase the same to 1500l. and 300l. respectively.
45. Pensions to Chief and Junior Clerks in Cases of permanent Infirmary.
46. On Retirement of Masters, their Chief Clerks to be entitled to retiring Pensions of same Amount as Salary.
47. Compensation to Junior Clerks on Retirement of Masters.
48. Salaries, &c. to be paid quarterly out of the Suitoers' Fee Fund Account.
49. Payment of Compensations to be made quarterly out of Parliamentary Securities.
50. On Appointment of Masters or Clerks to Office or Employment under the Crown, the retiring Pension or Compensation under this Act to be regulated by the Salary, &c. of such Office or Employment.
51. Appropriation of the Masters' Offices in Southampton-buildings.
52. Power to her Majesty to appoint a Vice-Chancellor as Successor to Sir G. J. Turner.
53. Such Vice-Chancellor to have same Power, &c. as Sir G. J. Turner has.
54. Officers and Attendants to the Vice-Chancellor.
55. Salaries of Vice-Chancellor and his Officers to be as at present.
56. Her Majesty may grant retiring Pension to Vice-Chancellor so appointed.
57. Lord Chancellor may appoint Court-keepers.
58. Rights and Establishments of the present Masters to continue until released in pursuance of this Act.
59. Nothing to affect the Rights, &c. of Accountant-General as a Master in Ordinary.

60. The retiring Lord Chancellor may deliver written Judgments within six Weeks after his Resignation.
61. Construction of Terms.

Whereas proceedings before the Masters in Ordinary of the High Court of Chancery are attended with great delay and expense, and it is expedient that the business now disposed of in the office of such Masters should be transacted by and under the more immediate direction and control of the judges of the said court: be it therefore enacted &c. as follows:—

Sect. 1. The office of Master in Ordinary of the High Court of Chancery shall be and the same is hereby abolished, but reserving and subject to the execution by the present Masters in Ordinary of the said court, as such, of the duties hereinafter provided for; and until they are released under this act they shall, for the performance of such duties, continue to have all the powers conferred upon them by any act of Parliament, or otherwise vested in them.

2. No vacancy which has already occurred or may hereafter occur in the office of Master in Ordinary of the said court shall be filled up, nor shall any future Accountant-General be made or become one of the Masters in Ordinary.

3. On the first day of Michaelmas Term, 1852, James William Farrer, Esq., and William Brougham, Esq., two of the Masters in Ordinary of the said court, shall be released from their duties as such Masters; and as often thereafter as, in the judgment of the Lord Chancellor, from the state of business in the said court, any other Master or Masters can be spared, it shall be lawful for the Lord Chancellor to release any such Master or Masters at such time or times as to him shall seem meet: provided always, that nothing in this act contained shall extend to release, or to authorise the Lord Chancellor to release, any of the Masters from attendance upon the House of Lords without the order of the House: provided also, that if, from the nature of any particular matter or matters depending before either of the said Masters hereinbefore respectively named, it shall, in the opinion of the Lord Chancellor, be desirable that such matter or matters should be worked out by or before the same Master before whom the same shall be depending, it shall be lawful for the Lord Chancellor to direct such Master to continue the prosecution of such matter or matters, and such Master shall prosecute the same accordingly, in the same manner and with the same powers in every respect as if he had not been released from his duties under this act.

4. Every Master to be released by the Lord Chancellor shall have the option to retire tendered to him, according to his seniority in office; and if any such Master shall, for one calendar month after such option tendered to him, neglect or decline to avail himself thereof, then the Lord Chancellor may tender the like option to the next in succession in seniority in office, and so toties quoties; but when the Lord Chancellor shall be of opinion that the services of none of the Masters are any longer necessary for the due execution of the business of the said court, it shall be lawful for him to release every remaining Master.

5. Each one of the Masters to be so released on the first day of Michaelmas Term, 1852, shall nevertheless continue entitled to receive during his life, by way of retiring pension, the full amount of his salary as such Master, including the amount of the compensation allowance payable to him as such Master; and every Master who may be so released subsequently to the same first day of Michaelmas Term, 1852, shall also continue entitled to receive, by way of retiring pension, the full amount of his salary as such Master.

6. The salaries or retiring pensions and compensation allowances payable to the Masters so to be released shall continue or be payable out of the same funds, on the days, and in the same manner in all respects, as their present salaries and compensation allowances respectively.

7. In order as expeditiously as may be to wind up all the causes, matters, and things which may from time to time be depending before or have been referred to the Masters in Ordinary of the said court, it shall be lawful for every Master, at any time after the passing of this act, to summon as he shall deem fit all or any of the parties to any cause, matter, or thing so depending, or their solicitors, and thereupon to proceed with such cause, matter, or thing, and give such directions and make such order as he may think necessary for the purpose of settling and winding up the same; but any such order shall be subject to be discharged or varied by the Court upon applica-

tion made for that purpose; and the Master shall be at liberty to proceed for the purposes aforesaid in the absence of any of the parties or solicitors neglecting or refusing to attend the summons.

8. In case the Master shall be unable, by reason of the conduct of parties or otherwise, to finally dispose of any cause, matter, or thing, he shall be at liberty to dispose of any part thereof within his power, and to report or certify on the whole of the case; and upon such report or certificate the Court shall make such order as it shall think proper, on all or any of the parties, for the further prosecution of the suit or matter, or for the final disposal thereof, and for the payment of the costs thereof, including any of the costs which may have been incurred by reason of the conduct of the parties.

9. In the event of the parties in any cause, matter, or thing, or their solicitors, refusing or neglecting, within a time to be fixed by the Master, to bring the Master's report or certificate before the Court, the same may, by direction of the Master, be brought before the Court by the solicitor for the time being to the Suitors' Fund; and the Court is hereby empowered to order payment of the costs and expenses of the solicitor to the Suitors' Fund out of such of the funds in the cause, matter, or thing, or by such parties, as to the Court shall seem just; and in case payment thereof cannot be obtained by any of the means aforesaid, the same, by the direction of the Court, may be paid out of the Suitors' Fund.

10. From and after the first day of Michaelmas Term, 1852, no reference shall be made to any of the Masters in Ordinary of the said court, except in cases in which, from some previous reference made in the cause or matter, or in some other cause or matter connected therewith, the Court may think it expedient to make such reference, and except in matters arising under the Joint-stock Companies Winding-up Acts, 1848 and 1849: provided always, that until all the Masters in Ordinary of the said court shall have been removed by resignation, death, or otherwise, or have been released from their duties under this act, such of the Masters in Ordinary of the said court as shall for the time being remain in office, and shall not be released from their duties under this act, shall prosecute all the business which on the first day of Michaelmas Term, 1852, shall be depending before the Masters, and also all the references which before the said first day of Michaelmas Term, 1852, shall have been made under decrees or orders of the Court, or which on or after the same first day of Michaelmas Term shall be made in relation to such excepted matters as aforesaid; and the same, if necessary, shall be distributed amongst such remaining Masters in such manner as the Lord Chancellor shall direct; and the powers and authorities now vested in them are hereby reserved to them for the purpose of executing and performing all the duties, matters, and things which may be still referred to them, or which they may be lawfully called upon to perform.

11. From and after the first day of Michaelmas Term, 1852, it shall be lawful for the Master of the Rolls and the Vice-Chancellors for the time being, and they are hereby required, to sit at chambers for the dispatch of such part of the business of the said court as can, without detriment to the public advantage arising from the discussion of questions in open court, be heard in chambers, according to the directions hereinafter in that behalf specified or referred to; and the times at and during which they respectively shall so sit shall be from time to time fixed by them respectively.

12. The chamber business of the Master of the Rolls and of every Vice-Chancellor shall be carried on in conjunction with his court business; but as no rooms are attached to the courts of the Vice-Chancellors in which such chamber business can be transacted, it shall be lawful for the Lord Chancellor to cause chambers to be provided for every of them respectively for that purpose until courts with proper rooms attached can be provided for them.

13. The Master of the Rolls and every of the Vice-Chancellors respectively when sitting in chambers shall have the same power and jurisdiction, in respect of the business to be brought before them, as if they were respectively sitting in open court.

14. The orders made by the Master of the Rolls and Vice-Chancellors respectively when sitting in chambers shall ordinarily be drawn up there by their respective clerks, to be appointed as hereinafter mentioned, but with power to each of

such judges to direct any of such orders to be drawn up by the Registrar of the said court in like manner as orders made by a judge of the said court in open court are drawn up, for which purpose the Registrars of the said court shall, when required, attend the Master of the Rolls and the Vice-Chancellors respectively, when sitting at chambers, in such order and manner as shall be found most convenient for furthering the business of the said court, and as the Lord Chancellor, with the concurrence of the Master of the Rolls and Vice-Chancellors, or any two of them, shall from time to time by any General Order direct.

15. All orders of the Master of the Rolls or of any Vice-Chancellor, made by him at chambers, shall have the force and effect of orders of the Court of Chancery, and such orders may be signed and inrolled in like manner.

16. It shall be lawful for the Master of the Rolls, and every of the Vice-Chancellors for the time being respectively, with the approbation of the Lord Chancellor, to appoint two chief clerks, each to be respectively attached to each such judge and his successors in office, for the purpose of assisting in the general business of each court, and the causes and matters belonging thereto; and on any vacancy in such office of chief clerk, to supply such vacancy.

17. No person shall be appointed chief clerk to the Master of the Rolls or any Vice-Chancellor unless he shall have been chief clerk to one of the Masters in Ordinary of the said court, or have been admitted on the roll of solicitors or attorneys in one of the courts at Westminster Hall, and practised as such solicitor or attorney for the period of ten years at least immediately preceding his appointment: provided always, that George Whiting and Henry Leman, the present chief clerks of the said Masters hereby released as aforesaid, and Charles Fugh, chief clerk in the office of the Master now vacant, shall on the said first day of Michaelmas Term, 1852, become and they are hereby appointed chief clerks of three of the said equity judges, and their respective successors in office.

18. It shall be lawful for the judge of each court to appoint a junior clerk to each chief clerk of his court, and on any vacancy in such office, to supply such vacancy.

19. If any person who shall accept any office under this act shall engage in any other employment whatever whilst he holds such office, or shall receive any sum of money or benefit other than his salary, and what may be allowed or directed to be taken by him under any act of Parliament or order of the said Court or of the Lord Chancellor, for any act done or pretended to be done, or any attendance given or pretended to be given, either with or without the consent or direction or pretended consent or direction of the judge, in relation to or arising out of any proceeding in his office, or in any office of or connected with the Court of Chancery, or if such person, being or having been a solicitor or attorney, shall directly or indirectly receive or secure to himself any continuing benefit from any business or firm in which he may have been engaged previously to his appointment to such office, the person so offending may be removed from his office by order of the Lord Chancellor, and shall be rendered incapable of afterwards holding any office, situation, or employment in the said court.

20. Every solicitor or attorney who shall be appointed to and shall accept any office under this act shall cease to be an attorney or solicitor, and shall forthwith procure himself to be struck off the roll of solicitors of the High Court of Chancery, and off the roll of any of her Majesty's courts of record at Westminster on which his name may be.

21. Every such chief clerk shall hold his office during his good behaviour, and so long as he shall personally give his attendance upon his duties, and shall conduct himself honestly and faithfully in the execution of the duties of his office, but subject to the power hereinafter contained to remove any chief clerk for any cause which the Lord Chancellor and judges removing may think sufficient.

22. Every such junior clerk shall hold his office at the pleasure of the judge to whose court he shall be attached.

23. Such chief clerks and junior clerks shall be respectively under the control of the judge to whose court they shall respectively be attached, and shall attend at such places, during such times, and for such hours in each day, and perform such duties, as such judge shall from time to time direct.

24. Every chief clerk and every junior clerk to be appointed under this act shall be subject and liable to such and the same

prohibitions, prosecutions, penalties, and punishments as are by an act passed in the session holden in the 3 & 4 Will. 4, c. 94. imposed and directed with respect to persons holding any office, situation, or employment in the said Court of Chancery, or under any of the judges or officers thereof, in the same manner as if the enactments therein contained relating to such officers of the said court respectively were here repeated.

25. It shall be lawful for the Lord Chancellor, with the concurrence of the Master of the Rolls and Vice-Chancellors for the time being, or any two of them, by any order to remove any chief clerk to be appointed under this act from his office, without stating any cause for such removal.

26. The business to be disposed of by the Master of the Rolls and Vice-Chancellors respectively while sitting at chambers shall consist of such of the following matters as the judge shall from time to time think may be more conveniently disposed of in chambers than in open court; videlicet, applications for time to plead, answer, or demur; for leave to amend bills or claims; for enlarging publication; and also applications for the production of documents; applications relating to the conduct of suits or matters; applications as to the guardianship and maintenance of infants; matters connected with the management of property; and such other matters as each such judge may from time to time see fit, or as may from time to time be directed by any General Order of the Lord Chancellor.

27. It shall be lawful for the Master of the Rolls and every of the Vice-Chancellors respectively, when sitting in open court, to adjourn for consideration in chambers any matter which, in the opinion of such judge, may be more conveniently disposed of in chambers; or when sitting in chambers, to direct any matter to be heard in open court which he may think ought to be so heard.

28. The mode of proceeding before the Master of the Rolls and Vice-Chancellors respectively at chambers shall be by summons, and as near as may be according to the form now adopted by the judges of the superior courts of common law when sitting at chambers.

29. From and after the first day of Michaelmas Term, 1852, the Master of the Rolls and the Vice-Chancellors respectively shall have the sole power (subject to any rules which may be made by the Lord Chancellor with the advice and assistance of them or any two of them) to order what matters and things shall be investigated by and before their respective chief clerks, either with or without their direction, during their progress, and what matters and things shall be heard and investigated by themselves; and particularly, if the judge shall so direct, his chief clerks respectively shall take accounts, and make such inquiries as have usually been prosecuted before the chief clerks of the present Masters; and the judge shall give such aid and directions in every or any such account or inquiry as he may think proper, but subject nevertheless to the right hereinafter provided for the suitor to bring any particular point before the judge himself.

30. Each chief clerk shall, for the purpose of any proceedings directed by the Master of the Rolls or any Vice-Chancellor to be taken before him, have full power to issue advertisements, to summon parties and witnesses, to administer oaths, to take affidavits and acknowledgments, other than acknowledgments by married women, to receive affirmations, and, when so directed by the judge to whose court he is attached, to examine parties and witnesses either upon interrogatories or *vivâ voce*, as such judge shall direct.

31. Parties and witnesses so summoned shall be bound to attend in pursuance of any such summons, and shall be liable to process of contempt, in like manner as parties or witnesses are now liable thereto in case of disobedience to any order of the said Court, or in case of default in attendance in pursuance of any order of the said Court, or of any writ of subpoena ad testificandum; and all persons swearing or affirming before any such chief clerk shall be liable to all such penalties, punishments, and consequences for any wilful and corrupt false swearing or affirming contained therein as if the matters sworn or affirmed had been sworn and affirmed before any person now by law authorised to administer oaths, to take affidavits, and to receive affirmations.

32. The directions to be given by the Master of the Rolls or any Vice-Chancellor for or touching any proceedings before his chief clerk shall require no particular form, but the result of such proceedings shall be stated in the shape of a short cer-

tificate to the judge, and shall not be embodied in a formal report, unless in any case the judge shall see fit so to direct; and when the judge shall approve of such certificate or report, he shall sign the same in testimony of his adopting the same.

33. No exceptions shall lie to any certificate or report of the chief clerk, although signed and adopted by the judge; but any party shall, either during the proceedings before such chief clerk, or within such time after such proceedings shall have been concluded, and before the certificates or report shall have been signed and adopted, as the Lord Chancellor shall by any General Order direct, be at liberty to take the opinion of the judge upon any particular point or matter arising in the course of the proceedings, or upon the result of the whole proceeding when it is brought by the chief clerk to a conclusion.

34. When any certificate or report of the chief clerk shall have been signed and adopted by the judge, the same shall be filed in like manner as reports are now filed, and shall thenceforth be binding on all the parties to the proceedings, unless discharged or varied, either at chambers or in open court, according to the nature of the case, upon application by summons or motion within such time as shall be prescribed in that behalf by any General Order of the Lord Chancellor; and nothing herein contained shall prejudice or affect the power of the Court at any time to open any such certificate or report upon the same or the like grounds as any report of a Master of the said court which has been absolutely confirmed may now be opened.

35. From and after the first day of Michaelmas Term, 1852, the 13th, 14th, and 15th sections of the act passed in the session of Parliament holden in the 3 & 4 Will. 4, c. 94, shall be repealed.

36. From and after the first day of Michaelmas Term, 1852, all or any of the powers, authorities, and jurisdiction given to the Masters in Ordinary of the said court, by any act or acts then in force, may be exercised by the Master of the Rolls and Vice-Chancellors respectively.

37. From and after the first day of Michaelmas Term, 1852, the powers given to the Masters in Ordinary of the said court, and to the Court, by sects. 7, 8, and 9 of this act, may be exercised by the Master of the Rolls and Vice-Chancellors respectively with respect to causes, matters, and things which may be depending before them respectively in chambers; and if and when any such judge shall be of opinion that any cause, matter, or thing so depending ought to be finally disposed of, unless the parties or some of them can shew good cause to the contrary, he shall direct the same to stand in his paper in open court, giving such notice thereof, if any, as he shall deem right, and proceed to dispose thereof accordingly.

38. It shall be lawful for the Lord Chancellor, with the advice and consent of the Master of the Rolls and Vice-Chancellors, or any two of them, and they are hereby required, forthwith to make and issue General Rules and Orders for regulating the times and form and mode of procedure before the Master of the Rolls and Vice-Chancellors respectively, sitting at chambers, and their respective chief clerks, and generally the practice of the said Court in respect of the matters to which this act relates, and for regulating the fees and allowances to solicitors of the said court in respect to such matters, and also for regulating the fees to be payable by suitors of the said Court to the officers thereof in respect of the business to be conducted before the Master of the Rolls and Vice-Chancellors respectively, sitting at chambers, and their respective chief clerks; and such rules and regulations may from time to time be rescinded, altered, varied, or added to by the like authority; and all such rules and regulations as aforesaid shall take effect as General Orders of the said Court: provided always, that no greater amount of fees shall be payable by the suitors of the said court to the officers thereof, in respect of the business to be conducted before the Master of the Rolls and the Vice-Chancellors respectively, sitting at chambers, and their respective chief clerks, than is now levied in respect of similar or analogous business in the Masters' offices.

39. From and after the said first day of Michaelmas Term, 1852, the course of practice and proceeding in the offices of the Masters in Ordinary of the said court, so far as the same may be inconsistent with the rules and regulations to be so as aforesaid made by the Lord Chancellor, with such advice and

consent as aforesaid, shall be abolished; and the Masters in Ordinary of the said court shall, with reference to the proceedings before them, adopt all such rules and regulations, and shall conduct the business of their respective offices, as nearly as may be, in the manner in which similar business shall be conducted by the Master of the Rolls and Vice-Chancellors respectively, save only that the Master, instead of communicating directly with the judge, is to report shortly the result of his inquiries to the Court.

40. From and after the first day of Michaelmas Term, 1852, it shall be lawful for the court or for any judge thereof, when sitting at chambers, to receive and act upon the opinion of conveyancing counsel in actual practice, to be nominated as hereinafter mentioned, in all cases in which, according to the present practice of the Court and of the Master's office, it has been usual for the Master to require or receive the opinion of conveyancing counsel for his aid and assistance in the investigation of the title to an estate, with a view to an investment of money in the purchase or on mortgage thereof, or with a view to a sale thereof, or in the settlement of a draft of a conveyance, mortgage, settlement, or other instrument, or otherwise, and in such other cases as the Lord Chancellor shall by any General Order direct; but it shall be competent for any party to object to any opinion of any such counsel when he shall deem it open to objection, and thereupon the point in dispute shall be disposed of by the Court, or by the judge sitting in chambers, according to the nature of the case.

41. It shall be lawful for the Lord Chancellor to nominate any number of conveyancing counsel in actual practice, not less than six, who shall have practised as such for ten years at least, to be the conveyancing counsel upon whose opinion the court, or any judge thereof, may act in any of the cases last before mentioned, and to supply vacancies in such list from time to time, and to distribute the business among such counsel in such order and manner as to the Lord Chancellor shall seem fit.

42. It shall be lawful for the said court, or any judge thereof, in such way as they may think fit, to obtain the assistance of accountants, merchants, engineers, actuaries, or other scientific persons, the better to enable such court or judge to determine any matter at issue in any cause or proceeding, and to act upon the certificate of such persons.

43. The allowances in respect of fees to such conveyancing counsel, accountants, merchants, engineers, actuaries, and other scientific persons shall be regulated by the Taxing Master of the said court, subject to an appeal to the judge to whose court the cause or matter shall be attached, whose decision shall be final.

44. There shall be paid to every chief clerk of the Master of the Rolls and Vice-Chancellors respectively the net yearly salary of 1200*l.*, and to every junior clerk to be appointed under this act the net yearly salary of 250*l.*; and it shall be lawful for the Lord Chancellor from time to time by any order to direct that the salary of any such chief clerk as aforesaid may be increased from time to time until the same shall amount to the net yearly sum of 1500*l.*, and to direct that the salary of such junior clerk may be increased to the net yearly sum of 300*l.*: provided always, that no such increase shall be made to any such chief clerk until he shall have been in office for three years, nor to such junior clerk until he shall have been in office five years, nor in either case without a certificate from the judge to whose court such chief clerk or junior clerk shall be attached, that he has conducted himself in such office to the entire satisfaction of such judge: provided also, that the salary to such chief clerk shall not be increased at any one period by any greater amount than the sum of 100*l.*

45. It shall be lawful for the Lord Chancellor, with the consent of the Commissioners of her Majesty's Treasury, by any order made on a petition presented to him for that purpose, to order (if he shall think fit) to be paid to any person executing the office of chief or junior clerk to the Master of the Rolls or any of the Vice-Chancellors, who shall be afflicted with some permanent infirmity disabling him from the due execution of his office, and shall be desirous of resigning the same, an annuity not exceeding two-third parts of the yearly salary which such person shall be entitled to at the time of presenting such petition, to be paid and payable at the same times and out of the same funds as compensations under this act are directed to be paid.

46. It shall be lawful for every person who on the first day of Hilary Term, 1852, held the office of chief clerk to any of the Masters in Ordinary of the said Court of Chancery, and who is not hereby appointed a chief clerk to the Master of the Rolls or to one of the Vice-Chancellors under the authority of this act, upon the Master to whom he shall be such chief clerk being released from the duties as such Master under the authority of this act, or upon the death or resignation of any such Master previously to his being so released, to continue to be entitled to receive during his life, by way of retiring pension, the full amount of his salary as such chief clerk, such salary to be paid and payable out of such funds and in such manner as hereinafter in that behalf directed.

47. It shall be lawful for any person who on the said first day of Hilary Term, 1852, held the office of junior clerk to any Master in Ordinary of the said Court of Chancery hereby released, or who shall be released by the Lord Chancellor under the authority of this act, to make a claim for compensation to the Commissioners of her Majesty's Treasury for the time being, at any time after the Master in whose office he shall have been employed shall have been released; and such commissioners are hereby required, within the space of six calendar months after every such claim shall be made, by examination upon oath or otherwise, which oath they and every of them are and is hereby authorised to administer, to inquire whether any, and if any what, compensation ought to be made to such person claiming such compensation; and in all cases in which it shall appear to the said commissioners that compensation ought to be granted, it shall be lawful for the said commissioners, by warrant under their hands, to order and direct that such annual compensation shall be made to the persons claiming such compensations as aforesaid, or any of them, as to the said commissioners in their discretion shall seem just and reasonable; and all such compensations shall be paid and payable out of such funds and in such manner as hereinafter in that behalf directed: provided always, that an account of all such compensation shall, within fourteen days next after the same shall be so granted, be laid on the table of the House of Commons, if Parliament shall be then assembled; or if Parliament shall not be then assembled, then within fourteen days after the meeting of the Parliament then next following.

48. Except as herein otherwise provided, all salaries under this act shall grow due from day to day, but shall be payable, under an order of the Lord Chancellor, on the 3rd day of February, the 3rd day of May, the 3rd day of August, and the 3rd day of November in every year, or on such other days as the Lord Chancellor shall from time to time by any order direct, and shall be paid to the parties entitled thereto, or their respective executors or administrators, out of the fund standing in the name of the Accountant-General of the Court of Chancery to the account intitled "The Suitors' Fee Fund Account," but subject and without prejudice to the payment of all salaries and other sums of money by any former act or acts now in force directed or authorised to be paid thereout.

49. Except as herein otherwise provided, all compensations under this act shall grow due from day to day, but shall be payable on the 3rd day of February, the 3rd day of May, the 3rd day of August, and the 3rd day of November in every year, or on such other days as the Lord Chancellor shall from time to time by any order direct, and shall be paid to the parties entitled thereto, or their respective executors or administrators, out of the interest and dividends of the Government or Parliamentary securities now or hereafter to be placed in the name of the Accountant-General of the Court of Chancery to the two accounts intitled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," or either of them, by the Governor and Company of the Bank of England, by virtue of any order or orders of the Lord Chancellor to be made from time to time for that purpose, without any draft from the Accountant-General, but subject and without prejudice to the payment of all salaries and other sums of money by any former act or acts now in force directed or authorised to be paid thereout.

50. If at any time hereafter any of the Masters in Ordinary of the said court, or any of their chief or junior clerks, shall be appointed to and shall accept any office or employment con-

nected with any court of law or equity, or under the Crown, or in any public department under the Crown, and if the salary attached to such office or employment, or any retiring pension or allowance in respect thereof, shall equal or exceed in amount the retiring pension or compensation payable to such Master or such clerk under this act, such last-mentioned retiring pension or compensation shall, during the continuance of such Master or such clerk in such office or employment, or so long as he shall be in the receipt of any retiring pension or allowance in respect thereof equal to or greater than his retiring pension or compensation under this act, cease to be payable to such Master or such clerk, as the case may be; and if the salary attached to such office, or the retiring pension or allowance in respect thereof, shall be less than the amount of such Master's retiring pension or such clerk's compensation under this act, such retiring pension or compensation under this act shall be reduced by the amount of such salary or of such retiring pension or allowance, as the case may be.

51. Such of the Masters' offices in Southampton-buildings, Chancery-lane, as shall not be assigned by the Lord Chancellor as chambers for the Master of the Rolls and Vice-Chancellors respectively, or shall not be required for the Masters, shall be appropriated to any other purposes connected with the Court of Chancery as the Lord Chancellor may from time to time direct, or the same may be let as chambers, and the rent thereof paid to the Suitors' Fund; and when all the Masters have resigned, died, or have been released under this act, the offices may be sold by order of the Lord Chancellor, and the proceeds of such sale paid to the Suitors' Fund, in such manner and to such particular account as the Lord Chancellor shall by any order direct; and it shall be lawful for the Lord Chancellor by any order to direct that the premises so to be sold, and the fee simple and inheritance thereof, shall vest in the purchaser or purchasers of the same, his or their heirs and assigns, or as he or they shall direct; and such order shall have the effect of vesting the same accordingly, without any conveyance or other assurance from her Majesty, in whom the same are now vested by virtue of an act passed in the 32 Geo. 3, c. 42.

52. And whereas by an act passed in the 5 Vict., sess. 1, c. 5, her Majesty was by sect. 19 empowered to appoint, by letters-patent under the Great Seal, two fit persons to be additional judges assistant to the Lord Chancellor in the discharge of the judicial functions of his office, each of such additional judges to be called Vice-Chancellors; and by sect. 21 it was provided, that nothing therein contained should authorise the appointment of a successor to the Vice-Chancellor secondly appointed under the authority of the said act: and whereas by an act passed in the session holden in the 14 & 15 Vict. c. 4, her Majesty was by sect. 1 empowered to appoint, by letters-patent under the Great Seal, a fit person to be an additional judge assistant to the Lord Chancellor, in discharge of the judicial functions of his office, in the place of the Right Hon. Sir James Wigram, Knight, who was the Vice-Chancellor secondly appointed under the authority of the said act of the 5 Vict., and who had resigned the office of Vice-Chancellor to which he had been so appointed: and whereas the Right Hon. Sir George James Turner, Knight, is the Vice-Chancellor appointed under the said last-mentioned act: and whereas by sect. 9 of the same act it was provided, that nothing therein contained should authorise the appointment of a successor to the Vice-Chancellor appointed under the authority thereof: and whereas by virtue of this act additional duties will devolve upon the judges of the said court, and it is expedient that any vacancy which may occur in the said office of Vice-Chancellor should be supplied: be it therefore enacted, that it shall be lawful for her Majesty, from time to time, when and as any vacancy shall occur in the office of Vice-Chancellor now held by the said Sir George James Turner, by the death, resignation, or removal from office of the said Sir George James Turner, or his successor for the time being, it shall be lawful for her Majesty, by letters-patent under the Great Seal of the United Kingdom, to appoint a fit person, being or having been a barrister of fifteen years' standing at the least, to supply such vacancy.

53. The Vice-Chancellor to be appointed under this act shall have all the same powers and privileges, and the same rank, and shall be subject to the same provisions, duties, and observances, as the said Sir George James Turner shall, at or immediately before his death, resignation, or removal from office, have or be subject to under the said act of the 14 & 15 Vict. c. 4, and this act, or any other act or acts then in force, ex-

cepting that, as between himself and the other Vice-Chancellors or Vice-Chancellor for the time being, he shall have rank and precedence next after the Vice-Chancellors or Vice-Chancellor, if any, who may be senior to him in appointment to office.

54. Such Vice-Chancellor shall have a secretary, usher, and trainbearer, to be from time to time appointed and removed by him at his pleasure; and the secretaries, registrars, and other officers appointed to attend the Lord Chancellor shall attend such Vice-Chancellor when sitting for the Lord Chancellor, and also when sitting in his separate court or in chambers, as circumstances shall require, and as the Lord Chancellor shall order and direct.

55. The salary of such Vice-Chancellor, and the salaries of his secretary, usher, and trainbearer, shall be of the same amounts, and paid out of the same funds, and in like manner, as the salaries of the said Sir George James Turner, his secretary, usher, and trainbearer respectively, shall be payable at or immediately before his death, resignation, or removal from office.

56. It shall be lawful for her Majesty, by letters-patent under the Great Seal of the United Kingdom, to grant to any person executing the office of Vice-Chancellor in pursuance of this act, on his resignation of or his ceasing to execute his office, an annuity of the same amount, after the same period of service, under the same circumstances, subject to the same conditions, and payable out of the same fund, as the annuity authorised to be granted to each of the Vice-Chancellors appointed under the said act of the 5 Vict. c. 5.

57. It shall be lawful for the Lord Chancellor to appoint one or more persons, removeable at pleasure, for the purpose of keeping order in the court of the Vice-Chancellor to be appointed under this act; and the salary of the person or persons appointed or to be appointed, under this act or under any act or acts now in force, to keep order in the court of the Vice-Chancellor to be appointed under the authority of this act, shall be of such amount, not exceeding the yearly sum of 80*l.*, as the Lord Chancellor may think reasonable; and such salary shall be paid to each such person so to be appointed, out of the same funds, and at the same time, and in like manner as the salaries of like persons have heretofore been paid.

58. Nothing herein contained shall in anywise prejudice or affect the title of the present Masters in Ordinary of the said court to the salaries payable to them as such Masters, unless and until they shall be respectively released under this act, or the power of the Lord Chancellor to order a retiring allowance to any of them or any of their clerks who may be or become afflicted with some permanent infirmity disabling him from the due execution of his office, and who shall be desirous of resigning the same; and every of the present Masters in Ordinary of the said court, until released under this act, shall have the same establishment of clerks, whose salaries and compensations shall be payable out of the same funds as the salaries and compensations of their clerks are now payable; and all the expenses attending the establishment of the Masters' offices shall be paid in like manner as such expenses are now paid.

59. Nothing herein contained shall prejudice or affect the rights, duties, or privileges of the Accountant-General of the said Court of Chancery as a Master in Ordinary of the said court, or any salary or other payment payable to the said Accountant-General as such Master in Ordinary, or his right or title to any retiring allowance under any act or acts of Parliament now in force, nor shall the said Accountant-General be called upon or required to do or perform any duties or services as such Master in Ordinary, other than such as are now usually performed by him.

60. Whereas it has frequently happened that after cases have been fully heard by the Lord Chancellor in the Court of Chancery, and are standing for judgment, the Lord Chancellor has delivered up the Great Seal without being able, by reason of other urgent public business, to deliver judgment therein, and much inconvenience and expense to the parties has been thereby occasioned:

For remedy thereof be it enacted, that in every such case it shall be lawful for the person who has so delivered up the Great Seal, within six weeks after he shall have delivered up the same, to give in to the Registrar of the said court a written judgment therein, signed by him; and a decree or order, as the case may require, shall be drawn up in pursuance of

such judgment; and every such decree or order shall have the same force and effect as if the judgment, in pursuance whereof it is drawn up, had been given in open court the day before he shall have so delivered up the Great Seal.

61. In the construction of this act the expression "her Majesty" shall mean the Sovereign for the time being; and the expression "Lord Chancellor" shall mean also and include the Lord Chancellor, Lord Keeper, and Lords Commissioners for the custody of the Great Seal of the United Kingdom for the time being.

CAP. LXXXI.

An Act to consolidate and amend the Statutes relating to the Assessment and Collection of County Rates in England and Wales. [30th June, 1852.]

CAP. LXXXII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year 1852, and to appropriate the Supplies granted in this Session of Parliament. [1st July, 1852.]

(To be continued).

London Gazette.

FRIDAY, SEPTEMBER 3.

BANKRUPTS.

WILLIAM AUGUST, Norwich, builder, Sept. 9 at half-past 11, and Oct. 15 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Miller & Son, Norwich; Sole & Co., 68, Aldermanbury, London.—Petition filed Aug. 23.

JOSEPH COLE, Robert-street, Limehouse, Middlesex, victualler, Sept. 14 at 11, and Oct. 19 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Wellborne, 17, Duke-street, London-bridge, Southwark.—Petition filed Aug. 26.

GEORGE JOHNSON, late of Cambridge, and since of Poplar, Middlesex, coal merchant, Sept. 13 at 11, and Oct. 19 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Eaden, jun., Cambridge; Booth, 36, Essex-street, Strand, London.—Petition filed Aug. 16.

THOMAS BURNIP, Newcastle-upon-Tyne, draper and haberdasher, dealer and chapman, Sept. 16 at 11, and Oct. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Sale & Co., Manchester; Griffiths & Crighton, Newcastle-upon-Tyne.—Petition filed Aug. 20.

JOHN BOWERS, Worcester, grocer, dealer and chapman, Sept. 14 at half-past 11, and Oct. 9 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Reece, Birmingham; Marten & Co., Mincing-lane, London.—Petition dated Dec. 16.

THOMAS ROBERTS, Hunslet, near Leeds, Yorkshire, glass-bottle maker, dealer and chapman, Sept. 14 and Oct. 4 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Teale, Leeds.—Petition dated and filed Aug. 14.

MEETINGS.

George Barton and John Barton, Manchester, copper-roller manufacturers, Sept. 20 at 12, District Court of Bankruptcy, Manchester, pr. d.—*John Blake*, Attleburgh, Norfolk, innkeeper, Sept. 25 at 12, Court of Bankruptcy, London, last ex.—*William Hodge*, Great Marlborough-street, Westminster, Middlesex, wholesale manufacturing stationer, Sept. 23 at 1, Court of Bankruptcy, London, last ex.—*Daniel Keith* and *Thomas Shobridge*, Wood-street, Cheapside, London, warehousemen, Sept. 24 at 11, Court of Bankruptcy, London, last ex.—*Matthew Slade Hooper*, Billiter-street, London, tea dealer, Sept. 17 at 11, Court of Bankruptcy, London, last ex.—*William Richardson*, Lombard-street, London, merchant, Sept. 18 at 12, Court of Bankruptcy, London, last ex.—*Henry Mopsey*, Union-street East, Bishopsgate, Middlesex, ironmonger, Sept. 23 at 11, Court of Bankruptcy, London, last ex.—*Charles Edward Bingham*, Mount-street, Grosvenor-square, Middlesex, printer, Sept. 20 at 1, Court of Bankruptcy, London, last ex.—*John Meek*, Wolverhampton, Staffordshire, victualler, Oct. 4 at half-past 10, District Court of Bankruptcy, Birmingham, last ex.—*Holt Taylor*, Waterfoot, near Newchurch, Lancashire, coal dealer, Sept. 14 at 12, District Court

of Bankruptcy, Manchester, last ex.—*Joseph Clegg*, Manchester, licensed victualler, Sept. 14 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Bamforth*, Bredbury, Cheshire, corn miller, Sept. 14 at 12, District Court of Bankruptcy, Manchester, last ex.—*William Collins*, Marlborough, Wiltshire, draper, Sept. 23 at 11, District Court of Bankruptcy, Bristol, and. ac.; Sept. 30 at 11, div.—*James Banister*, Birmingham, brassfounder, Sept. 18 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac.—*James Buck*, Manchester, engraver, Sept. 14 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Joseph Nash* and *Thomas Neale*, Reigate and Dorking, Surrey, bankers, Sept. 27 at 12, Court of Bankruptcy, London, div.—*Thomas Lediard*, Cirencester, Gloucestershire, money scrivener, Sept. 30 at 11, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Wood, Putney, Surrey, brewer, Sept. 25 at 1, Court of Bankruptcy, London.—*John Wm. Edwards*, Marchmont-st., Brunswick-square, Middlesex, cheesemonger, Sept. 27 at 2, Court of Bankruptcy, London.—*Wm. Denman*, Cheam, Surrey, carpenter, Sept. 27 at 1, Court of Bankruptcy, London.—*S. Trickett*, Isle of Dogs, Middlesex, slate merchant, Sept. 27 at 11, Court of Bankruptcy, London.—*Henry Noel Humphreys*, Dorchester-place, Blandford-square, Middlesex, bookseller, Sept. 25 at 12, Court of Bankruptcy, London.—*James Ingram*, Southampton, seedsman, Sept. 25 at 2, Court of Bankruptcy, London.—*Henry Calvert*, Petersfield, Southampton, woollendrapery, Sept. 25 at 11, Court of Bankruptcy, London.—*Thos. Bull*, Greenwich, Kent, innkeeper, Sept. 25 at half-past 12, Court of Bankruptcy, London.—*W. Wheeler*, Abergavenny, Monmouthshire, innkeeper, Sept. 27 at 11, District Court of Bankruptcy, Bristol.—*Robert Brierley*, Rochdale, Lancashire, innkeeper, Sept. 24 at 12, District Court of Bankruptcy, Manchester.—*Samuel Padget*, Preston, Lancashire, draper, Sept. 30 at 12, District Court of Bankruptcy, Manchester.—*Geo. Walsh*, Blackburn, Lancashire, pawnbroker, Sept. 28 at 12, District Court of Bankruptcy, Manchester.—*Josiah Perry* and *Wm. Knight Broadhurst*, Fenton, Stoke-upon-Trent, Staffordshire, earthenware manufacturers, Oct. 4 at half-past 10, District Court of Bankruptcy, Birmingham.—*Joseph Higgott*, Cromford, Derbyshire, miller, Oct. 15 at 10, District Court of Bankruptcy, Nottingham.—*Thos. Bathgate*, Birmingham, draper, Oct. 4 at half-past 10, District Court of Bankruptcy, Birmingham.—*Thomas Brooks*, Lye, near Stourbridge, Worcestershire, nail manufacturer, Oct. 4 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

William Knock, Eaton, Buckinghamshire, nurseryman.—*Henry Hodges*, Addington-place, Camberwell, Surrey, coach builder.

SOOTY SEQUESTRATIONS.

George Morison Whitehead, Edinburgh, leather merchant.—*Neil Maccol*, Esq., Minefield, Argyleshire, deceased.—*H. Gascoyne*, Glasgow, wine merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Baldock, Gravesend, Kent, hairdresser, Sept. 11 at 10, County Court of Kent, at Gravesend.—*Joseph Morris*, Derby, fishmonger, Sept. 25 at 11, County Court of Derbyshire, at Derby.—*Jas. Pearce*, Derby, beerseller, Sept. 25 at 11, County Court of Derbyshire, at Derby.—*John Reed Atkinson*, Newcastle-upon-Tyne, butcher, Sept. 23 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*W. Johnston*, Chorlton-upon-Medlock, Manchester, joiner, Sept. 20 at 11, County Court of Lancashire, at Manchester.—*Redford Matthews*, Bristol, out of business, Sept. 8 at 11, County Court of Gloucestershire, at Bristol.—*Thos. Daynes*, Norwich, rope manufacturer, Sept. 21 at 10, County Court of Norfolk, at Norwich.—*Benj. Woodall*, Oldbury, Halesowen, Worcestershire, out of business, Sept. 25 at 2, County Court of Staffordshire, at Oldbury.—*Richard Wycherley*, Smethwick, Staffordshire, carpenter, Sept. 25 at 2, County Court of Staffordshire, at Oldbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner LAW.

Henry Hooker, Stevenson-terrace, Caledonian-road, Islington, Middlesex, assistant to a carver and gilder.

Nov. 6 at 10, before Mr. Commissioner LAW.

Frederick M. Martyn, Sloane-street, Knightsbridge, Middlesex, in no business.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Joseph Rose, Wallington-place, Wandsworth-road, Lambeth, Surrey, smith.

Nov. 17 at 11, before the CHIEF COMMISSIONER.

John Bennett, Clipstone-street, Fitzroy-square, Middlesex, cabinet maker.—Ebeneser Southon, Wants-cottages, King's-road, Camden-town, Middlesex, cabinet maker.

Nov. 19 at 11, before the CHIEF COMMISSIONER.

Wm. Andrews, Ossulston-st., Clarendon-sq., Middlesex, furnishing undertaker.

Saturday, Aug. 28.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Osborn Dobson, Liverpool, farmer: in the Gaol of Lancaster.—Wm. Southworth, Chorley, Lancashire, licensed victualler: in the Gaol of Lancaster.—Charles Kittson, St. Leonard Gate, Lancashire, stonemason: in the Gaol of Lancaster.—James M'Carley, Manchester, cabinet maker: in the Gaol of Lancaster.—Thomas Carter, Birkenhead, near Liverpool, coal dealer: in the Gaol of Lancaster.—Wm. Scrafton, Liverpool, licensed victualler: in the Gaol of Lancaster.—Robert Corlett, Salford, Lancashire, joiner: in the Gaol of Lancaster.—John Glynn, Chorlton-upon-Medlock, Manchester, warehouseman: in the Gaol of Lancaster.—H. Johnson, Blackburn, Lancashire, tailor: in the Gaol of Lancaster.—John Blain, Whitburn, Durham, schoolmaster: in the Gaol of Durham.—Elizabeth Hall, Kingston-upon-Hull, tobacconist: in the Gaol of Kingston-upon-Hull.—John Youldon, Exmouth, Devonshire, tailor: in the Gaol of St. Thomas the Apostle.—John Newland, Alveston, Warwickshire, farmer: in the Gaol of Warwick.—John Pickard, Bedworth, Warwickshire, weaver: in the Gaol of Coventry.—Wm. Clegg, Kirkdale, Liverpool, joiner: in the Gaol of Lancaster.—Samuel Andrew, Lees, near Oldham, Lancashire, cotton waste dealer: in the Gaol of Lancaster.—John Lake Rice, Oulton, near Aylsham, Norfolk, farmer: in the Gaol of Norwich.—Mary Carter, East Donyland, near Colchester, Essex, charwoman: in the Gaol of Springfield.—John H. H. Robinson, Brinton, Herefordshire, in no business: in the Gaol of Hereford.—Charles Thos. Sansom, Dover, Kent, one of the clerks of the Masters of the Court of Queen's Bench: in the Gaol of Dover.—Robert Macnair, Bordesley, Birmingham, soap boiler: in the Gaol of Coventry.—Wm. Lingard, Stretford, near Manchester, beer-shop keeper: in the Gaol of Lancaster.—R. Johnson, Southport, Lancashire, attorney-at-law: in the Gaol of Lancaster.—Thomas Walker, Daw Green, near Dewsbury, Yorkshire, out of business: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 13 at 11, before Mr. Commissioner PHILLIPS.

R. Webb, Macclesfield-street, Soho, Middlesex, jeweller.

Sept. 17 at 11, before the CHIEF COMMISSIONER.

Thomas Gilman, Aldersgate-street, London, carpenter.—R. Doidge, Apollo-buildings South, East-street, Walworth, Surrey, in no profession.

Sept. 17 at 10, before Mr. Commissioner LAW.

George Hedley, Cowley-place, Cowley-road, North Brixton, Surrey, assistant to a wholesale warehouseman.—W. G. Tarrant, Little Albany-street, Regent's-park, Middlesex, cab driver.

Sept. 17 at 11, before Mr. Commissioner PHILLIPS.

Francis David Lewis, Regent-street, Bow-road, Mile-end, Middlesex, printer.—Geo. Ramsden, Sophia-terrace, Basingyard, Peckham, Surrey, out of business.

Sept. 20 at 11, before the CHIEF COMMISSIONER.

Nathaniel Troughton, Exeter Hall Hotel, Strand, Middlesex, clerk.—Elizabeth Grant, Bedford-street, Strand, Middlesex, dairymaid.—Wm. Smart, Upper Victoria-road, Middlesex, out of business.

Sept. 20 at 10, before Mr. Commissioner LAW.

Charles M. King, Charles-terrace, Bishop's-road, Bonner's-fields, Bethnal-green, Middlesex, attorney's clerk.—Thomas Pridham, Sudbrook-place, John-street, East-lane, Lock's-fields, Surrey, hatter.—John Robson, Addiscomb, near Croydon, Surrey, farm bailiff.

Sept. 20 at 11, before Mr. Commissioner PHILLIPS.

Jonathan Brown, Carshalton, Surrey, out of business.—Jas. P. Stevens, St. Andrew's-road, New Kent-road, Surrey, out of business.—Thos. Sæaw, Osnaburgh-street and Augustus-street, Regent's-park, Middlesex, livery-stable keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPWICH, Sept. 17 at 10.

Henry Kemp, Baddingham, out of business.—Geo. Gistingham, Ipswich, fruiterer.

At the County Court of Devonshire, at EXETER, Sept. 18 at 10.

George W. Turner, Exeter, attorney at law.

At the County Court of Lancashire, at MANCHESTER, Sept. 20.

James Brooker, Manchester, fancy-box maker.—Jas. Pemberton, Manchester, labourer.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Sept. 20.

James Barnes, Great Yarmouth, licensed victualler.

Sept. 21 at 10, at the same place.

John Lake Rice, Oulton, near Aylsham, farmer.

At the County Court of Norfolk, at the Guildhall, NORWICH, Sept. 21.

James Watts, Norwich, engineer.

TUESDAY, SEPTEMBER 7.

BANKRUPTS.

SAMUEL WARNER, Felix-cottage, Tranquil-vale, Blackheath, Kent, at present a prisoner for debt in the Whitecross-street Debtors Prison, plaisterer and modeller, trader, dealer and chapman, Sept. 17 at 1, and Oct. 22 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Aug. 27.

HENRY NEWSON BREWER, Amersham-villa, Counterhill, Deptford, Kent, and Bermondsey-wall, Bermondsey, Surrey, mast and block maker, and dealer in marine stores and oakum, and South-eastern-arcade, St. Olave, Southwark, Surrey, tobacconist, dealer and chapman, Sept. 16 at 1, and Oct. 22 at 12, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Beetholme, 29, John-street, Bedford-row.—Petition filed Aug. 28.

JOHN FOWLER, Bristol, and Westbury-upon-Trym, Gloucestershire, builder and house painter, Sept. 20 and Oct. 18 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Cornish & Farnell, Bristol.—Petition filed Aug. 21.

DANIEL SPARKS, Cirencester, Gloucestershire, surgeon and apothecary, dealer and chapman, (carrying on business in copartnership with David Ruck), Sept. 21 and Oct. 19 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Mullings & Co., Cirencester; Bevan, Bristol.—Petition filed Sept. 4.

MEETINGS.

Robert Greenham, Liverpool, merchant, Sept. 17 at 12,

District Court of Bankruptcy, Liverpool, pr. d.—*Jas. Scott McCulloch*, Liverpool, draper, Sept. 17 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Samuel Williamson Isherwood*, Kingston-upon-Hull, woollendrapers, Sept. 29 at 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac. and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Dawson, Tolleshunt D'Arcy, Essex, surgeon, Oct. 1 at 12, Court of Bankruptcy, London.—*Robert Pace* the elder, Liverpool, shipowner, Sept. 29 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John Wm. Yell, Walworth-place, Walworth-road, Surrey, tailor.—*William Reeves*, Leadenhall-street, London, ship agent.—*Robert Harland Whiteman*, High-street, Putney, Surrey, apothecary.—*George Laws*, Waltham Abbey, Essex, linendrapers.—*Richard Peacock*, Ladbrooke-grove, Notting-hill, Middlesex, plumber.—*Robert Sewell*, Swaffham, Norfolk, scrivener.—*James Thomson*, King-street, Camden-town, Middlesex, draper.

PETITION ANNULLED.

William Crabtree and *Stephen Shepherd*, Bradford, Yorkshire, ironfounders.

PARTNERSHIPS DISSOLVED.

William Hilliard Dunster and *Augustus Booker*, Henrietta-street, Cavendish-square, Middlesex, (under the style or firm of Jones, Dunster, & Booker), attorneys at law and solicitors.—*William Broome Parker* and *Isaac Hall*, Manchester, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

George Philp, Russell-mill, Fifeshire, mill-spinner.—*Alexander Smellie*, Springburn, grocer.—*James Mc Nicol*, Dumbarton, carrier.—*Alexander Sprunt*, Glasgow, commission agent.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Finch, Cambridge, shoemaker, Sept. 21 at 10, County Court of Cambridgeshire, at Cambridge.—*John Haycock*, Cambridge, bookbinder, Sept. 21 at 10, County Court of Cambridgeshire, at Cambridge.—*G. Lyford*, Sutton Courtney, Berkshire, farm bailiff, Sept. 21 at 11, County Court of Berkshire, at Abingdon.—*Jas. Benson*, Billericay, near Brentwood, Essex, licensed victualler, Oct. 1 at 11, County Court of Essex, at Brentwood.—*J. B. Norman*, Englishcombe, Somersetshire, watchmaker, Sept. 11 at 11, County Court of Somersetshire, at Bath.—*George Griffin*, Boston, Lincolnshire, organ builder, Sept. 23 at 10, County Court of Lincolnshire, at Boston.—*James Bennett*, Swinton, Lancashire, bricksetter, Sept. 16 at 1, County Court of Lancashire, at Salford.—*George Derrick*, Swansea, Glamorganshire, fruiterer, Sept. 16 at 10, County Court of Glamorganshire, at Swansea.—*John Singleton*, Nantwich, Cheshire, shoe manufacturer, Sept. 30 at 11, County Court of Cheshire, at Nantwich.—*Richard Atkinson*, Bradford, Yorkshire, cooper, Sept. 17 at 11, County Court of Yorkshire, at Bradford.—*James Clegg*, Bradford, Yorkshire, surgeon, Sept. 17 at 11, County Court of Yorkshire, at Bradford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 10, before Mr. Commissioner LAW.

Wm. S. Blackstone, Castle Priory, Wallingford, Berkshire, in no trade.—*Wm. Hall*, Berkeley-st., Clerkenwell, Middlesex, grocer.—*George Delve*, Radnor-terrace, Brownlow-road, Queen's-road, Dalston, Middlesex, foreman to a baker.

Nov. 6 at 10, before Mr. Commissioner LAW.

Frederick W. Benton, Fleet-st., London, fancy-box manufacturer.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Alfred F. Warner, Union-st., Spitalfields, Middlesex, tin plate worker.—*Edward Heale Hughes*, Shaftesbury-place, Aldersgate-st., London, out of employment.—*John Warren*, George-st., Hanover-sq., Middlesex, dentist.

Nov. 17 at 11, before the CHIEF COMMISSIONER.

Thomas Cory, Brook-mews, Brook-street, Gloucester-place, Hyde-park, Paddington, Middlesex, livery-stable keeper.—*Stephen Hardwick*, Windsor-place, City-road, Middlesex, coal agent.

Nov. 19 at 10, before Mr. Commissioner LAW.

James Warren the elder, Rutland-st., Brompton, Middlesex, messenger in the Audit Office, Somerset House, Strand.

Nov. 19 at 11, before the CHIEF COMMISSIONER.

Charles Waller, Goldsmith's-place, Kilburn, Middlesex, omnibus driver.

Saturday, Sept. 4.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Charles William Boone, Devonport, Devonshire, purser in her Majesty's Navy, No. 75,082 C.; *Wm. Minchin*, assignee.—*John Roberts*, Newport, Monmouthshire, innkeeper, No. 75,320 C.; *John Carr*, assignee.—*Thomas Shenton*, Stafford, shoe manufacturer, No. 74,445 C.; *John Buxton* and *James Plant*, assignees.—*Thomas White* the younger, Neatherton Farm, Abberly, Worcestershire, farm bailiff, No. 75,368 C.; *Wm. Higgs*, assignee.—*Robert Inman*, Salford, Lancashire, dealer in paper hangings, No. 74,600 C.; *John Robinson*, assignee.—*George Robotham* the younger, Longton, Stoke-upon-Trent, Staffordshire, licensed retailer of ale, No. 74,882 C.; *Thomas Benson Elley*, assignee.—*James Cooke* the elder, Longton, Stoke-upon-Trent, Staffordshire, brickmaker's overlooker, No. 74,881 C.; *Thomas B. Elley*, assignee.—*Enoch Moss*, Oset, near Wakefield, Yorkshire, machine maker, No. 21,857 C.; *Percival Sykes*, new assignee, in the room of Joseph Scott and Francis Wilby, deceased.—*John Bradshaw*, Boar Bank-cottage, near Cartmel, Lancashire, lieutenant-colonel of the Lonsdale Local Militia, No. 32,701 C.; *James Harrison* and *John Hodgson*, new assignees, in the room of Thomas Parker and *Wm. Liddell*, deceased.—*Thomas Riddell*, Newington-butts, Surrey, No. 45,883 T.; *Samuel Sturgis*, new assignee, in the room of Thomas Perkins, removed.—*George Inman*, Salford, Lancashire, dealer in paper hangings, No. 74,601 C.; *John Robinson*, assignee.

Saturday, Sept. 4.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Heseltine, New-street, Dorset-sq., Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Edward Waghorne*, Devonshire-st., Cleveland-st., Stepney, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Sarah Jane Cole*, widow, Lodge-road, Park-road, Regent's-park, Middlesex, lodging-house keeper: in the Queen's Prison.—*John P. Cameron*, Mill-street, Hanover-square, Middlesex, clerk to a tailor: in the Debtors Prison for London and Middlesex.—*Thomas Collyer*, Ocean-row, Stepney, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*James Shearmur*, St. George-street, St. George-in-the-East, Middlesex, shopman to an outfitter: in the Debtors Prison for London and Middlesex.—*John Brookland*, Newland-street, Picnic, Middlesex, jobbing carpenter: in the Debtors Prison for London and Middlesex.—*J. Barker*, Witesham, near Ipswich, Suffolk, innkeeper: in the Gaol of Ipswich.—*George Brooke*, Wath-upon-Dearne, near Rotherham, Yorkshire, auctioneer: in the Gaol of York.—*Daniel Forshaw*, Beresford-street, Walworth, Surrey, clerk to a law stationer: in the Gaol of Reading.—*Wm. Willson*, Gloucester, out of business: in the Gaol of Gloucester.—*H. Lewis*, Bedford, draper: in the Gaol of Bedford.—*Jehu Ibbotson*, Ecclesfield, Yorkshire, farmer: in the Gaol of Sheffield.—*T. M. Williams*, Fulwood, near Sheffield, Yorkshire, farmer: in the Gaol of York.—*Richard Convel*, Middlesbrough, Yorkshire, master of The Industry steam-boat: in the Gaol of York.—*Benjamin Johnson*, Bradford, Yorkshire, dealer in

the Gaol of York.—*Wm. Hall*, Bank-foot-row, near Crook, Durham, pitman: in the Gaol of Durham.—*John Mowbray*, Framwellgate Moor, Durham, innkeeper: in the Gaol of Durham.—*Benj. Jackson*, Woodbine Cottage, near Red Briars, Durham, draper: in the Gaol of Durham.—*Wm. Wheatley*, Thinford, near Cornforth, Durham, mason: in the Gaol of Durham.—*Wm. Asquith*, Hartlepool, Durham, labourer: in the Gaol of Durham.—*Wm. B. Gilbert*, Chatham, Kent, shoe-maker: in the Gaol of Maidstone.—*Henry Deval*, Kingston-upon-Hull, cab proprietor: in the Gaol of Kingston-upon-Hull.—*Hugh McClellan*, Ardwick, Manchester, clogger: in the Gaol of Lancaster.—*Joseph Bradshaw*, Manchester, salesman: in the Gaol of Lancaster.—*Wm. Evans*, Kilvey Mont, Llansamlet, Glamorganshire, colliery agent: in the Gaol of Swansea.—*John Hobron*, Goodramgate, Yorkshire, tailor: in the Gaol of York.—*Nicholas Mahony*, Sheffield, Yorkshire, brush maker: in the Gaol of York.—*Edmund Hirst*, Mosley Brough, near Staleybridge, Lancashire, cloth manufacturer: in the Gaol of York.—*James Mitchell*, Hulme, Manchester, cabinet maker: in the Gaol of Manchester.—*George Anstobus*, Liverpool, pork butcher: in the Gaol of Lancaster.—*Stephen Pearson*, Manchester, stage coach driver: in the Gaol of Lancaster.—*Thomas Dick*, Manchester, grocer: in the Gaol of Lancaster.—*John S. Branch*, Bootle, near Liverpool, never in any business: in the Gaol of Lancaster.—*Peter Jones*, Heaton Norris, Lancashire, brush maker: in the Gaol of Lancaster.—*Joseph Squires*, Leeds, Yorkshire, furniture broker: in the Gaol of York.—*James Hulley*, Leeds, Yorkshire, coach proprietor: in the Gaol of York.—*Moses Howard*, Holme, near Holmfirth, Yorkshire, woollen manufacturer: in the Gaol of York.—*Phabe Holmes*, Northoram, near Halifax, Yorkshire, publican: in the Gaol of York.—*John Blackburn*, Mirfield, Yorkshire, falling miller: in the Gaol of York.—*Saml. Baggott*, Kirkstall, near Leeds, Yorkshire, labourer: in the Gaol of York.—*John Greening* the elder, Charlton Kings, Gloucestershire, retailer of beer: in the Gaol of Gloucester.—*Philip Crispin*, Bristol, carpenter: in the Gaol of Bristol.—*John E. Watts*, Birmingham, woollendrapery: in the Gaol of Coventry.—*Richard A. Huskisson*, Birmingham, warehouse clerk: in the Gaol of Coventry.—*Gabriel Marley*, Newcastle-upon-Tyne, farmer: in the Gaol of Newcastle-upon-Tyne.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 21 at 10, before the CHIEF COMMISSIONER.

John Stely, Charrington-street, St. Pancras, Middlesex, salesman to a brewer.—*George John Stephenson De Magniac Rutherford*, Lincoln's-inn-fields, Middlesex, in no business.—*W. Heise*, Westbourne-street, Pimlico, Middlesex, surgeon.

Sept. 21 at 10, before Mr. Commissioner LAW.

Lodewyk Havekes, Providence-row, Worship-st., Finsbury, Middlesex, provision merchant.—*Thos. Terry*, Cottage-place, City-road, Middlesex, provision merchant.—*Charles Somers*, Paulton-square, Chelsea, Middlesex, out of business.

Sept. 21 at 10, before Mr. Commissioner PHILLIPS.

David Williams, Great Winchester-st., London, fruiterer.—*J. Crossley* the younger, Old Montague-st., Whitechapel, Middlesex, out of business.—*John Mobbs*, Charlotte-street, Blackfriars-road, Surrey, not in any trade.

Sept. 22 at 10, before the CHIEF COMMISSIONER.

George Porter, Terrace, High-st., Kensington, Middlesex, boot maker.—*Frederick Farmer*, North-st., Jubilee-street, Mile-end-gate, Middlesex, out of business.

Sept. 22 at 10, before Mr. Commissioner LAW.

Alfred Wray Darling, Stanley-st., Chelsea, Middlesex.—*Philip Smelt*, Gray's-inn-lane, Clerkenwell, Middlesex, in no trade.

Sept. 22 at 10, before Mr. Commissioner PHILLIPS.

Hockley Frederick Wood, Crescent-terrace, Millbank, Middlesex, attorney-at-law.—*Kate Elizabeth Verity*, spinster, Montague-st., Portman-square, Middlesex, in no business or occupation.

Sept. 23 at 10, before the CHIEF COMMISSIONER.

Richard Ormerod Potts, Manchester-buildings, Parliament-st., Westminster, Middlesex, in no business.—*Henry Reeve*, Morton-terrace, Kentish-town, Middlesex, assistant to a surgeon.

Sept. 23 at 10, before Mr. Commissioner LAW.

Henry Allbon, Burlington-place, Old Kent-road, Surrey, haberdasher.—*John Webb*, Uxbridge-road, Ealing, Middlesex, plumber.

Sept. 23 at 10, before Mr. Commissioner PHILLIPS.

Wm. Duns, Hand-court, Holborn, Middlesex, tailor.—*G. How Green*, Grove-hill, Globe Grove-lane, Camberwell, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Sept. 23 at 10.

Gabriel Marley, Newcastle-upon-Tyne, out of business.

At the County Court of Herefordshire, at HEREFORD, Sept. 23 at 10.

John Hampden Hamp Robinson, Breinton, in no business.

At the County Court of Bedfordshire, at BEDFORD, Sept. 24 at 10.

Henry Lewin, Bedford, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Sept. 30 at 10.

Wm. Willson, Gloucester, out of business.

At the County Court of Essex, at CHELMSFORD, Sept. 30.

Mary Carter, East Donyland, near Colchester, charwoman.

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The Jurist

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LONDON, SEPTEMBER 18, 1852.

WE propose on the present occasion briefly to analyse the report lately made by the select committee who were appointed to consider "the policy of extending the law of mortmain, so as to include personal estate, and generally whether any alteration should be made in the law as it affects testamentary or other dispositions in favour of religious, charitable, or permanent objects." Recent events have tended to increase the interest felt by the public and the legal profession in such an inquiry, which might reasonably be expected to place this important branch of the law on a much more satisfactory foundation than it has hitherto occupied. The committee speak of the report of their predecessors in 1844, on the same subject, as containing a full and elaborate explanation of the origin and progress of the law of mortmain in England and in many foreign countries. They then proceed to distinguish the strict and the popular meaning of the word "mortmain;" the former being the conveyance of land to a corporation having a perpetual succession and existence; while the popular meaning is the vesting of land or other property, either in a corporation or in individuals, in such a form as that the produce or beneficial interest becomes permanently applicable to religious or charitable objects. The condemnation of the popular application of the term is, however, mere pedantry, for the ancient alienation in mortmain, which was always to an ecclesiastical corporation, and the modern conveyance to trustees for charitable purposes, differ in nothing but the technical character of the trustees; the one was a corporation, the other is not. The effect, that of devoting the land in perpetuity to certain purposes,

which may be expedient or not, according to the judgment or caprice of the founder, is the same—the land is withdrawn from commerce, and committed to the dead hand of a "foundation." It is only owing to the decline of the feudal tenures that the ancient statutes, (of which there is a series from Magna Charta to the Reformation), prohibiting the alienation of land to corporations, are distinct in form, and to some extent in purpose, from the more modern acts, which apply to the vesting of land in trustees for charitable purposes.

The effect of the old statutes is, that land cannot be vested in a corporation except by license from the Crown, (which has a general power for that purpose under the stat. 7 & 8 Will. 3, c. 33), or under the provisions of the particular act of Parliament by which the corporation is created.

The committee state that there are two defects in this part of the law of mortmain: first, it is doubtful whether incorporated trading bodies can take any valid security upon land, unless they are expressly empowered so to do by act of Parliament; secondly, when they have done so, they cannot realise their security by foreclosure, or otherwise acquire possession of the land itself, without danger of immediate absolute forfeiture to the Crown. It is suggested that corporations should, without doubt, be able to advance money on the security of real estate, and that they should be compelled to sell or dispose of land coming into their actual possession upon the realisation of their securities within a certain limited period; and that, subject to this restriction, they should be at liberty to adopt the same remedies as private individuals to enforce the repayment of money which they may have advanced. This grievance, however, is more imaginary than real, and we are

surprised to see it so much insisted on by the professional witnesses. Since the case of *Du Hourmelis v. Sheldon* (4 My. & C. 525) the safety of a mortgage of real estate, by a conveyance to trustees for a corporation, with a power of sale, and an express negative of any right of foreclosure, has been free from doubt. The distinction, in effect, between the avoidance of gifts in mortmain under the ancient statutes, and the avoidance of gifts to a religious or charitable use under the modern act, is pointed out, namely, that in the former case a title accrues to the Crown; in the latter, the heir, or next of kin, or donor himself, as the case may be, becomes entitled to the property.

After referring to 15 Rich. 2, c. 5, and 43 Eliz. c. 4, the stat. 9 Geo. 2, c. 36, is mentioned as containing the modern law upon the subject of alienation of property to religious or charitable purposes. The effect of the statute is stated to be, that no land can be given by will to any charitable purpose, and a valid gift can only be made subject to six conditions, viz. first, it must be by deed; secondly, which must be executed in the presence of two or more witnesses; thirdly, twelve months before the death of the grantor; fourthly, and be enrolled in Chancery within six calendar months after the execution; fifthly, it must take effect immediately, and be irrevocable; and, sixthly, contain no reservation whatever for the benefit of the grantor.

The enrolment, as a means of insuring publicity, is considered very defective, and it is proposed to substitute the obligation upon all persons, to whom property is bequeathed for religious or charitable objects, of making a return to commissioners, or to some public board, of the nature of the gift, and the particular purposes to which it is to be applied. It was stated before the committee that secret trusts prevailed to a great extent in connexion with these deeds, and they are of opinion that every effort should be made to put the law on such a foundation as to afford no occasion for such conduct, and to prevent the possibility of its occurrence hereafter. They do not recommend any alteration in the law which prohibits devises of land for the purpose of raising a revenue to be devoted to charitable objects, but think there should be a complete exemption from all restraints upon alienation in favour of sites of land to be used simply for the erection of religious edifices, whether in connexion with the Established Church or not, or for hospitals, cemeteries, museums, or places of education.

With the exception of the requirement that the deed should be executed twelve months before the death of the person conveying the land, all the above-mentioned conditions of the statute apply to *bonâ fide* sales of land for money already devoted to charity; but it is proposed, that, beyond requiring publicity for such conveyances, all restraints should be abolished in cases of *bonâ fide* sales. Pure personal property may be given or bequeathed to charitable purposes without any restraint; but if directed to be laid out in the purchase of land, or if it be secured by mortgage, or in any way connected with land, it can be given only subject to the restrictions which apply to land itself. If it be stock so directed to be laid out, it must be transferred six calendar months before the death of the person giving it. It is recommended that these distinctions

should be abolished entirely, and that the same law should be enacted with regard to all personal property given for charitable purposes; but the evidence given before the committee upon this subject does not enable them to point out the exact remedy which should be adopted, beyond this, that although the stringent provisions of the 9 Geo. 2, c. 36, should not be applied to personal property, yet the discretion of testators in matters of charity should be subject to some interference on the part of the Legislature, and that returns of the personal property given, and the purposes to which it is to be applied, should be made, as in the case of land. The committee desire that the law should be impartial towards all religious communities, and that all exemptions in favour of the Ecclesiastical Commissioners, the universities, and the colleges of Eton, Winchester, and Westminster, should be abolished.

Allusion is made to the interference of the Court of Propaganda at Rome in disputes concerning charities, and to the statement of witnesses, that decisions of that council on appeals from this country have affected the application of property left for religious or charitable objects. The committee, however, did not feel themselves authorised in pursuing this inquiry, but content themselves by calling attention to the fact, that wherever the law recognised, in the ruling authority of a dissenting Church, the power to manage, and to innovate upon the management of its charities, the ruling authority of the Roman Catholic Church was placed, by the 2 & 3 Will. 4, c. 114, on the same footing: but in dissenting Churches the ruling authority is in the congregation; in the Roman Catholic Church it is in the Pope. Reference is then made to that nearly obsolete branch of the law which relates to superstitious uses; it is stated to be vague and uncertain, and that the stat. 1 Edw. 6, c. 14, should be repealed, together with the legal inferences which have been deduced from it. A definition as accurate as possible should be given to the meaning of the word "charity," as applied to gifts or bequests of property, and there should be some statutory declaration as to what gifts should be deemed void, upon the ground of public policy or superstitious uses.

It is obvious that this report has done little more towards the settlement of this difficult subject than was done by the report of the committee which Lord John Manners obtained in 1844, in the hope of procuring the repeal of the act of Geo. 2. The committee do not notice even the obvious distinction between settlements of land and settlements of personalty, arising out of the circumstance that the supply of land is limited, and that, in the hands of a corporation or charity, not only may the annual profits be wasted upon useless or even mischievous objects, but the proper use and improvement of the land itself, for the benefit of the community, may be, and generally is, impeded to a great degree. Corporation land is notoriously mismanaged; but the settling of a fund of personalty is at the worst a throwing away of the interest—the capital is not withdrawn from commerce. Another peculiarity is, that land is constantly increasing in value, even while held by the "dead hand," so that a charity often becomes wealthy beyond the dreams of the founder, and to a degree absurdly disproportionate to

its objects; and managers of many old charities for local objects can only get rid of their income by the most lavish expenditure, and by selecting objects who ought rather to contribute than to receive.

The principal cause of the shortcomings of the committee, however, was the limited extent of the reference, which confined them to one end of the subject—the creation of charitable trusts. An inquiry into the expediency of that rule of our law which allows a man to devote property for ever to any purpose, however foolish or even mischievous to the State, if it is not technically “superstitious,” “irreligious,” or “immoral,” remains to be made. The wisdom of our judges established the rule against perpetuities, which invalidates a trust suspending the right to enjoy the income of property for more than twenty-one years from the death of some person in being at the creation of the trust; and it is at least worth inquiry, whether there would not be equal wisdom in subjecting the trusts of all property settled for charitable purposes, after the lapse of fifty or sixty years, to the revision of the State, without any obligation to observe the wishes of the founder, either strictly or *cy-pres*. There might be little objection to some relaxation of the Mortmain Act, if the law did not perpetuate every charitable folly which it permits.

PUBLIC GENERAL STATUTES.

15 & 16 VICTORIAN.—SESSION 5.

(Continued from p. 328).

CAP. LXXXIII.

An Act for amending the Law for granting Patents for Inventions. [1st July, 1852.]

- Sect. 1. *Certain Persons constituted Commissioners of Patents for Inventions, three of whom may act, the Chancellor or Master of the Rolls being one.*
2. *Seal of the Commissioners.*
3. *Power to Commissioners to make Rules and Regulations, which shall be laid before Parliament. Commissioners to report annually to Parliament.*
4. *Treasury to provide Offices.*
5. *Commissioners, with Consent of the Treasury, to appoint Clerks, &c.*
6. *Petition and Declaration to be accompanied with a Provisional Specification.*
7. *Every Application to be referred to one of the Law Officers.*
8. *The Provisional Specification to be referred to the Law Officer, who, if satisfied, may give a Certificate of his Allowance, which shall be filed.*
9. *Inventor may deposit, in Lieu of a Provisional Specification, a complete Specification, such Deposit to confer for a limited Time the like Rights as Letters-patent.*
10. *Letters-patent granted to the first Inventor not to be invalidated by Protection obtained in Fraud of the first Inventor.*
11. *Commissioners to cause Protections to be advertised.*
12. *Application for Letters-patent to be advertised, and also Oppositions to the same.*
13. *Specification and Objections to be referred to Law Officer.*
14. *Power to Law Officer to order by or to whom Costs shall be paid.*
15. *Power to Law Officer to cause a Warrant to be made for sealing of Letters-patent. Chancellor to have same Powers in Respect to Warrant, &c. as he now has. Writ of Scire Facias.*
16. *Nothing to affect the Prerogative of the Crown in granting or withholding Grant of Letters-patent.*

17. *Letters-patent to be made subject to Avoidance on Non-fulfilment of certain Conditions.*
18. *Letters-patent issued under the Great Seal to be valid for the Whole of the United Kingdom, the Channel Islands, and the Isle of Man. Nothing to give Effect to any Letters-patent granted in any Colony.*
19. *No Letters-patent to be issued after three Months from Date of Warrant.*
20. *No Letters-patent (except in Lieu of those lost &c.) to be issued after Expiration of Protection given by this Act.*
21. *Letters-patent may be granted to Personal Representations of the Applicant during the Term of Protection, or within three Months after Applicant's Decease.*
22. *If Letters-patent be destroyed or lost, either Letters-patent may be issued.*
23. *Letters-patent may be dated as of the Day of the Application.*
24. *Letters-patent, where antedated, to be of the same Validity as if sealed on the Day of the Date.*
25. *Letters-patent obtained in United Kingdom for patented Foreign Inventions, not to continue in Force after the Expiration of the Foreign Patent.*
26. *Letters-patent not to prevent the Use of Inventions in Foreign Ships resorting to British Ports, except Ships of Foreign States in whose Ports British Ships are prevented from using Foreign Inventions.*
27. *Specifications to be filed instead of being enrolled.*
28. *Specifications, &c. to be filed in such Office as Lord Chancellor shall direct. As to filing extra Copies of Drawings.*
29. *Copies of Specifications to be open to Inspection at Office of Commissioners, and at Edinburgh and Dublin.*
30. *Specifications and other Documents to be printed and published. As to presenting Copies of Publications to Public Libraries, &c.*
31. *Enrolments, &c. may be removed to the Office for Specifications.*
32. *Commissioners to cause Indexes to be made to old Specifications, &c.; such Specifications, &c. may be printed and published.*
33. *Copies of Specifications, &c., as printed by Queen's Printers, to be Evidence.*
34. *Register of Patents to be kept.*
35. *A Register of Proprietors to be kept at the Office for filing Specifications.*
36. *Power for more than twelve Persons to have a legal Interest in Letters-patent.*
37. *Falsification or Forgery of Entries a Misdemeanour.*
38. *Entries may be expunged.*
39. *Provisions of 5 & 6 Will. 4, c. 83, and of 7 & 8 Vict. c. 69, as to Disclaimers and Memoranda of Allegations, to apply to Patents under this Act. Applications for Disclaimers and Caveats to be at Office of Commissioners.*
40. *Provisions of 5 & 6 Will. 4, c. 83; 2 & 3 Vict. c. 67, and 7 & 8 Vict. c. 69, as to Confirmation and Prolongation, to apply to Patents under this Act.*
41. *In Actions for Infringement of Letters-patent, Particulars to be delivered, and no Evidence allowed not mentioned therein.*
42. *Courts of Common Law may grant Injunction in Case of Infringement.*
43. *Particulars to be regarded in Taxation of Costs.*
44. *Payments and Stamp Duties on Letters-patent to be as in Schedule.*
45. *Duties to be under Management of Commissioners of Inland Revenue.*
46. *All Monies received to be paid to the Consolidated Fund.*
47. *Not to prevent Payment of Fees to Law Officers in Cases of Opposition, &c.*
48. *Fees and Salaries of Officers.*
49. *Sums for defraying Salaries and Expenses under this Act to be paid out of Monies to be provided by Parliament.*

50. *Power to Treasury to grant Compensation to Persons affected by this Act.*
51. *Account of Salaries, Fees, and Compensation Allowances to be laid before Parliament.*
52. *Not to extend to Patents applied for before Commencement of Act.*
53. *As to Letters-patent granted before Commencement of this Act for England, Scotland, or Ireland.*
54. *Forms in Schedule may be used.*
55. *Interpretation of Terms.*
56. *Short Title.*
57. *Commencement of Act.*

Whereas it is expedient to amend the law concerning letters-patent for inventions: be it enacted &c. as follows:—

Sect. 1. The Lord Chancellor, the Master of the Rolls, her Majesty's Attorney-General for England, her Majesty's Solicitor-General for England, the Lord Advocate, her Majesty's Solicitor-General for Scotland, her Majesty's Attorney-General for Ireland, and her Majesty's Solicitor-General for Ireland, for the time being respectively, together with such other person or persons as may be from time to time appointed by her Majesty as hereinafter mentioned, shall be Commissioners of Patents for Inventions; and it shall be lawful for her Majesty from time to time, by warrant under her royal sign-manual, to appoint such other person or persons as she may think fit to be a commissioner or commissioners as aforesaid; and every person so appointed shall continue such commissioner during her Majesty's pleasure; and all the powers hereby vested in the commissioners may be exercised by any three or more of them, the Lord Chancellor or Master of the Rolls being one.

2. It shall be lawful for the commissioners to cause a seal to be made for the purposes of this act, and from time to time to vary such seal, and to cause to be sealed therewith all the warrants for letters-patent under this act, and all instruments and copies proceeding from the office of the commissioners, and all courts, judges, and other persons whomsoever shall take notice of such seal, and receive impressions thereof in evidence, in like manner as impressions of the Great Seal are received in evidence, and shall also take notice of and receive in evidence, without further proof or production of the originals, all copies or extracts, certified under the seal of the said office, of or from documents deposited in such office.

3. It shall be lawful for the commissioners from time to time to make such rules and regulations (not inconsistent with the provisions of this act) respecting the business of their office, and all matters and things which, under the provisions herein contained, are to be under their control and direction, as may appear to them necessary and expedient for the purposes of this act; and all such rules shall be laid before both Houses of Parliament within fourteen days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within fourteen days after the next meeting of Parliament; and the commissioners shall cause a report to be laid annually before Parliament of all the proceedings under and in pursuance of this act.

4. It shall be lawful for the Commissioners of her Majesty's Treasury to provide and appoint from time to time proper places or buildings for an office or offices for the purposes of this act.

5. It shall be lawful for the commissioners, with the consent of the Commissioners of the Treasury, from time to time to appoint for the purposes of this act such clerks and officers as the commissioners may think proper; and it shall be lawful for the commissioners from time to time to remove any of the clerks and officers so appointed.

6. Every petition for the grant of letters-patent for an invention, and the declaration required to accompany such petition, shall be left at the office of the commissioners, and there shall be left therewith a statement in writing, hereinafter called the provisional specification, signed by or on behalf of the applicant for letters-patent, describing the nature of the said invention; and the day of the delivery of every such petition, declaration, and provisional specification shall be recorded at the said office, and indorsed on such petition, declaration, and provisional specification, and a certificate thereof given to such applicant or his agent; and all such petitions, declarations, and provisional specifications shall be preserved in such manner as the commissioners may direct, and a

registry thereof, and of all proceedings thereon, kept at the office of the commissioners.

7. Every application for letters-patent made under this act shall be referred by the commissioners, according to such regulations as they may think fit to make, to one of the law officers.

8. The provisional specification shall be referred to the law officer, who shall be at liberty to call to his aid such scientific or other person as he may think fit, and to cause to be paid to such person by the applicant such remuneration as the law officer shall appoint; and if such law officer be satisfied that the provisional specification describes the nature of the invention, he shall allow the same, and give a certificate of his allowance, and such certificate shall be filed in the office of the commissioners, and thereupon the invention therein referred to may, during the term of six months from the date of the application for letters-patent for the said invention, be used and published without prejudice to any letters-patent to be granted for the same, and such protection from the consequences of use and publication is hereinafter referred to as provisional protection: provided always, that in case the title of the invention or the provisional specification be too large or insufficient, it shall be lawful for the law officer to whom the same is referred to allow or require the same to be amended.

9. The applicant for letters-patent for an invention, instead of leaving with the petition and declaration a provisional specification as aforesaid, may, if he think fit, file with the said petition and declaration an instrument in writing under his hand and seal, (hereinafter called a complete specification), particularly describing and ascertaining the nature of the said invention, and in what manner the same is to be performed, which complete specification shall be mentioned in such declaration, and the day of the delivery of every such petition, declaration, and complete specification shall be recorded at the office of the commissioners, and indorsed on such petition, declaration, and specification, and a certificate thereof given to such applicant or his agent, and thereupon, subject and without prejudice to the provisions hereinafter contained, the invention shall be protected under this act for the term of six months from the date of the application, and the applicant shall have during such term of six months the like powers, rights, and privileges as might have been conferred upon him by letters-patent for such invention issued under this act, and duly sealed as of the day of the date of such application; and during the continuance of such powers, rights, and privileges under this provision, such invention may be used and published without prejudice to any letters-patent to be granted for the same; and where letters-patent are granted in respect of such invention, then in lieu of a condition for making void such letters-patent, in case such invention be not described and ascertained by a subsequent specification, such letters-patent shall be conditioned to become void if such complete specification, filed as aforesaid, does not particularly describe and ascertain the nature of the said invention, and in what manner the same is to be performed; and a copy of every such complete specification shall be open to the inspection of the public, as hereinafter provided, from the time of depositing the same, subject to such regulation as the commissioners may make.

10. In case of any application for letters-patent for any invention, and the obtaining upon such application of provisional protection for such invention, or of protection for the same, by reason of the deposit of a complete specification as aforesaid, in fraud of the true and first inventor, any letters-patent granted to the true and first inventor of such invention shall not be invalidated by reason of such application, or of such provisional or other protection as aforesaid, or of any use or publication of the invention subsequent to such application, and before the expiration of the term of such provisional or other protection.

11. Where any invention is provisionally protected under this act, or protected by reason of the deposit of such complete specification as aforesaid, the commissioners shall cause such provisional protection or such other protection as aforesaid to be advertised in such manner as they may see fit.

12. The applicant for letters-patent, so soon as he may think fit after the invention shall have been provisionally protected under this act, or where a complete specification has been deposited with his petition and declaration, then so soon as he may think fit after such deposit, may give notice at the office of the commissioners of his intention of proceeding with his

application for letters-patent for the said invention, and thereupon the said commissioners shall cause his said application to be advertised in such manner as they may see fit; and any persons having an interest in opposing the grant of letters-patent for the said invention shall be at liberty to leave particulars in writing of their objections to the said application at such place, and within such time, and subject so such regulations as the commissioners may direct.

13. So soon as the time for the delivery of such objections shall have expired, the provisional specification or complete specification (as the case may be) and particulars of objection (if any) shall be referred to the law officer to whom the application has been referred.

14. It shall be lawful for the law officer to whom any application for such letters-patent is referred, if he see fit, by certificate under his hand, to order by or to whom the costs of any hearing or inquiry, upon any objection or otherwise in relation to the grant of such letters-patent, or in relation to the provisional (or other) protection acquired by the applicant under this act, shall be paid, and in what manner and by whom such costs are to be ascertained; and if any costs so ordered to be paid be not paid within four days after the amount thereof shall be so ascertained, it shall be lawful for such law officer to make an order for the payment of the same, and every such order may be made a rule of one of her Majesty's superior courts at Westminster or Dublin, and may be recorded in the books of council and session in Scotland, to the effect that execution may pass thereupon in common form.

15. It shall be lawful for such law officer, after such hearing, if any, as he may think fit, to cause a warrant to be made for the sealing of letters-patent for the said invention, and such warrant shall be sealed with the seal of the commissioners, and shall set forth the tenor and effect of the letters-patent thereby authorised to be granted, and such law officer shall direct the insertion in such letters-patent of all such restrictions, conditions, and provisos as he may deem usual and expedient in such grants, or necessary in pursuance of the provisions of this act; and the said warrant shall be the warrant for the making and sealing of letters-patent under this act according to the tenor of the said warrant: provided always, that the Lord Chancellor shall and may have and exercise such powers, authority, and discretion in respect to the said warrant, and the letters-patent therein directed to be made under this act, as he now has and might now exercise with respect to the warrant for the issue under the Great Seal of letters-patent for any invention, and with respect to the making and issuing of such letters-patent; and the writ of scire facias shall lie for the repeal of any letters-patent issued under this act, in the like cases as the same would lie for the repeal of letters-patent which may now be issued under the Great Seal.

16. Provided also, that nothing herein contained shall extend to abridge or affect the prerogative of the Crown in relation to the granting or withholding the grant of any letters-patent; and it shall be lawful for her Majesty, by warrant under her royal sign-manual, to direct such law officer to withhold such warrant as aforesaid, or that any letters-patent for the issuing whereof he may have issued a warrant as aforesaid shall not issue, or to direct the insertion in any letters-patent to be issued in manner herein provided of any restrictions, conditions, or provisos which her Majesty may think fit, in addition to or in substitution for any restrictions, conditions, or provisos which would otherwise be inserted therein under this act; and it shall also be lawful for her Majesty, by like warrant, to direct any complete specification which may have been filed under the provision hereinbefore contained, and in respect of the invention described in which no letters-patent may have been granted, to be cancelled, and thereupon the protection obtained by the filing of such complete specification shall cease.

17. All letters-patent for inventions granted under the provisions hereinbefore contained shall be made subject to the condition that the same shall be void, and that the powers and privileges thereby granted shall cease and determine, at the expiration of three years and seven years respectively from the date thereof, unless there be paid, before the expiration of the said three and seven years respectively, the sum or sums of money and stamp duties in the schedule to this act annexed; and the payment of the said sums of money and stamp duties respectively shall be indorsed on the warrant for the said letters-patent; and such officer of the commissioners as may be appointed for this purpose shall issue under the seal of the

commissioners a certificate of such payment, and shall indorse a receipt for the same on any letters-patent issued under the authority of the said warrant; and such certificate, duly stamped, shall be evidence of the payment of the several sums respectively.

18. The commissioners, so soon after the sealing of the said warrant as required by the applicant for the letters-patent, shall cause to be prepared letters-patent for the invention, according to the tenor of the said warrant, and it shall be lawful for the Lord Chancellor to cause such letters-patent to be sealed with the Great Seal of the United Kingdom, and such letters-patent so sealed shall extend to the whole of the United Kingdom of Great Britain and Ireland, the Channel Islands, and the Isle of Man; and in case such warrant so direct, such letters-patent shall be made applicable to her Majesty's colonies and plantations abroad, or such of them as may be mentioned in such warrant; and such letters-patent shall be valid and effectual as to the whole of such United Kingdom, and the said islands and isle, and the said colonies or plantations, or such of them as aforesaid, and shall confer the like powers, rights, and privileges as might, in case this act had not been passed, have been conferred by several letters-patent of the like purport and effect passed under the Great Seal of the United Kingdom, under the seal appointed to be used instead of the Great Seal of Scotland, and under the Great Seal of Ireland respectively, and made applicable to England, the dominion of Wales, the town of Berwick-upon-Tweed, the Channel Islands, and Isle of Man, and the said colonies and plantations, or such of them as aforesaid, to Scotland, and to Ireland respectively, save as herein otherwise provided: provided always, that nothing in this act contained shall be deemed or taken to give any effect or operation to any letters-patent to be granted under the authority of this act in any colony in which such or the like letters-patent would be invalid by the law in force in the same colony for the time being: provided always, that a transcript of such letters shall, so soon after the sealing of the same and in such manner as the commissioners shall direct, be transmitted to the director of Chancery in Scotland, and be recorded in the records of Chancery in Scotland, upon payment of such fees as the commissioners shall appoint, in the same manner and to the same effect in all respects as letters-patent passing under the seal appointed by the treaty of union to be used in place of the Great Seal of Scotland have heretofore been recorded, and extracts from the said records shall be furnished to all parties requiring the same, on payment of such fees as the commissioners shall direct, and shall be received in evidence in all courts in Scotland to the like effect as the letters-patent themselves.

19. Provided always, that no letters-patent, save as herein-after mentioned in the case of letters-patent destroyed or lost, shall issue on any warrant granted as aforesaid, unless application be made to seal such letters-patent within three months after the date of the said warrant.

20. Provided also, that no letters-patent (save letters-patent issued in lieu of others destroyed or lost) shall be issued or be of any force or effect unless the same be granted during the continuance of the provisional protection under this act, or, where a complete specification has been deposited under this act, then unless such letters-patent be granted during the continuance of the protection conferred under this act by reason of such deposit, save that where the application to seal such letters-patent has been made during the continuance of such provisional or other protection as aforesaid, and the sealing of such letters-patent has been delayed by reason of a caveat or an application to the Lord Chancellor against or in relation to the sealing of such letters-patent, then such letters-patent may be sealed at such time as the Lord Chancellor shall direct.

21. Provided also, that where the applicant for such letters-patent dies during the continuance of the provisional protection, or the protection by reason of the deposit of a complete specification, (as the case may be), such letters-patent may be granted to the executors or administrators of such applicant during the continuance of such provisional or other protection, or at any time within three months after the death of such applicant, notwithstanding the expiration of the term of such provisional or other protection, and the letters-patent so granted shall be of the like force and effect as if they had been granted to such applicant during the continuance of such provisional or other protection.

22. Provided also, that in case any such letters-patent shall be destroyed or lost, other letters-patent of the like tenor and effect, and sealed and dated as of the same day, may, subject to such regulations as the commissioners may direct, be issued under the authority of the warrant in pursuance of which the original letters-patent were issued.

23. It shall be lawful (the act of the 19th Hen. 6, c. 1, or any other act to the contrary notwithstanding) to cause any letters-patent to be issued in pursuance of this act to be sealed and bear date as of the day of the application for the same, and in case of such letters-patent for any invention provisionally registered under the "Protection of Inventions Act, 1851," as of the day of such provisional registration; or, where the law officer to whom the application was referred, or the Lord Chancellor, thinks fit and directs, any such letters-patent as aforesaid may be sealed and bear date as of the day of the sealing of such letters-patent, or of any other day between the day of such application or provisional registration and the day of such sealing.

24. Any letters-patent issued under this act, sealed and bearing date as of any day prior to the day of the actual sealing thereof, shall be of the same force and validity as if they had been sealed on the day as of which the same are expressed to be sealed and bear date: provided always, that save where such letters-patent are granted for any invention, in respect whereof a complete specification has been deposited upon the application for the same under this act, no proceeding at law or in equity shall be had upon such letters-patent in respect of any infringement committed before the same were actually granted.

25. Where, upon any application made after the passing of this act, letters-patent are granted in the United Kingdom for or in respect of any invention first invented in any foreign country, or by the subject of any foreign power or state, and a patent or like privilege for the monopoly or exclusive use or exercise of such invention in any foreign country is there obtained before the grant of such letters-patent in the United Kingdom, all rights and privileges under such letters-patent shall (notwithstanding any term in such letters-patent limited) cease and be void immediately upon the expiration or other determination of the term during which the patent or like privilege obtained in such foreign country shall continue in force, or where more than one such patent or like privilege is obtained abroad, immediately upon the expiration or determination of the term which shall first expire or be determined of such several patents or like privileges: provided always, that no letters-patent for or in respect of any invention for which any such patent or like privilege as aforesaid shall have been obtained in any foreign country, and which shall be granted in the said United Kingdom after the expiration of the term for which such patent or privilege was granted or was in force, shall be of any validity.

26. No letters-patent for any invention (granted after the passing of this act) shall extend to prevent the use of such invention in any foreign ship or vessel, or for the navigation of any foreign ship or vessel, which may be in any port of her Majesty's dominions, or in any of the waters within the jurisdiction of any of her Majesty's courts, where such invention is not so used for the manufacture of any goods or commodities to be vended within or exported from her Majesty's dominions: provided always, that this enactment shall not extend to the ships or vessels of any foreign state of which the laws authorize subjects of such foreign state, having patents or like privileges for the exclusive use or exercise of inventions within its territories, to prevent or interfere with the use of such inventions in British ships or vessels, or in or about the navigation of British ships or vessels, while in the ports of such foreign state, or in the waters within the jurisdiction of its courts, where such inventions are not so used for the manufacture of goods or commodities to be vended within or exported from the territories of such foreign state.

27. All letters-patent to be granted under this act (save only letters-patent granted after the filing of a complete specification) shall require the specification thereunder to be filed in the High Court of Chancery, instead of requiring the same to be inrolled, and no inrolment shall be requisite.

28. Every specification to be filed in pursuance of the condition of any letters-patent shall be filed in such office of the Court of Chancery as the Lord Chancellor shall from time to

time appoint, and every provisional specification and complete specification left or filed at the office of the commissioners, on the application for any letters-patent; shall forthwith after the grant of the letters-patent, or if no letters-patent be granted then immediately on the expiration of six months from the time of such application, be transferred to and kept in the said office appointed for filing specifications in Chancery; and in case reference is made to drawings in any specification deposited or filed under this act, an extra copy of such drawings shall be left with such specification.

29. The commissioners shall cause true copies of all specifications (other than provisional specifications), disclaimers, and memoranda of alterations filed under or in pursuance of this act, and of all provisional specifications after the term of the provisional protection of the invention has expired, to be open to the inspection of the public at the office of the commissioners, and at an office in Edinburgh and Dublin respectively, at all reasonable times; subject to such regulations as the commissioners may direct; and the commissioners shall cause a transcript of the said letters-patent to be transmitted for inrolment in the Court of Chancery, Dublin, and shall cause the same to be inrolled therein, and the transcript or exemplification thenceforward shall have the like effect to all intents and purposes as if the original letters-patent had been inrolled in the Court of Chancery in Dublin, and all parties shall have all their remedies, by *scire facies* or otherwise, as if the letters-patent had been granted to Ireland only.

30. The commissioners shall cause to be printed, published, and sold, at such prices and in such manner as they may think fit, all specifications, disclaimers, and memoranda of alterations deposited or filed under this act, and such specifications (not being provisional specifications), disclaimers, and memoranda respectively shall be so printed and published as soon as conveniently may be after the filing thereof respectively, and all such provisional specifications shall be so printed and published as soon as conveniently may be after the expiration of the provisional protection obtained in respect thereof; and it shall be lawful for the commissioners to present copies of all such publications to such public libraries and museums as they may think fit, and to allow the person depositing or filing any such specification, disclaimer, or memorandum of alteration to have such number, not exceeding twenty-five, of the copies thereof so printed and published, without any payment for the same, as they may think fit.

31. It shall be lawful for the Lord Chancellor and the Master of the Rolls to direct the inrolment of specifications, disclaimers, and memoranda of alterations, heretofore or hereafter inrolled or deposited at the Rolls Chapel-office, or the Petty Bag-office, or at the Inrolment-office of the Court of Chancery, or in the custody of the Master of the Rolls as keeper of the public records, to be transferred to and kept in the office appointed for filing specifications in Chancery under this act.

32. The commissioners shall cause indexes to all specifications, disclaimers, and memoranda of alterations heretofore or to be hereafter inrolled or deposited as last aforesaid to be prepared in such form as they may think fit, and such indexes shall be open to the inspection of the public at such place or places as the commissioners shall appoint, and subject to the regulations to be made by the commissioners, and the commissioners may cause all or any of such indexes, specifications, disclaimers, and memoranda of alterations to be printed, published, and sold in such manner and at such prices as the commissioners may think fit.

33. Copies, printed by the printers to the Queen's Majesty, of specifications, disclaimers, and memoranda of alterations, shall be admissible in evidence, and deemed and taken to be *prima facie* evidence of the existence and contents of the documents to which they purport to relate, in all courts and in all proceedings relating to letters-patent.

34. There shall be kept at the office appointed for filing specifications in Chancery under this act a book or books, to be called "The Register of Patents," wherein shall be entered and recorded in chronological order all letters-patent granted under this act, the deposit or filing of specifications, disclaimers, and memoranda of alterations filed in respect of such letters-patent, all amendments in such letters-patent and specifications, all confirmations and extensions of such letters-patent, the expiry, vacating, or cancelling such letters-patent, with the dates thereof respectively, and all other matters and

things affecting the validity of such letters-patent as the commissioners may direct, and such register, or a copy thereof, shall be open at all convenient times to the inspection of the public, subject to such regulations as the commissioners may make.

35. There shall be kept at the office appointed for filing specifications in Chancery under this act a book or books, intitled "The Register of Proprietors," wherein shall be entered, in such manner as the commissioners shall direct, the assignment of any letters-patent, or of any share or interest therein, any license under letters-patent, and the district to which such license relates, with the name or names of any person having any share or interest in such letters-patent or license, the date of his or their acquiring such letters-patent, share, and interest, and any other matter or thing relating to or affecting the proprietorship in such letters-patent or license; and a copy of any entry in such book, certified under such seal as may have been appointed or as may be directed by the Lord Chancellor to be used in the said office, shall be given to any person requiring the same, on payment of the fees hereinafter provided; and such copies so certified shall be received in evidence in all courts and in all proceedings, and shall be prima facie proof of the assignment of such letters-patent, or share or interest therein, or of the license or proprietorship, as therein expressed: provided always, that until such entry shall have been made, the grantee or grantees of the letters-patent shall be deemed and taken to be the sole and exclusive proprietor or proprietors of such letters-patent, and of all the licenses and privileges thereby given and granted; that certified duplicates of all entries made in the said register of proprietors shall forthwith be transmitted to the office of the commissioners in Edinburgh and Dublin, where the same shall also be open to the inspection of the public; and any writ of scire facias to repeal such letters-patent may be issued to the sheriff of the county or counties in which such grantee or grantees resided at the time when the said letters-patent were granted; and in case such grantee or grantees do not reside in the United Kingdom, it shall be sufficient to file such writ in the Petty Bag-office, and serve notice thereof in writing at the last known residence or place of business of such grantee or grantees; and such register or a copy shall be open to the inspection of the public at the office of the commissioners, subject to such regulations as the commissioners may make: provided always, that in any proceeding in Scotland to repeal any letters-patent, service of all writs and summonses shall be made according to the existing forms and practice: provided also, that the grantee or grantees of letters-patent to be hereafter granted may assign the letters-patent for England, Scotland, or Ireland respectively as effectually as if the letters-patent had been originally granted to extend to England or Scotland or Ireland only, and the assignee or assignees shall have the same rights of action and remedies, and shall be subject to the like actions and suits, as he or they should and would have had and been subject to upon the assignment of letters-patent granted to England, Ireland, or Scotland before the passing of this act.

36. Notwithstanding any proviso that may exist in former letters-patent, it shall be lawful for a larger number than twelve persons hereafter to have a legal and beneficial interest in such letters-patent.

37. If any person shall wilfully make or cause to be made any false entry in the said register of proprietors, or shall wilfully make or forge, or cause to be made or forged, any writing falsely purporting to be a copy of any entry in the said book, or shall produce or tender, or cause to be produced or tendered, in evidence any such writing, knowing the same to be false or forged, he shall be guilty of a misdemeanour, and shall be punished by fine and imprisonment accordingly.

38. If any person shall deem himself aggrieved by any entry made under colour of this act in the said register of proprietors, it shall be lawful for such person to apply, by motion, to the Master of the Rolls, or to any of the Courts of common law at Westminster in term time, or by summons to a judge of any of the said courts in vacation, for an order that such entry may be expunged, vacated, or varied; and upon any such application the Master of the Rolls, or such court or judge respectively, may make such order for expunging, vacating, or varying such entry, and as to the costs of such application, as to the said Master of the Rolls or to such court or judge may seem fit; and the officer having the care and custody of such

register, on the production to him of any such order for expunging, vacating, or varying any such entry, shall expunge, vacate, or vary the same, according to the requisitions of such order.

39. All the provisions of the acts of the 5 & 6 Will. 4, c. 83, and the 7 & 8 Vict. c. 69, respectively, relating to disclaimers and memoranda of alterations in letters-patent and specifications, except as hereinafter provided, shall be applicable and apply to any letters-patent granted and to any specification filed under the provisions of this act: provided always, that all applications for leave to enter a disclaimer or memorandum of alteration shall be made, and all caveats relating thereto shall be lodged, at the office of the commissioners, and shall be referred to the respective law officers in the said first-recited act mentioned: provided also, that every such disclaimer or memorandum of alteration shall be filed in the office appointed for filing specifications in Chancery under this act, with the specification to which the same relates, in lieu of being entered or filed and inrolled as required by the said first-recited act, or by the act of the 12 & 13 Vict. c. 109, and the said acts shall be construed accordingly: provided also, that such filing of any disclaimer or memorandum of alteration, in pursuance of the leave of the law officer in the first-recited act mentioned, certified as therein mentioned, shall, except in cases of fraud, be conclusive as to the right of the party to enter such disclaimer or memorandum of alteration under the said acts and this act; and no objection shall be allowed to be made in any proceeding upon or touching such letters-patent, specification, disclaimer, or memorandum of alteration, on the ground that the party entering such disclaimer or memorandum of alteration had not sufficient authority in that behalf: provided also, that no action shall be brought upon any letters-patent in which or on the specification of which any disclaimer or memorandum of alteration shall have been filed in respect of any infringement committed prior to the filing of such disclaimer or memorandum of alteration, unless the law officer shall certify in his fiat that any such action may be brought, notwithstanding the entry or filing of such disclaimer or memorandum of alteration.

40. All the provisions of the said act of the 5 & 6 Will. 4, [c. 83.] for the confirmation of any letters-patent, and the grant of new letters-patent, and all the provisions of the said act, and of the acts of the 2 & 3 Vict. c. 67, and the 7 & 8 Vict. c. 69, respectively, relating to the prolongation of the term of letters-patent, and to the grant of new letters-patent for a further term, shall extend and apply to any letters-patent granted under the provisions of this act, and it shall be lawful for her Majesty to grant any new letters-patent, as in the said acts mentioned; and in the granting of any such new letters-patent her Majesty's Order in Council shall be a sufficient warrant and authority for the sealing of any new letters-patent, and for the insertion in such new letters-patent of any restrictions, conditions, and provisions in the said order mentioned; and the Lord Chancellor, on the receipt of the said Order in Council, shall cause letters-patent, according to the tenor and effect of such order, to be made and sealed in the manner herein directed for letters-patent issued under the warrant of the law officer: provided always, that such new letters-patent shall extend to and be available in and for such places as the original letters-patent extended to and were available in: provided also, that such new letters-patent shall be sealed and bear date as of the day after the expiration of the term of the original letters-patent which may first expire.

41. In any action in any of her Majesty's superior courts of record at Westminster or in Dublin for the infringement of letters-patent, the plaintiff shall deliver with his declaration particulars of the breaches complained of in the said action, and the defendant on pleading thereto shall deliver with his pleas, and the prosecutor in any proceedings by scire facias to repeal letters-patent shall deliver with his declaration, particulars of any objections on which he means to rely at the trial in support of the pleas in the said action or of the suggestions of the said declaration in the proceedings by scire facias respectively; and at the trial of such action or proceeding by scire facias no evidence shall be allowed to be given in support of any alleged infringement or of any objection impeaching the validity of such letters-patent which shall not be contained in the particulars delivered as aforesaid: provided always, that the place or places at or in which and in what manner the invention is alleged to have been used or published prior to the date of the letters-patent shall be stated in such

particulars: provided also, that it shall and may be lawful for any judge at chambers to allow such plaintiff or defendant or prosecutor respectively to amend the particulars delivered as aforesaid, upon such terms as to such judge shall seem fit: provided also, that at the trial of any proceeding by scire facias to repeal letters-patent, the defendant shall be entitled to begin, and to give evidence in support of such letters-patent; and in case evidence shall be adduced on the part of the prosecutor impeaching the validity of such letters-patent, the defendant shall be entitled to the reply.

42. In any action in any of her Majesty's superior courts of record at Westminster and in Dublin for the infringement of letters-patent it shall be lawful for the Court in which such action is pending, if the Court be then sitting, or if the Court be not sitting then for a judge of such court, on the application of the plaintiff or defendant respectively, to make such order for an injunction, inspection, or account, and to give such direction respecting such action, injunction, inspection, and account, and the proceedings therein respectively, as to such court or judge may seem fit.

43. In taxing the costs in any action in any of her Majesty's superior courts at Westminster or in Dublin, commenced after the passing of this act, for infringing letters-patent, regard shall be had to the particulars delivered in such action, and the plaintiff and defendant respectively shall not be allowed any costs in respect of any particular unless certified by the judge before whom the trial was had to have been proved by such plaintiff or defendant respectively, without regard to the general costs of the cause; and it shall be lawful for the judge before whom any such action shall be tried to certify on the record that the validity of the letters-patent in the declaration mentioned came in question; and the record, with such certificate, being given in evidence in any suit or action for infringing the said letters-patent, or in any proceeding by scire facias to repeal the letters-patent, shall entitle the plaintiff in any such suit or action, or the defendant in such proceeding by scire facias, on obtaining a decree, decretal order, or final judgment, to his full costs, charges, and expenses, taxed as between attorney and client, unless the judge making such decree or order, or the judge trying such action or proceeding, shall certify that the plaintiff or defendant respectively ought not to have such full costs: provided always, that nothing herein contained shall affect the jurisdiction and forms of process of the Courts in Scotland in any action for the infringement of letters-patent, or in any action or proceeding respecting letters-patent hitherto competent to the said Courts: provided also, that when any proceedings shall require to be taken in Scotland to repeal any letters-patent, such proceedings shall be taken in the form of an action of reduction at the instance of her Majesty's advocate, or at the instance of any other party having interest with concurrence of her Majesty's advocate, which concurrence her Majesty's advocate is authorised and empowered to give upon just cause shewn only.

44. There shall be paid in respect of letters-patent applied for or issued as herein mentioned, the filing of specifications and disclaimers, certificates, entries, and searches, and other matters and things mentioned in the schedule to this act, such fees as are mentioned in the said schedule; and there shall be paid unto and for the use of her Majesty, her heirs and successors, for or in respect of the warrants and certificates mentioned in the said schedule, or the vellum, parchment, or paper on which the same respectively are written, the stamp duties mentioned in the said schedule; and no other stamp duties shall be levied, or fees, except as hereinafter mentioned, taken in respect to such letters-patent and specifications, and the matters and things in such schedule mentioned.

45. The stamp duties hereby granted shall be under the care and management of the Commissioners of Inland Revenue; and the several rules, regulations, provisions, penalties, clauses, and matters contained in any act now or hereafter to be in force with reference to stamp duties shall be applicable thereto.

46. The fees to be paid as aforesaid shall from time to time be paid into the receipt of the Exchequer, and be carried to and made part of the Consolidated Fund of the United Kingdom.

47. Provided always, that nothing herein contained shall prevent the payment as heretofore to the law officers, in cases

of opposition to the granting of letters-patent, and in cases of disclaimers and memoranda of alterations, of such fees as may be appointed by the Lord Chancellor and Master of the Rolls as the fee to be paid on the hearing of such oppositions, and in the case of disclaimers and memoranda of alterations respectively, or of such reasonable sums for office or other copies of documents in the office of the commissioners, as the commissioners may from time to time appoint to be paid for such copies; and the Lord Chancellor and Master of the Rolls, and the Commissioners, are hereby respectively authorised and empowered to appoint the fees to be so paid in respect of such oppositions, disclaimers, and memoranda of alterations respectively, and for such office or other copies.

48. It shall be lawful for the Commissioners of her Majesty's Treasury from time to time to allow such fees to the law officers and their clerks (for duties under this act in respect of which fees may not be payable to them under the provisions lastly hereinbefore contained) as the Lord Chancellor and Master of the Rolls may from time to time appoint, and to allow such salaries and payments to any clerks and officers to be appointed under this act, and such additional salaries and payments to any other clerks and officers in respect of any additional duties imposed on them by this act, as the said Commissioners of the Treasury may think fit.

49. It shall be lawful for the Commissioners of her Majesty's Treasury to allow from time to time the necessary sums for providing offices under this act, and for the fees, salaries, and payments allowed by them as aforesaid, and for defraying the current and incidental expenses of such office or offices; and the sums to be so allowed shall be paid out of such monies as may be provided by Parliament for that purpose.

50. And whereas divers persons by virtue of their offices or appointments are entitled to fees or charges payable in respect of letters-patent as heretofore granted within the United Kingdom of Great Britain and Ireland, or have and derive in respect of such letters-patent, or the procedure for the granting thereof, fees or other emoluments or advantages:

It shall be lawful for the said Commissioners of the Treasury to grant to any such persons who may sustain any loss of fees, emoluments, or advantages, by reason of the passing of this act, such compensation as, having regard to the tenure and nature of their respective offices and appointments, such commissioners deem just and proper to be awarded; and all such compensations shall be paid out of such monies as may be provided by Parliament for that purpose: provided always, that in case any person to whom any yearly sum by way of compensation shall be awarded and paid shall, after the passing of this act, be appointed to any office or place of emolument under the provisions of this act, or in the public service, then and in every such case the amount of such yearly sum shall in every year be diminished by so much as the emoluments of such person for such year from such office or place shall amount to, and provision in that behalf shall be made in the award to him of such yearly sum.

51. An account of all salaries, fees, allowances, sums, and compensations to be appointed, allowed, or granted under this act shall, within fourteen days next after the same shall be so appointed, allowed, or granted respectively, be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, then within fourteen days after the next meeting of Parliament.

52. Letters-patent may be granted in respect of applications made before the commencement of this act, in like manner and subject to the same provisions as if this act had not been passed.

53. Where letters-patent for England or Scotland or Ireland have been granted before the commencement of this act, or are in respect of any application made before the commencement of this act hereafter granted for any invention, letters-patent for England or Scotland or Ireland may be granted for such invention in like manner as if this act had not been passed: provided always, that in lieu of all the fees or payments and stamp duties now payable in respect of such letters-patent, or in or about obtaining a grant thereof, there shall be paid in respect of such letters-patent for England or Scotland or Ireland, on the sealing of such respective letters-patent, a sum equal to one-third part of the fees and stamp duties which would be payable according to the schedule to this act in respect of letters-patent issued for the United Kingdom under

this act, on or previously to the sealing of such letters-patent; and at or before the expiration of the third year and the seventh year respectively of the term granted by such letters-patent for England or Scotland or Ireland, sums equal to one-third part of the fees and stamp duties payable at the expiration of the third year and the seventh year respectively of the term granted by letters-patent issued for the United Kingdom under this act; and the condition of such letters-patent for England or Scotland or Ireland shall be varied accordingly; and such fees shall be paid to such persons as the Commissioners of her Majesty's Treasury shall appoint, and shall be carried to and form part of the said Consolidated Fund.

54. The several forms in the schedule to this act may be used for and in respect of the several matters therein mentioned, and the commissioners may, where they think fit, vary such forms as occasion may require, and cause to be printed and circulated such other forms as they may think fit to be used for the purposes of this act.

55. In the construction of this act the following expressions shall have the meanings hereby assigned to them, unless such meanings be repugnant to or inconsistent with the context; (that is to say),

The expression "Lord Chancellor" shall mean the Lord Chancellor, or Lord Keeper of the Great Seal, or Lords Commissioners of the Great Seal:

The expression "the commissioners" shall mean the commissioners for the time being acting in execution of this act:

The expression "law officer" shall mean her Majesty's Attorney-General or Solicitor-General for the time being for England, or the Lord Advocate or her Majesty's Solicitor-General for the time being for Scotland, or her Majesty's Attorney-General or Solicitor-General for the time being for Ireland:

The expression "invention" shall mean any manner of new manufacture the subject of letters-patent and grant of privilege within the meaning of the 21 Jac. 1, c. 3:

The expressions "petition," "declaration," "provisional specification," "warrant," and "letters-patent" respectively shall mean instruments in the form and to the effect in the schedule hereto annexed, subject to such alterations as may from time to time be made therein under the powers and provisions of this act.

56. In citing this act in other acts of Parliaments, instruments, and proceedings, it shall be sufficient to use the expression "The Patent Law Amendment Act, 1852."

57. This act shall commence and take effect from the 1st day of October, 1852.

THE SCHEDULE TO WHICH THIS ACT REFERS.

FEEs TO BE PAID.

	£	s.	d.
On leaving petition for grant of letters-patent	5	0	0
On notice of intention to proceed with the application	5	0	0
On sealing of letters-patent	5	0	0
On filing specification	5	0	0
At or before the expiration of the third year	40	0	0
At or before the expiration of the seventh year	80	0	0
On leaving notice of objections	2	0	0
Every search and inspection	0	1	0
Entry of assignment or license	0	5	0
Certificate of assignment or license	0	5	0
Filing application for disclaimer	5	0	0
Caveat against disclaimer	2	0	0

STAMP DUTIES TO BE PAID.

On warrant of law officer for letters-patent	5	0	0
On certificate of payment of the fee payable at or before the expiration of the third year	10	0	0
On certificate of payment of the fee payable at or before the expiration of the seventh year	20	0	0

FORMS.

PETITION.

No.

To the Queen's most excellent Majesty.

The humble petition of [*here insert name and address of petitioner*] for &c.

Sheweth,

That your petitioner is in possession of an invention for [*the title of the invention,*]

which invention he believes will be of great public utility; that he is the true and first inventor thereof; and that the same is not in use by any other person or persons, to the best of his knowledge and belief.

Your petitioner therefore humbly prays, that your Majesty will be pleased to grant unto him, his executors, administrators, and assigns, your royal letters-patent for the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*colonies to be mentioned, if any*], for the term of fourteen years, pursuant to the statutes in that case made and provided.

And your petitioner will ever pray, &c.

DECLARATION.

No.

I, —, of —, in the county of —, do solemnly and sincerely declare that I am in possession of an invention for &c.

[*the title as in petition,*]

which invention I believe will be of great public utility; that I am the true and first inventor thereof; and that the same is not in use by any other person or persons, to the best of my knowledge and belief; [*where a complete specification is to be filed with the petition and declaration, insert these words:—*]

and that the instrument in writing under my hand and seal, hereunto annexed, particularly describes and ascertains the nature of the said invention, and the manner in which the same is to be performed; and I make this declaration conscientiously believing the same to be true, and by virtue of the provisions of an act made and passed in the session of Parliament held in the 5 & 6 Will. 4, intituled "An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits,' and to make other Provisions for the Abolition of unnecessary Oaths."

A. B.

Declared at —, this — day of —, A. D. —, before me,

—, A Master in Chancery,
or
—, Justice of the Peace.

PROVISIONAL SPECIFICATION.

No.

I, —, do hereby declare the nature of the said invention for

[*insert title as in petition,*]

to be as follows:—

[*here insert description.*]

Dated this — day of — A. D.

(*To be signed by applicant or his agent.*)

REFERENCE.

(*To be indorsed on the petition.*)

Her Majesty is pleased to refer this petition to —, to consider what may be properly done therein.

—, Clerk of the Commissioners.

WARRANT.

In humble obedience to her Majesty's command referring to me the petition of —, of —, to consider what may be properly done therein, I do hereby certify as follows—that the said petition sets forth that the petitioner

[*allegations of the petition.*]

And the petitioner most humbly prays,
[*prayer of the petition.*]

That in support of the allegations contained in the said petition the declaration of the petitioner has been laid before me, whereby he solemnly declares that

[*allegations of the declaration.*]

That there has also been laid before me [a provisional specification, signed —, and also a certificate —,] or [a complete specification, and a certificate of the filing thereof,] whereby it appears that the said invention was provisionally protected [or protected] from the — day of —, A. D. —, in pursuance of the statute:

That it appears that the said application was duly advertised:

Upon consideration of all the matters aforesaid, and as it is entirely at the hazard of the said petitioner whether the said invention is new or will have the desired success, and as it may be reasonable for her Majesty to encourage all arts and inventions which may be for the public good, I am of opinion that her Majesty may grant her royal letters-patent unto the petitioner, his executors, administrators, and assigns, for his said invention within the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*colonies to be mentioned, if any*], for the term of fourteen years, according to the statute in that case made and provided, if her Majesty shall be graciously pleased so to do, to the tenor and effect following:—

[*See next form.*]

Given under my hand this — day —, A. D. —.



[*Seal of the Commissioners.*]

LETTERS-PATENT.

Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come greeting:

Whereas — hath by his petition humbly represented unto us that he is in possession of an invention for —, which the petitioner conceives will be of great public utility; that he is the true and first inventor thereof; and that the same is not in use by any other person or persons, to the best of his knowledge and belief: the petitioner, therefore, most humbly prayed that we would be graciously pleased to grant unto him, his executors, administrators, and assigns, our royal letters-patent for the sole use, benefit, and advantage of his said invention within our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*colonies to be mentioned, if any*], for the term of fourteen years, pursuant to the statutes in that case made and provided:

[And whereas the said — hath particularly described and ascertained the nature of the said invention, and in what manner the same is to be performed, by an instrument in writing under his hand and seal, and has caused the same to be duly filed in —:]

And we, being willing to give encouragement to all arts and inventions which may be for the public good, are graciously pleased to condescend to the petitioner's request: know ye, therefore, that we, of our especial grace, certain knowledge, and mere motion, have given and granted, and by these presents, for us, our heirs and successors, do give and grant, unto the said —, his executors, administrators, and assigns, our especial license, full power, sole privilege, and authority, that he the said —, his executors, administrators, and assigns, and every of them, by himself and themselves, or by his and their deputy or deputies, servants or agents, or such others as he the said —, his executors, administrators, or assigns, shall at any time agree with, and no others, from time to time and at all times hereafter during the term of years herein expressed, shall and lawfully may make, use, exercise, and vend his said invention within our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, in such manner as to him the said —, his executors, administrators, and assigns, or any of them, shall in his or their discretion seem meet; and that he the said —, his executors, administrators, and assigns, shall and lawfully may have and enjoy the whole profit, benefit, commodity, and advantage from time to time coming, growing, accruing, and arising by reason of the said invention, for and during the term of years herein mentioned; to have, hold, exercise, and enjoy the said licenses, powers, privileges, and advantages hereinbefore granted or mentioned to be granted unto the said —, his executors, administrators, and assigns, for and during and unto the full

end and term of fourteen years from the — day of —, A. D. —, next and immediately ensuing, according to the statute in such case made and provided: and to the end that he the said —, his executors, administrators, and assigns, and every of them, may have and enjoy the full benefit and the sole use and exercise of the said invention, according to our gracious intention hereinbefore declared, we do by these presents, for us, our heirs and successors, require and strictly command all and every person and persons, bodies politic and corporate, and all other our subjects whatsoever, of what estate, quality, degree, name, or condition soever they be, within our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*colonies to be mentioned, if any*], that neither they nor any of them, at any time during the continuance of the said term of fourteen years hereby granted, either directly or indirectly, do make, use, or put in practice the said invention, or any part of the same, so attained unto by the said — as aforesaid, nor in anywise counterfeit, imitate, or resemble the same, nor shall make or cause to be made any addition thereunto or subtraction from the same, whereby to pretend himself or themselves the inventor or inventors, deviser or devisors thereof, without the consent, license, or agreement of the said —, his executors, administrators, or assigns, in writing under his or their hands and seals, first had and obtained in that behalf, upon such pains and penalties as can or may be justly inflicted on such offenders for their contempt of this our royal command, and further to be answerable to the said —, his executors, administrators, and assigns, according to law, for his and their damages thereby occasioned: and moreover we do by these presents, for us, our heirs and successors, will and command all and singular the justices of the peace, mayors, sheriffs, bailiffs, constables, headboroughs, and all other officers and ministers whatsoever of us, our heirs and successors, for the time being, that they or any of them do not, nor shall at any time during the said term hereby granted, in anywise molest, trouble, or hinder the said —, his executors, administrators, or assigns, or any of them, or his or their deputies, servants, or agents, in or about the due and lawful use or exercise of the aforesaid invention, or anything relating thereto: provided always, and these our letters-patent are and shall be upon this condition, that if at any time during the said term hereby granted it shall be made appear to us, our heirs or successors, or any six or more of our or their Privy Council, that this our grant is contrary to law, or prejudicial or inconvenient to our subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof, or that the said — is not the true and first inventor thereof within this realm as aforesaid, these our letters-patent shall forthwith cease, determine, and be utterly void to all intents and purposes, anything hereinbefore contained to the contrary thereof in anywise notwithstanding: provided also, that these our letters-patent, or anything herein contained, shall not extend or be construed to extend to give privilege unto the said —, his executors, administrators, or assigns, or any of them, to use or imitate any invention or work whatsoever which hath heretofore been found out or invented by any other of our subjects whatsoever, and publicly used or exercised, unto whom our like letters-patent or privileges have been already granted for the sole use, exercise, and benefit thereof: it being our will and pleasure that the said —, his executors, administrators, and assigns, and all and every other person and persons to whom like letters-patent or privileges have been already granted as aforesaid, shall distinctly use and practise their several inventions by them invented and found out, according to the true intent and meaning of the same respective letters-patent and of these presents: provided likewise nevertheless, and these our letters-patent are upon this express condition, [that if the said — shall not particularly describe and ascertain the nature of his said invention, and in what manner the same is to be performed, by an instrument in writing under his hand and seal, and cause the same to be filed in —, within — calendar months next and immediately after the date of these our letters-patent;] [and also if the said instrument in writing filed as aforesaid does not particularly describe and ascertain the nature of the said invention, and in what manner the same is to be performed;] and also if the said —, his executors, administrators, or assigns, shall not pay or cause to be paid at the office of our Commissioners of Patents for Inventions the sums following, that is to say, the sum of — pounds on or before the — day of —, A. D. —, and the stamp duty payable in respect of the cer-

tificate of such payment, and the sum of — pounds on or before the — day of —, A. D. —, and the stamp duty payable in respect of the certificate of such payment; and also if the said —, his executors, administrators, or assigns, shall not supply or cause to be supplied for our service all such articles of the said invention as he or they shall be required to supply by the officers or commissioners administering the department of our service for the use of which the same shall be required, in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled for that purpose by the said officers or commissioners requiring the same; that then and in any of the said cases these our letters-patent, and all liberties and advantages whatsoever hereby granted, shall utterly cease, determine, and become void, anything hereinbefore contained to the contrary thereof in anywise notwithstanding: provided that nothing herein contained shall prevent the granting of licences in such manner and for such considerations as they may by law be granted: and lastly, we do by these presents, for us, our heirs and successors, grant unto the said —, his executors, administrators, and assigns, that these our letters-patent, or the filing thereof, shall be in and by all things good, firm, valid, sufficient, and effectual in the law according to the true intent and meaning thereof, and shall be taken, construed, and adjudged in the most favourable and beneficial sense for the best advantage of the said —, his executors, administrators, and assigns, as well in all our courts of record as elsewhere, and by all and singular the officers and ministers whatsoever of us, our heirs and successors, in our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*colonies to be mentioned, if any*], and amongst all and every the subjects of us, our heirs and successors, whatsoever and whosoever, notwithstanding the not full and certain describing the nature or quality of the said invention, or of the materials thereunto conducting and belonging. In witness whereof we have caused these our letters to be made patent this — day of —, A. D. —; and to be sealed and bear date as of the said — day of —, A. D. —, in the — year of our reign.

SPECIFICATION.

To all to whom these presents shall come.

I, —, of —, send greeting:

Whereas her most excellent Majesty, Queen Victoria, by her letters-patent, bearing date the — day of —, A. D. —, in the — year of her reign, did, for herself, her heirs and successors, give and grant unto me the said —, her special license that I the said —, my executors, administrators, and assigns, or such others as I the said —, my executors, administrators, and assigns, should at any time agree with, and no others, from time to time and at all times thereafter during the term therein expressed, should and lawfully might make, use, exercise, and vend, within the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*colonies to be mentioned, if any*], an invention for

[*insert title as in letters-patent*]

upon the condition (amongst others) that I the said —, by an instrument in writing under my hand and seal, should particularly describe and ascertain the nature of the said invention, and in what manner the same was to be performed, and cause the same to be filed in — within — calendar months next and immediately after the date of the said letters-patent: now know ye, that I the said —, do hereby declare the nature of my said invention, and in what manner the same is to be performed, to be particularly described and ascertained in and by the following statement; (that is to say),

[*describe the invention.*]

In witness whereof I the said A. B. have heretofore set my hand and seal this — day of —, A. D. —.

A. B.

CAP. LXXXIV.

An Act to make better Provision respecting the Supply of Water to the Metropolis. [1st July, 1852.]

CAP. LXXXV.

An Act to amend the Laws concerning the Burial of the Dead in the Metropolis. [1st July, 1852.]

CAP. LXXXVI.

An Act to amend the Practice and Course of Proceeding in the High Court of Chancery. [1st July, 1852.]
[Printed ante, p. 230.]

CAP. LXXXVII.

An Act for the Relief of the Suitors of the High Court of Chancery. [1st July, 1852.]

- Sect. 1. No officer hereafter to receive fees for his own use, but all officers to be paid by salary.
2. Officers to continue to receive fees until Lord Chancellor shall otherwise direct, and pay them into the Suitors' Fee Fund.
3. Officers not to take gratuities.
4. How offenders to be prosecuted.
5. Allowances for copying to cease, and power to Lord Chancellor to make regulations as to copies.
6. Power to Lord Chancellor, by order, to vary, reduce, and abolish fees, and to provide for their collection by stamps.
7. After such order, fees not to be received in money, but by means of stamps.
8. Commissioners of Inland Revenue to give the necessary directions as to the stamps, to keep separate accounts, and pay monies into Suitors' Fee Fund.
9. Provision for sale of stamps.
10. Commissioners of Inland Revenue may make regulations as to allowance for spoiled stamps.
11. Provisions of former acts relating to stamps to be applicable to stamps under this act.
12. No document to be received or used unless stamped.
13. Officers guilty of fraud or wilful neglect in relation to stamps liable to be dismissed.
14. Power to abolish fees in lunacy, and to substitute a percentage in lieu thereof.
15. Certain statutory jurisdiction given to Lord Chancellor, intrusted with care of lunatics, to be exercised by the persons for the time being so intrusted.
16. Salaries of Lord Chancellor and judges of the Court of Chancery to be paid out of Consolidated Fund.
17. Repeal of sect. 61 of stat. 5 Vict. c. 5.
18. Brokerage heretofore received by Accountant-General to be paid by him into Suitors' Fee Fund.
19. Salary to be paid to present Accountant-General in lieu of brokerage.
20. Nothing in act to affect the rights as a Master in Ordinary.
21. Power to Treasury to make regulations as to brokerage.
22. Salary of all future Accountants-General to be 3000*l.* per annum.
23. Certain officers of Lord Chancellor removed, and their offices abolished.
24. Certain officers of the Lord Chancellor to be paid by salary in lieu of fees.
25. The secretary of presentations and the secretary of commissions of the peace to account for and pay fees into Consolidated Fund.
26. The persons or person holding such last-mentioned offices to receive the yearly sum of 800*l.*
27. Certain offices abolished.
28. Duties of Subpoena-office transferred to Clerk of Records and Writs.
29. Duties of Affidavit-office to be performed by Clerks of Records and Writs.
30. Orders in lunacy, when drawn up and signed, to be entered by the Registrar in Lunacy, and office copies of such orders to be furnished and signed by him, and the Accountant-General to act upon such orders.
31. Orders in lunacy in certain cases to be acted upon in the same manner as if drawn up by the Registrar of the Court of Chancery.
32. Certificates and reports of Masters in Lunacy to be only filed in the office of Registrar in Lunacy.
33. Forging the signature of Registrar of Lunacy, or of his seal, to be felony.
34. Master of Reports and Entries to countersign cheques, &c.
35. To perform other duties as Lord Chancellor may direct.
36. Account of monies of the suitors of the court kept at the Report-office to be discontinued, and offices of Clerks of Accounts abolished.

37. Lord Chancellor to make General Orders for carrying act into effect.
38. Orders under this act may be varied.
39. Duties and salaries of clerks in Accountant-General's office.
40. Amount of salaries to clerks of Taxing Masters.
41. Deposits on appeals to be paid into Bank, and placed to "The Appeal Deposit Account."
42. Persons may sell by auction, under an order of the Court of Chancery, without being liable to duty imposed by the 8 & 9 Vict. c. 15.
43. Indemnity in respect of former sales.
44. Officers whose emoluments are diminished in consequence of this act may make claim for compensation to Commissioners of Treasury.
45. Payments to be made to persons whose offices are abolished.
46. Lord Chancellor may order pensions for retiring officers.
47. Lord Chancellor may remove and give pensions to disabled officers.
48. Salaries to grow due from day to day, but to be payable quarterly out of Suitors' Fee Fund.
49. Compensation to Chaff Wax, &c. to be paid out of Consolidated Fund.
50. All other compensations and superannuation or retiring allowances to grow due from day to day, but to be payable quarterly out of Suitors' Fee Fund.
51. Alteration of quarterly days of payment of certain salaries out of Suitors' Fee Fund.
52. Provisions for expenses of the officers of the court.
53. Surplus of Suitors' Fund to be from time to time carried over to and to become part of Suitors' Fee Fund.
54. Provision in case of surplus or deficiency of Suitors' Fee Fund.
55. Interpretation of term "Lord Chancellor."

CAP. LXXXVIII.

An Act to remove Doubts as to the Constitution of the Bishopric of Christchurch, in New Zealand, and to enable her Majesty to constitute such Bishopric, and to subdivide the Diocese of New Zealand. [1st July, 1852.]

London Gazettes.

FRIDAY, SEPTEMBER 10.

BANKRUPTS.

- SAMUEL LUKE PRATT**, New Bond-street, Middlesex, upholsterer, dealer and chapman, Sept. 23 at 12, and Nov. 13 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Carlon & Haynes, Palace-chambers, St. James's-street.—Petition dated Sept. 8.
- ANTHONY MEYER**, Throgmorton-street, London, merchant and commission agent, dealer and chapman, Sept. 21 at 12, and Oct. 22 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition filed Aug. 31.
- CHARLES DAVEY**, Brixton, Surrey, linendraper, dealer and chapman, Sept. 24 at 1, and Oct. 19 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Dickson & Overbury, 4, Frederick's-place, Old Jewry, London.—Petition filed Aug. 31.
- JAMES HARPER**, Gloucester, hotel-keeper and victualler, dealer and chapman, Sept. 24 and Oct. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed Aug. 31.
- JOSEPH LEE**, Dewsbury, Yorkshire, grocer, Sept. 21 and Oct. 18 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Evans & Son, Liverpool; Atkinson & Co., Leeds.—Petition dated Aug. 28; filed Aug. 30.

MEETINGS.

Shadrach Edward Robert Jones, Wrockwardine, Shropshire, apothecary, Sept. 23 at half-past 11, District Court of Bankruptcy, Birmingham, last ex.—*Wilson Forster* and *John Dodgson*, Liverpool, Sept. 22, District Court of Bankruptcy, Liverpool, last ex.—*William Nicholson*, Shotley-bridge, Durham, timber merchant, Oct. 29 at 12, District Court of

Bankruptcy, Newcastle-upon-Tyne, last ex.—*Richard Halers*, Sunderland, Durham, provision merchant, Oct. 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.; Oct. 26 at 11, aud. ac.; Oct. 28 at 11, div.—*David Gibson*, Newcastle-upon-Tyne, grocer, Oct. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Archibald Corken*, Oswestry, Shropshire, watchmaker, Oct. 5 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Edward Bowen*, Little Bolton, Lancashire, flour dealer, Sept. 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John William Cowles Brewer*, Gloucester, licensed victualler, Sept. 28 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Oct. 7 at 11, div.—*T. Pearce* and *W. Thackray*, Sunderland, Durham, timber merchants, Oct. 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *W. Thackray*; Oct. 14 at 12, div. joint est.; at half-past 12, div. sep. est. of *W. Thackray*.—*Whitfield Burnett*, *Robert Moon Watson*, and *Luke Wanless*, Bishopwearmouth, *Thomas Harrison*, Chartershaugh, and *Daniel Stokoe*, Shiney-row, Durham, shipowners, Oct. 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 19 at half-past 12, div.—*Robert Thorman*, Newcastle-upon-Tyne, engine builder, Oct. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James O. Holmes*, Sunderland, and *F. L. Marshall*, Roker, Durham, timber merchants, Oct. 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Matthewson*, Hartlepool, Durham, merchant, Oct. 19 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Peverley* and *John A. Charlton*, Sunderland-near-the-Sea, Durham, shipbuilders, Oct. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. Rymer*, Gateshead, Durham, paper manufacturer, Oct. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 15 at 1, div.—*Edw. M. Hadaway*, Newcastle-upon-Tyne, grocer, Oct. 12 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 15 at 12, div.—*John Roberts*, Rhyl, Flintshire, innkeeper, Oct. 1 at 11, District Court of Bankruptcy, Liverpool, div.—*S. Langdale* the elder and *S. Langdale* the younger, Stockton-upon-Tees, Durham, and Yarm, Yorkshire, corn dealers, Oct. 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Robert Seymour*, Sunderland, Durham, linendraper, Oct. 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James O. Holmes, Sunderland, and *Young L. Marshall*, Roker, Durham, timber merchants, Oct. 28 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas Matthewson*, Hartlepool, Durham, merchant, Oct. 19 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*E. W. Hadaway*, Newcastle-upon-Tyne, grocer, Oct. 15 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Wm. Wheeler*, Cleobury Mortimer, Shropshire, miller, Oct. 5 at half-past 11, District Court of Bankruptcy, Birmingham.—*Thomas Doorbar*, Biddulph, Staffordshire, wheelwright, Oct. 7 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Edward Mountcastle, King William-street, London, and *Greenwich*, Kent, hatter.—*Joseph Jones*, Machen, Monmouthshire, coal owner.—*Thomas Cowdrey*, Brighton, Sussex, wine merchant.—*Wm. Parsons*, Merton, Surrey, retailer of beer.—*Samuel Knight*, Fore-street, London, cheesemonger.—*G. Wood Walter* and *Wm. H. Walker*, Silverdale, Keele, Staffordshire, silk throwsters.—*John Dallow*, Wolverhampton, Staffordshire, cooper.

PETITION ANNULLED.

David Lansley, Bath, livery-stable keeper.

SCOTCH SEQUESTRATION.

John & David Sim, Elgin, boot makers.

DECLARATION OF INSOLVENCY.

Edw. Holloway, Norton-juxta-Kempsey, Worcestershire, boot maker, Sept. 16 at 10, County Court of Worcestershire, at Pershore.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Lloyd, Bristol, retailer of beer, Oct. 30 at 11, County Court of Gloucestershire, at Bristol.—*Wm. James Gingell*, Bristol, inspector of weights and measures, Oct. 13 at 11, County Court of Gloucestershire, at Bristol.—*Isaac Davis*, Two Mile-hill, St. George, Gloucestershire, butcher, Oct. 13 at 11, County Court of Gloucestershire, at Bristol.—*John Hampston*, Clarbrough, Nottinghamshire, nurseryman, Oct. 1 at 1, County Court of Nottinghamshire, at East Retford.—*T. N. Hedge*, Cheltenham, Gloucestershire, retailer of beer, Sept. 28 at 10, County Court of Gloucestershire, at Cheltenham.—*Wardell Wilkin*, West Lynn, St. Peter's, Norfolk, beer-house keeper, Sept. 22 at 4, County Court of Norfolk, at King's Lynn.—*R. Fenwick*, Marton-cum-Grafton, near Boroughbridge, Yorkshire, butcher, Sept. 17 at 10, County Court of Yorkshire, at Knaresborough.—*Jos. Fellows*, Dudley, Worcestershire, carpenter, Sept. 23 at 12, County Court of Worcestershire, at Dudley.—*Henry Leal*, Chichester, Sussex, tailor, Sept. 29 at 11, County Court of Sussex, at Chichester.—*Thos. Stanford*, Sedgley, Staffordshire, butcher, Sept. 30 at 12, County Court of Worcestershire, at Dudley.—*Edward Rawley*, Brighton, Sussex, assistant to a perfumer, Sept. 25 at 10, County Court of Sussex, at Brighton.—*Robert Swayles*, Rotherham, Yorkshire, vessel owner, Sept. 28 at 12, County Court of Yorkshire, at Rotherham.—*Geo. Walder*, Portsmouth, fruiterer, Sept. 29 at 11, County Court of Hampshire, at Portsmouth.—*Henry Norrell* the younger, Havant, Hampshire, butcher, Sept. 29 at 11, County Court of Hampshire, at Portsmouth.—*Edw. Bradley*, Cowbridge, Glamorganshire, land agent, Sept. 13 at 10, County Court of Glamorganshire, at Bridgend.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 6 at 10, before Mr. Commissioner LAW.

Geo. Allenby Gresswell, Bromley, Middlesex, carpenter.—*Edward Wood*, High-street, Camberwell, Surrey, dealer in china.

Nov. 8 at 11, before Mr. Commissioner PHILLIPS.

James Beaven, New-cut, Lambeth, Surrey, beer-shop keeper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 24 at 10, before the CHIEF COMMISSIONER.

George Henry Wilson, St. Peter's-terrace, Hammersmith, Middlesex, out of business.

Sept. 24 at 10, before Mr. Commissioner LAW.

Wm. Richards, Whitehampton-st., New North-road, Hoxton, Middlesex, carpenter.—*George Crosskill*, Princes-street, Princes-square, Whitechapel, Middlesex, bricklayer.—*James Chapman*, Leadenhall-st., London, out of business.

Sept. 24 at 10, before Mr. Commissioner PHILLIPS.

Joseph Rowley Porter, Howard-street, Strand, Middlesex, lodging-house keeper.—*W. Mason*, Edmund's-place, Aldersgate-st., London, optician.

Sept. 27 at 11, before the CHIEF COMMISSIONER.

Edward Drewery, Southampton-place, Camberwell, Surrey, out of business.

Sept. 27 at 10, before Mr. Commissioner LAW.

John P. Cameron, Mill-st., Hanover-sq., Middlesex, clerk to a tailor.—*George Davies*, Barnet-grove, Hart's-lane, Bethnal-green, horse keeper.

Sept. 27 at 11, before Mr. Commissioner PHILLIPS.

Thomas Boughton, Guildford, Surrey, herald painter.—*J. Slate*, Holly-st., South Dalston, Middlesex, out of business.—*John M'Cartney*, Minerva-terrace, Barnsbury-park, Islington, Middlesex, traveller to a warehouseman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cheshire, at CHESTER, Sept. 22 at half-past 10.

John W. T. Tasker, dec., Wilderspool, near Warrington, licensed brewer.

At the County Court of Lancashire, at LANCASTER, Sept. 24 at 11.

John H. Lindsay, Hulme, Manchester, general agent.—*John S. Branch*, Bootle, near Liverpool, in no business.—*Richard Hailwood*, Hulme, Manchester, licensed victualler.—*Wm. Southworth*, Chorley, licensed victualler.—*Stephen Pearson*, Manchester, stage-coach driver.—*George M. Bower*, Liverpool, master mariner.—*Richard Johnson*, Southport, attorney-at-law.—*Samuel Campbell*, Kirkdale, Liverpool, shipowner.—*James Pennington*, Manchester, game dealer.—*John Thistlethwaite*, Levenshulme, near Manchester, out of business.—*George Rouse*, Hulme, Manchester, provision-shop keeper.—*Wm. Scrafton*, Liverpool, out of business.—*John Bates*, Back Salford, out of business.—*John Moor*, Lancaster, cordwainer.—*Samuel Brierley*, Preston, grocer.—*P. Johnson* the younger, Egremont, near Liverpool, general commission agent.

At the County Court of Yorkshire, at YORK CASTLE, Sept. 27 at 10.

Thomas Morgan Williams, Dewwood, near Sheffield, out of business.—*Thomas Walker*, Fulsbury, out of business.—*Charles C. Cailton*, Oldham, near Manchester, out of business.—*Moses Howard*, Holme, near Holmfirth, woollen manufacturer.—*George Brooke*, Wash-upon-Dearne, near Rotherham, auctioneer.—*Nicholas Mahony*, Sheffield, brushmaker.—*E. Hirst*, Mossley Brough, near Staleybridge, out of business.—*John Hobron*, Goodramgate, tailor.—*Joshua Kidd*, Lower Wike, near Halifax, out of business.—*Phabe Holmes*, widow, Northwram, near Halifax, publican.—*S. Baggott*, Kirkstall, near Leeds, labourer.—*J. Blackburn*, Mirfield, fulling miller.—*Richard Cowel*, Middlebrough, master of the steam-boat industry.—*James Hutley*, Leeds, coach proprietor.—*Joseph Squires*, Leeds, furniture broker.—*George Chappel*, Barmby-upon-the-Marsh, near Howden, sacking manufacturer.—*B. Johnson*, Broomfield, Bradford, dealer in flour.

At the County Court of Gloucestershire, at BRISTOL, Sept. 29 at 11.

Philip Crispin, Bristol, carpenter.

MEETING.

Henry Hatch, Sutton, Surrey, rector of Sutton, Sept. 15 at 3, Cattlin's, 39, Ely-place, Holborn, sp. aff.

TUESDAY, SEPTEMBER 14.

BANKRUPTS.

ALEXANDER FORFAR, Dunstable, Bedfordshire, straw bonnet manufacturer and dealer in Brazilian hats, Sept. 30 and Oct. 26 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Simpson, St. Alban's, Hertfordshire; Crossley & Burn, 34, Lombard-street, London.—Petition filed Sept. 9.

LEWIS WORMS and *MATTHEW WORMS*, Queen-st., Cheap-side, London, merchants, dealers and chapmen, Sept. 30 and Nov. 2 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Tilleard & Co., 34, Old Jewry, London.—Petition filed Sept. 11.

BENJAMIN SALTER, North-end, Fulham, Middlesex, brewer and maltster, (trading under the firm of Benjamin Salter & Co.), Sept. 28 at 1, and Oct. 19 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrance & Plews, 14, Old Jewry-chambers, London.—Petition filed Sept. 8.

HENRY GEORGE QUILTER, Birmingham, grocer, Sept. 29 and Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated Sept. 9.

MAURICE RICHARDS, Birmingham, grocer, Sept. 29 and Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated Sept. 9.

EDWARD MICHELSON, Manchester, woollen merchant, Sept. 28 and Oct. 29 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds.—Petition dated Sept. 1; filed Sept. 2.

EDWARD JONES, Liverpool, linendraper, dealer and chapman, Sept. 24 and Oct. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Williams, Liverpool.—Petition filed Sept. 10.

MEETINGS.

John Bailey Capper, Montpelier Vale, Blackheath, Kent, chemist, Oct. 7 at 11, Court of Bankruptcy, London, last ex.—*Philip Rufford*, *Francis Rufford*, and *Chas. John Wragge*, Stourbridge, Worcestershire, bankers, Oct. 11 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac., and Oct. 16 at half-past 10, div., sep. est. of *F. Rufford*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Higginbotham, Macclesfield, Cheshire, silk manufacturer, Oct. 7 at 12, District Court of Bankruptcy, Manchester.—*J. Earp*, Uttoxeter, Staffordshire, brewer, Oct. 9 at half-past 10, District Court of Bankruptcy, Birmingham.—*C. F. Bailey*, Burslem, Staffordshire, boot maker, Oct. 11 at half-past 10, District Court of Bankruptcy, Birmingham.—*Thos. Shaw*, Birmingham, stationer, Oct. 9 at half-past 10, District Court of Bankruptcy, Birmingham.—*R. W. Lishman*, Shentstone, Staffordshire, surgeon, Oct. 11 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Robert W. Street, Oxford-st., Middlesex, victualler.

PARTNERSHIP DISSOLVED.

Robert Bendle, *Joseph Bendle*, and *Thomas Wright*, Carlisle, Cumberland, attorneys and solicitors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Lovegrove, Windsor, Berkshire, fruiterer, Oct. 6 at 10, County Court of Berkshire, at Windsor.—*H. Thomason*, Eccleston, Lancashire, saddler, Sept. 29 at 12, County Court of Lancashire, at St. Helen's.—*J. Ellis*, Norwich, carpenter, Sept. 21 at 10, County Court of Norfolk, at Norwich.—*John Bryson*, Canterbury, butcher, Sept. 22 at 10, County Court of Kent, at Canterbury.—*Henry Moreton*, Wolverhampton, Staffordshire, out of business, Oct. 2 at 12, County Court of Staffordshire, at Wolverhampton.—*Samuel Page*, Wolverhampton, Staffordshire, moulder, Oct. 2 at 12, County Court of Staffordshire, at Wolverhampton.

The following Persons, who, on their several Petitions filed to the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 6 at 10, before Mr. Commissioner LAW.

Thomas Flood, Nassau-street, Middlesex Hospital, Marylebone, servant to a ginger beer manufacturer.—*Wm. Herbert Harrison*, Claremont-place, North Brixton, Surrey, grocer.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Robert Edwards, Gower-street, Bedford-square, Middlesex, pianoforte dealer.

Nov. 13 at 11, before Mr. Commissioner PHILLIPS.

Thos. F. Allen, London-st., Greenwich, Kent, pastrycook.

Nov. 19 at 11, before the CHIEF COMMISSIONER.

James F. Day, Old Queen's-row, Grove-lane, Camberwell, Surrey, bookseller.

Nov. 24 at 11, before the CHIEF COMMISSIONER.

Jonathan Fox, Madras-place, Holloway-road, Islington, Middlesex, general-shop-keeper.

Saturday, Sept. 11.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Wallace, Abersychan, Trevechin, Mounmouthshire, carrier, No. 75,216 C.; *Greville Ruddle* and *Wm. Herbert*, assignees.—*Richard Bonser*, Manchester, grocer, No. 75,286 C.; *Thomas Horner*, assignee.—*John Tetley*, Eccleshill, near Bradford, Yorkshire, chemist, No. 75,355 C.; *Charles Higgins*, assignee.—*John Bexhill*, Beckley, Sussex, plumber, No. 74,309 C.; *Charles Alderton*, assignee.—*John Bull*, Elmswell, near Stowmarket, Suffolk, tailor, No. 75,090 C.; *Samuel Pigg*, assignee.—*Thomas Charnley*, Wallgate, Clitheroe, Lancashire, plumber, No. 75,328 C.; *Henry Blundell*, assignee.

Saturday, Sept. 11.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Slater, Princes-street, Hanover-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Benjamin Jarman*, Stockwell-grove, Stockwell-green, Lambeth, Surrey, carpenter: in the Gaol of Surrey.—*David Leach Merr*, Park-terrace, Regent's-park, Middlesex, fruiterer: in the Debtors Prison for London and Middlesex.—*Charlotte Hannah King Tatem*, Liverpool-street, London, no business: in the Debtors Prison for London and Middlesex.—*Edward Olley*, Morpeth-street, Bothnal-green, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Daniel Pinkstone*, Hutchinsson-street, Aldgate, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*James Neal Brooks*, Hoburg-street, King's-road, Chelsea, Middlesex, clerk to an estate agent: in the Debtors Prison for London and Middlesex.—*Thomas Charles Watts*, Tennisson-street, York-road, Lambeth, Surrey, gentleman: in the Queen's Prison.—*Nehemiah Southwell Price*, Brompton-crescent, Brompton, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—*Samuel Rogers*, Old Broad-street, London, carpenter: in the Debtors Prison for London and Middlesex.—*William Hooper*, Tysoe-street, Wilmington-square, Clerkenwell, Middlesex, house painter: in the Debtors Prison for London and Middlesex.—*Radford Parpworth*, Craven-buildings, Drury-lane, Middlesex, out of business: in the Queen's Prison.—*John Brown Heeles*, Swan-chambers, Gresham-street, London, out of business: in the Queen's Prison.—*John Pecking*, Addle-hill, Doctors'-commons, London, miller: in the Debtors Prison for London and Middlesex.—*Richard Larkins Herbert*, Nine-elms, Vauxhall, Surrey, greengrocer: in the Gaol of Surrey.—*Robert Nichol Wilson*, Craven-street, Strand, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Richard Adams*, Mint-walk, Croydon, Surrey, turncock to the Croydon Waterworks Company: in the Gaol of Surrey.—*Joseph Henry Page*, Hyde-place, Hoxton, Middlesex, appraiser: in the Queen's Prison.—*James Jenkins*, Southsea, Portsea, Hants, builder: in the Gaol of Portsmouth.—*George Rouse*, Hulme, Manchester, provision-shop keeper: in the Gaol of Lancaster.—*Samuel Campbell*, Kirkdale, Liverpool, shipowner: in the Gaol of Lancaster.—*George Martin Bower*, Liverpool, master mariner: in the Gaol of Lancaster.—*John Thistlethwaite*, Crow Croft-view, Levenshulme, near Manchester, out of employ: in the Gaol of Lancaster.—*George Porteus*, Sunderland-near-the-Sea, Durham, shipwright: in the Gaol of Durham.—*Ann Colclough*, Walesby, Nottinghamshire, out of business: in the Gaol of Nottingham.—*John Moor*, Lancaster, cordwainer: in the Gaol of Lancaster.—*John Chesworth*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Peter Johnson* the younger, Egremont, Liverpool, general commission agent: in the Gaol of Lancaster.—*Joseph Bate*, Deritend, Aston, Warwickshire, gardener: in the Gaol of Coventry.—*William Kirk*, Morthen, near Rotherham, Yorkshire, tea dealer: in the Gaol of York.—*Rev. William Pivero Burns*, Ulley Parsonage, near Rotherham, Yorkshire, clerk: in the Gaol of York.—*J. T. Bignell*, Devonport, Devonshire, passed clerk in her Majesty's Navy: in the Gaol of St. Thomas-the-Apostle.—*William Henry Norton*, Birmingham, architect: in the Gaol of Coventry.—*Thos. Carr Sudbury*, Pontefract, Yorkshire, cabinet maker: in the Gaol of York.—*Mark Wood*, Wednesbury, Staffordshire, chemist: in the Gaol of Stafford.—

Nathan Samuel, Bishopwearmouth, Durham, fishmonger's assistant: in the Gaol of Durham.—*John Dring*, Chatteris, Isle of Ely, Cambridgeshire, publican: in the Gaol of Cambridge.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 29 at 11, before the CHIEF COMMISSIONER.

Geo. Jos. Murray, Devonshire-st., Queen-square, Bloomsbury, Middlesex, furniture commission broker.—*R. Rogers*, Barossa-cottage, York-town, Frimley, Surrey, out of business.

Sept. 28 at 10, before Mr. Commissioner LAW.

Henry Trans, Cambridge-st., Edgeware-road, Middlesex, in no business.—*Theo. Collyer*, Ocean-row, Stepney, Middlesex, plumber.

Sept. 28 at 11, before Mr. Commissioner PHILLIPS.

John Robinson, Goswell-road, Middlesex, cheesemonger.

Adjourned Cases.

Wm. Killiek, Gower-st. North, Euston-square, Middlesex, out of business.—*Edw. Waghorne*, Devonshire-st., Cleveland-st., Mile-end, Middlesex, out of business.

Sept. 29 at 11, before the CHIEF COMMISSIONER.

Edward Olley, Morpeth-street, Bethnal-green, Middlesex, butcher.—*Samuel Rogers*, Old Broad-st., London, carpenter.—*John Brown Heeles*, Swan-chambers, Gresham-st., London, out of business.

Sept. 29 at 10, before Mr. Commissioner LAW.

Wm. Hooper, Tysoe-st., Wilmington-square, Clerkenwell, Middlesex, house painter.—*Wm. Heseltine*, New-st., Dorset-square, Middlesex, tailor.

Sept. 29 at 11, before Mr. Commissioner PHILLIPS.

Charlotte Hannah King Tutem, widow, Liverpool-street, London, in no business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, Sept. 28.

George Solaman Hyams, Hastings, Sussex, working jeweller.

At the County Court of Staffordshire, at STAFFORD, Sept. 29 at 10.

Mark Wood, Wednesbury, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Sept. 30.

John Greening the elder, Charlton Kings, near Cheltenham, retailer of beer.

At the County Court of Nottinghamshire, at NOTTINGHAM Oct. 7 at 9.

Ann Colclough, Walesby, out of business.

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LONDON, SEPTEMBER 25, 1852.

WE have been for some time, since the passing of the Law Reform Acts, doubting whether, on the eve of a change in the practice of the law, which will, in effect, be a complete legal revolution, we should do acceptable service to our readers in breaking through the false delicacy which surrounds the subject of fees and costs, and in suggesting, in plain language, that the time has come when changes in regard to those things should be considered and discussed by the two branches of the Profession. We have come to the conclusion that we shall thus do good service, and we proceed accordingly. Hitherto, as every lawyer knows, and as no layman does know, counsel and solicitors have been both paid according to a system, which, though in theory exceedingly absurd, worked decently in practice, so long as the practice of the law was in itself incumbered with manifold absurdities and abuses. While the rules of pleading and practice, both at law and in equity, made very lengthy and detailed statements necessary in framing a record; while, therefore, it was customary and necessary for the written proceedings to be on the average very lengthy; it followed, practically, that, though grossly absurd in principle, the measurement of fees and costs by length and quantity of proceedings, irrespective of their difficulty, produced a return, on the average, of sufficient remuneration to the professional man; that is, though the suitor had a great deal of business done for next to nothing by his professional advisers, on the other hand he paid for a good deal that was not done, or the doing of which was useless, and the result was, as regards the Profession, in the end, much the same, as the professional man had been rationally and reasonably paid for his real and neces-

sary work*. Thus, if a solicitor was compelled to be content with 13s. 4d. for his charge for preparing instructions for counsel to draw a bill in Chancery—a charge which, in complex cases, would not have adequately paid for the time of the boy who swept his office; on the other hand, when the bill was drawn, his lawful charge for not drawing it, was a compensation. So, if counsel had frequently to occupy a day in advising on a demurrer, or the like, for the large reward of one or two guineas, because that was the fee proportioned to the length of the pleadings; on the other hand, he might receive a large fee for holding a brief involving no difficulty, and requiring a very moderate expenditure of time to read it. If in large business, he might "consent," to the extent of some hundreds in a year, and by thus consenting, be rewarded for frequent unrequited toil in arguing cases. Thus out of irregularity grew order—out of absurd theory grew a not unreasonable practice; so long, we say, as the pleading and practice were as absurd as the mode of paying the professor. But for the last ten years pleading and practice have been undergoing a reforming and rationalising process; and the acts of the last session, as we have said, complete the revolution.

Henceforth there is to be no redundancy of statement or expression in pleadings. A plaintiff is to tell his story shortly and simply; a defendant is to do the same. The functions of the paper-maker and the copyist are to be reduced to the lowest limit; there will be rarely such a thing as a useless page. The whole of the getting up of a case will be downright work for the principal solicitor, or an intelligent clerk. Every plead-

* See on this subject some observations by the late Master of the Rolls in *Lucas v. Peacock*, (8 Beav. 10).

ing, every brief, will be downright *work* for the counsel; heavy papers, as they are termed, will in general be unknown things; a brief of six pages will be a long one—a brief of 100 pages will be traditional. In this state of things, which not merely may be anticipated, but is inevitable, if the old system of remunerating professional men by reference to the length of the papers is continued, the business of a solicitor will, we should think, be scarcely worth the pursuit of a man of education; that of a junior barrister, we are perfectly certain, will not.

The Chancery Act and the New Orders in Chancery do not, and we believe the new Common-law Procedure Act does not, at all adequately deal with this portion of law reform. Some slight alterations are made as to solicitors' costs, but none as to what is to be allowed in costs for counsel's fees. And with reference to neither is there any change made in the principle: number of folios and of attendances, it would seem, is still to be the standard, whether the folios are more or less difficult, or the attendances more or less important.

The solicitors, we are afraid, are not, by the constitution of their body, able to deal with the difficulty, except under the protection, and by the aid of, Orders of the Court; and assuming that they are not, we should strongly recommend them to bestir themselves to draw the attention of those in whose hands they are, to the matter.

The Bar is, however, in a different position; it receives no protection from the Bench in the matter of its pecuniary remuneration, neither is it subjected to any interference. It is free to frame and be governed by its own internal regulations, and therefore it is in a position to consider and determine this question for itself, if it thinks fit to do so, so as to adapt its position to the new order of things*.

One mode of doing this seems to us very simple. There may be other and better modes, and if there are, perhaps these observations will lead to elicit them; but in the meantime, as we wish to deal with the case as a positive and practical one, we will propose our reform, which would be, merely that the junior Bar should come to a resolution that counsel should mark their own fees in *everything*—briefs, cases, pleadings, and consultations; in fine, that in every imaginable case they should set their own value on their own time and services. We would not disturb the *honorary* quality of the fee: let that remain just as it does. A fee may be just as consistently and conveniently dealt with as a debt of honour, where the counsel has marked it, as where his client has done so, and that relation we would not disturb. On the propriety and convenience of the change we propose, of course there will be much found to be said on both sides. First, it will be said it is undignified; then that it will open the door to oppression on the client; then that it will open the door to unseemly competition.

As to its being undignified, it is not very clear where lies the dignity of the present practice. If it has any existence at all, it is in the pleasant notion

that counsel does not notice, either personally or by his clerk, and is, in fact, wholly indifferent on the question, what is the honorarium given to him. If such a practice really existed, it would amount to this—that counsel holds himself out as ready to be at the call of any man, for any dole (always exceeding the mystic guinea) which he may think fit to throw to him—a practice which, if it did exist, would, we submit, be anything but dignified. In truth, however, every man of business knows that it does not exist, and that the dignity of having fees marked by the client is a word, and nothing else.

Then, as to the proposed plan operating oppressively on the client. First, if it could do so in any case, it clearly could only do so in the hands of a few very eminent counsel; but even then it would have its limit, even as there is found in all monopolies to be a limit to the power of exaction. But, secondly, it would be, in reality, no more than the present system of special retainers, which, if it be an oppression at all, is one to which clients submit, not merely with cheerfulness, but with actual eagerness. It may, however, be well doubted whether there is any oppression in a counsel (speaking, of course, without reference to the internal rules of etiquette of the Bar) choosing to decline business, unless for such reward as he thinks adequate. There is no title, in the abstract, in a suitor to fix upon a particular counsel, and to claim his services for what he, the suitor, chooses to think sufficient remuneration. If the Bar choose, from their own notions of dignity or convenience, to say, inter se, that they will work without making terms, of course they are at liberty to do so; but the public has no vested right in the maintenance of any Bar rule, and would not have the shadow of a right to complain of oppression, if the Bar chose to make a rule that they would name their own fees.

Thirdly, as to the apprehension, that, from the proposed change, indecent competition would arise, that is an argument which we think would come very ill from the Bar, who ought to assume, and may well assume, that the esprit de corps of an honourable Profession would be quite sufficient to prevent in most men any material extent of self-undervalue, with a view to undermine the business of competitors. That it would lead to a difference between the remuneration of the young unpractised counsel, and the man of great standing and experience, is highly probable, and that would be just and advantageous both to the suitor and to the counsel. Practically, we believe there would be less danger of competition and clashing than there is now.

LOCAL AND PERSONAL ACTS,
DECLARED PUBLIC, AND TO BE JUDICIALLY NOTICED.
15 & 16 VICTORIA.—SESSION 5.

CAP. I.

An Act for repealing the Act relating to the Mansfield Gaslight Company, and for conferring upon the Company further and additional Powers; and for other Purposes.

CAP. II.

An Act for the Incorporation, Establishment, and Regulation of the Patent Solid Sewage Manure Company, and for enabling the said Company to purchase and work Letters-patent.

* Our observations, so far as they concern the Bar, refer to the junior Bar only. Of what the senior Bar may do, or ought to do, we do not affect to form an opinion.

CAP. iii.

An Act for establishing a Public Library, Museum, and Gallery of Arts at Liverpool, and to make Provision for the Reception of a Collection of Specimens illustrative of Natural History, presented by the Earl of Derby for the Benefit of the Inhabitants of the Borough of Liverpool and the Neighbourhood thereof, and others resorting thereto.

CAP. iv.

An Act for repealing the Wolverhampton Gas Act, 1847, and for re-constituting the Company with additional Powers; and for other Purposes.

CAP. v.

An Act to amend an Act for draining certain Fen Lands and Low Grounds in the Parish of Yaxley, in the County of Huntingdon, and to remove certain Doubts, and facilitate the Execution of the said Act.

CAP. vi.

An Act for providing a covered Market in the Borough of Scarborough, in the County of York; for improving the Approaches thereto; for removing the present Market; and for regulating the Markets and Fairs in such Borough.

CAP. vii.

An Act for enabling the Company of Proprietors of the East London Waterworks to raise a further Sum of Money; and for other Purposes.

CAP. viii.

An Act to repeal the Barnsley Gas Act, and to make other Provisions in Lieu thereof, and to authorise the raising of a further Sum of Money.

CAP. ix.

An Act to extend the Powers of the Act relating to the Yeovil Branch of the Bristol and Exeter Railway, and to authorise a Deviation in the Line of such Branch Railway.

CAP. x.

An Act for the Improvement of the Municipal Borough of Macclesfield.

CAP. xi.

An Act for providing a convenient Place or Fair Green, with proper Approaches thereto, for holding Fairs for the Sale of Cattle and other Animals, Wool, and Flax, in the Province of Munster, at or near the City of Limerick, and for regulating such Fairs.

CAP. xii.

An Act for improving, diverting, and maintaining as Turnpike the Road leading from Skipton to Craco, in the Parish of Burnal, all in the West Riding of the County of York.

CAP. xiii.

An Act to authorise the Portsea Island Gas-light Company to raise a further Sum of Money.

CAP. xiv.

An Act for better lighting with Gas the Borough of Derby and its Neighbourhood; and for other Purposes.

CAP. xv.

An Act to repeal an "Act for lighting with Gas the Town of Belfast and the Suburbs thereof," and to make other Provisions for that Purpose.

CAP. xvi.

An Act to enable the Vale of Neath Railway Company to construct certain Extensions of their Lines of Railway; and for other Purposes.

CAP. xvii.

An Act to repeal an Act passed in the sixth Year of the Reign of King George the Fourth, intituled "An Act for amending, improving, and maintaining the Road from Lockwood to Meltham, and the Branch of Road to Meltham Mills, all in the Parish of Almondbury, in the West Riding of the County of York," and for the widening and better maintaining and repairing the said Road; and for other Purposes.

CAP. xviii.

An Act for the Extension of the Boundaries of the Municipal Borough of Stockton, in the County of Durham; and for transferring to the Corporation of the said Borough the Properties and Effects now vested in certain Commissioners having Jurisdiction in the Township of Stockton; and to provide for the better draining, cleansing, paving, watching, lighting, and otherwise improving the said Borough.

CAP. xix.

An Act for increasing the Capital of the Stockton and Darlington Railway Company; and for other Purposes.

CAP. xx.

An Act for the Establishment of a new Market in Barnstaple, and for the Improvement and Regulation of the existing Markets and Fairs therein.

CAP. xxi.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Newport, in the Isle of Wight, to raise Monies for the Improvement of the Navigation of the River Medina, within the Borough, and to alter and amend certain ancient Tolls and Duties payable to the said Mayor, Aldermen, and Burgesses.

CAP. xxii.

An Act for making a Canal from the Droitwich Canal at Droitwich, in the County of Worcester, to join the Worcester and Birmingham Canal at or near Hambury Wharf, in the Parish of Hanbury, in the same County, and to be called "The Droitwich Junction Canal."

CAP. xxiii.

An Act for supplying the Inhabitants of the Township of Ilkley, in the West Riding of the County of York, with Water.

CAP. xxiv.

An Act for reviving and continuing the Powers granted by "The Great Southern and Western Railway (Ireland) Extension, Portarlinton to Tullamore, Act, 1847," for the compulsory Purchase of Lands and Completion of Works.

CAP. xxv.

An Act for defining and regulating the Capital of the Norfolk Railway Company, and for authorising Arrangements with the Halesworth, Beccles, and Haddiscoe Railway Company; and for other Purposes.

CAP. xxvi.

An Act for enabling the Dudley Waterworks Company to raise a further Sum of Money, and for amending the Provisions of the Act relating to such Company.

CAP. xxvii.

An Act for better supplying with Water the Boroughs of Sunderland and South Shields, and other Places in the County of Durham.

CAP. xxviii.

An Act for establishing a Market and for providing a Market-house and Slaughter-houses at Aberdare, in the County of Glamorgan.

CAP. xxix.

An Act to amend an Act passed in the seventh Year of the Reign of her Majesty Queen Victoria, for inclosing Lands in the Hamlet of Thetford, in the Isle of Ely, and for draining certain Lands in the said Hamlet and in other Parishes in the said Isle, so far as relates to such draining.

CAP. xxx.

An Act to enable the Eastern Counties Railway Company to construct a Railway to the River Nene or Wisbech River below Wisbech, in lieu of a Portion of the Railway authorised by "The Wisbech, St. Ive's, and Cambridge Junction Railway Act, 1846," and to erect Warehouses in connexion with such Railway; and for other Purposes.

CAP. xxxi.

An Act to amend an Act passed in the tenth Year of the Reign of his Majesty King George the Fourth, intituled "An Act to enable the Magistrates of the County Palatine of Chester to appoint Special High Constables for the several Hundreds or Divisions, and Assistant Petty Constables for the several Townships of that County.

CAP. xxxii.

An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Township of Rbyl, in the County of Flint, for making a Cemetery, and for establishing and regulating a Market and Market-places therein.

CAP. xxxiii.

An Act to enable the Eastern Counties Railway Company to construct Branch Railways to the East and West India Docks and Birmingham Junction Railway, and to enlarge and improve their Goods Station in the Parish of St. Matthew, Bethnal-green; and for other Purposes.

CAP. xxxiv.

An Act for the Dissolution of the Union Arcade Company, (Glasgow), and for the Abandonment of the Undertaking.

CAP. xxxv.

An Act to enable the Cork and Bandon Railway Company to raise further Capital, and to make Arrangements with respect to their present Capital and Mortgage Debt; and for other Purposes.

CAP. xxxvi.

An Act for enabling the York, Newcastle, and Berwick Railway Company to make a Deviation in the Line of their Thirsk and Malton Branch; and to enable the Malton and Driffield Junction Railway Company to subscribe towards and enter into Agreements with respect to the said Branch; and for other Purposes.

CAP. xxxvii.

An Act for enabling the Malton and Driffield Junction Railway Company to subscribe towards the Construction of the Thirsk and Malton Branch of the York, Newcastle, and Berwick Railway, and to make Arrangements as to their Capital; and for other Purposes.

CAP. xxxviii.

An Act to amend and extend the Provisions of the Act relating to the London and Southampton Turnpike-road through Bishop's Waltham, and to create a further Term therein; and for other Purposes.

CAP. xxxix.

An Act to repeal the Act for more effectually repairing the Road leading from the High-street, in the Town of Arundel, in the County of Sussex, to the Turnpike-road leading from Petworth to Stopham, on Fittleworth-common, in the said County, and to make other Provisions in lieu thereof.

CAP. xl.

An Act for managing and repairing the Turnpike-road leading from the Eastern Side of a certain Bridge called Spittle-hill Bridge over Moorgate Beck, in the Parish of Clarborough, in the County of Nottingham, to Littleborough Ferry, in the same County.

CAP. xli.

An Act to amend the Acts relating to the Dundalk and Enniskillen Railway, and to extend the same from Ballybay to Enniskillen.

CAP. xlii.

An Act for incorporating the Deptford Gas-light and Coke Company.

CAP. xliii.

An Act to consolidate and amend the Acts relating to the Londonderry and Coleraine Railway Company; and to authorise the said Company to contribute towards the Construction of a new Bridge over the River Foyle, and other Works at Londonderry.

CAP. xliiv.

An Act to consolidate and amend the Acts relating to the Londonderry and Enniskillen Railway Company, and to grant further Powers to the said Company for the Extension and Completion of the Railway; and for other Purposes.

CAP. xliv.

An Act to amend the Acts relating to the Forth and Clyde Navigation, to alter the Place of Meeting, and to make further Provision for the Management of the Affairs of the Company of Proprietors of the said Navigation.

CAP. xlv.

An Act to enable Cary Charles Elwes, Esq., to construct Waterworks for the Supply of Water to Glamford Briggs and the Neighbourhood thereof, in Lincolnshire.

CAP. xlvi.

An Act for further amending the Local and Personal Acts, 9 & 10 Vict. c. cxxvii, and 10 & 11 Vict. c. cclxi, relating to the Liverpool Corporation Waterworks; and for authorising Deviations, and the Construction of Reservoirs; and for other Purposes.

CAP. xlviii.

An Act for incorporating the Aberdeen Fire and Life Assurance Company, by the Name of "The Scottish Provincial Assurance Company;" for enabling the said Company to sue and be sued, and to take and hold Property; and for other Purposes relating to the said Company.

CAP. xlix.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Sheffield to make certain Bridges over the River Dun, Roads, Streets, and other Works, all within the Borough of Sheffield.

CAP. l.

An Act for better paving, draining, lighting, cleansing, supplying with Water, regulating in regard to Markets, Interments, Hackney-carriages, and other Purposes, and otherwise improving the Borough of Cheltenham, in the County of Gloucester.

CAP. li.

An Act to confirm an Agreement therein mentioned between the Eastern Counties Railway Company and the Newmarket Railway Company.

CAP. lii.

An Act for repairing and managing the Roads leading from Porthdinllaen, by way of Tan-y-Graig, Pwllheli, Llanystymdwy, and Cerrig-y-Rhwydwr, to or near Capel Cerrig, and from Pwllheli aforesaid, by way of Crugan, to the Village of Llanbedrog, all in the County of Caernarvon.

CAP. liii.

An Act for the better Regulation of the British Empire Mutual Life Assurance Company; for enabling the said Company to take and hold Property; and for other Purposes relating to the said Company.

CAP. lii.

An Act for more effectually repairing the Roads leading from Romsey to Stockbridge and Wallop, and other Roads therein mentioned, in the County of Southampton.

CAP. li.

An Act for the Establishment of a Turnpike-road from Southam to Kineton, both in the County of Warwick.

CAP. lvi.

An Act for the Amalgamation of the Accidental Death Insurance Company and the Railway Assurance Company, and for enabling such amalgamated Company to insure against Death or other personal Injury arising from Accident or Violence.

CAP. lvii.

An Act for amalgamating the East and West Yorkshire Junction Railway Company with the York and North Midland Railway Company, and for vesting the Undertaking of the former Company in that of the latter; and for other Purposes.

CAP. lviii.

An Act to explain and amend the Act for supplying the Burghs of Dumfries and Maxwelltown and Suburbs with Water.

CAP. lix.

An Act for continuing the Term and amending and extending the Provisions of the Acts relating to the Haw Passage Bridge, in the County of Gloucester.

CAP. lx.

An Act to repeal the Acts relating to the Road from the Town of Bedford, in the County of Bedford, to Kimbolton, in the County of Huntingdon, and to substitute other Provisions.

CAP. lxi.

An Act for enabling the Deeside Railway Company to alter the Line and Levels of Part of their Railway, and to abandon Parts thereof; for altering the Capital of the Company, and repealing and amending the Act relating thereto; and for other Purposes.

CAP. lxii.

An Act for constructing a Bridge across the River Kelvin, near Hillhead, Glasgow, in the County of Lanark, with Approaches and Works.

CAP. lxiii.

An Act for making a Railway from Highbridge to Glastonbury, in the County of Somerset, to be called "The Somerset Central Railway;" and for other Purposes.

CAP. lxiv.

An Act for regulating the Markets and Fairs and the Tolls and Customs of the Borough of Athlone.

CAP. lxv.

An Act to enable the Newmarket Railway Company to make certain Alterations in the Levels of their Railway, and to construct a new Line of Railway between Newmarket, in the County of Cambridge, and Bury St. Edmund's, in the County of Suffolk; to alter their Capital; and for other Purposes.

CAP. lxvi.

An Act for reclaiming from the Sea certain Lands on and near the Eastern and South-eastern Coast of Essex.

CAP. lxvii.

An Act for supplying the Borough of Lancaster, in the County Palatine of Lancaster, and adjacent Places, with Water; and for other Purposes.

CAP. lxviii.

An Act for better paving, lighting, watching, cleansing, and otherwise improving the Town of Runcoorn and certain Parts of the Township of Halton, in the County of Chester; for regulating the Markets therein; and for other Purposes.

CAP. lxix.

An Act for better lighting with Gas the Town of Saint Helen's the Hamlet of Hardshaw-cum-Windle, and the several Townships of Windle, Parr, Ecclestone, and Satton, all in the Parish of Prescott, in the County Palatine of Lancaster.

CAP. lxx.

An Act for better supplying with Water the Town of Ulverston, in the County of Lancaster; and for other Purposes.

CAP. lxxi.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Abbey Tintern and Bigsweare Roads.

CAP. lxxii.

An Act for effecting Improvements in the City of London.

CAP. lxxiii.

An Act for making a Railway from the Middlesbrough and Redcar Railway, near Middlesbrough, to or near Guisbrough, with Branches to the Cleveland Hills, and for making Arrangements with the Stockton and Darlington Railway Company.

CAP. lxxiv.

An Act for more effectually repairing the Road from Sharples to Houghton, in the County of Lancaster.

CAP. lxxv.

An Act for more effectually repairing the Road leading from North Shields to Morpeth Castle, and several Branches of Road communicating therewith, all in the County of Northumberland.

CAP. lxxvi.

An Act for supplying the Inhabitants of the Town of Merthyr Tydfil and adjacent Places with Water.

CAP. lxxvii.

An Act for the more easy Recovery of Small Debts and Demands within the City of London and the Liberties thereof.

CAP. lxxviii.

An Act for the Dissolution of the Glasgow, Kilmarnock, and Ardrossan Railway Company, and the Abandonment of their Undertaking; and for other Purposes.

CAP. lxxix.

An Act to renew the Term and continue and enlarge the Powers of an Act passed in the seventh and eighth Years of the Reign of his Majesty King George the Fourth, intituled "An Act for more effectually repairing and improving the Road from Shillingford, in the County of Oxford, through Wallingford and Pangborne, to Reading, in the County of Berks, and for repairing and maintaining a Bridge over the River Thames at or near Shillingford Ferry.

CAP. lxxx.

An Act to enable the Portrush Harbour Company to improve the Navigation of the River Bann from the Salmon Leap at Castleroe, above the Town of Coleraine, to the Sea, and remove the Bar and Ford at Bann Mouth, and to erect a Swivel Bridge at Coleraine, all in the County of Londonderry.

CAP. lxxxi.

An Act for maintaining the Road from Beach Down, near Battle, to Heathfield, and from the Railway Station, near the Town of Robertsbridge, to Hood's Corner, all in the County of Sussex.

CAP. lxxxii.

An Act for granting further Powers to the London Gas-light Company; and for other Purposes.

CAP. lxxxiii.

An Act to empower the Manchester, Sheffield, and Lincolnshire Railway Company to raise a further Sum of Money; and to amend the Acts relating to the said Company.

CAP. lxxxiv.

An Act to enable the Eastern Counties and London and Blackwall Railway Companies to construct a Railway, with Branches to Tilbury and Southend, in the County of Essex; to provide a Steam Communication to Gravesend; and for other Purposes.

CAP. lxxxv.

An Act for more effectually repairing the Road from Stockport, in the County Palatine of Chester, to Marple Bridge, in the said County, and a Branch from the said Road to or near Thornset Gate, in the County of Derby.

CAP. lxxxvi.

An Act to repeal the Acts and Parts of Acts relating to the Pedmore and Holly Hall Districts of Roads, and to substitute other Provisions for the same.

CAP. lxxxvii.

An Act to repeal the Act for making and maintaining a Turnpike-road from Stroud to Bisley; and to make other Provisions in Relation thereto.

CAP. lxxxviii.

An Act to amend and extend the Provisions of the Macclesfield and Buxton-road Act; to create a Term of twenty-one Years; and for other Purposes.

CAP. lxxxix.

An Act for maintaining the Turnpike-road leading from Kirkby Stephen, in the County of Westmoreland, into the Sedburgh and Kirkby Kendal Turnpike-road, and out of and from the same Turnpike-road to Hawes, in the North Riding of the County of York, and a Branch from Hawes aforesaid to the Village of Gayle, in the Township of Hawes.

CAP. xc.

An Act for maintaining in Repair the Road leading from the Lord Nelson Public-house, upon the Road between Burnley and Colne, in the Township of Mousham, in the Parish of Whalley, in the County Palatine of Lancaster, to Goleburne, in the West Riding of the County of York, and from thence to the Road leading from Skipton to Settle, at or near Long Preston, in the said West Riding of the County of York.

CAP. xci.

An Act for maintaining in Repair the Road from Bury to Bolton, in the County Palatine of Lancaster.

CAP. xcii.

An Act to repeal an Act for maintaining and repairing the Turnpike-road from Bramley, in the County of Surrey, to Ridgewick, in the County of Sussex, and to make other Provisions in Lieu thereof.

CAP. xciii.

An Act to repeal the Act for repairing and maintaining the Wakefield and Denby Dale Turnpike-road, and to make other Provisions in Lieu thereof.

CAP. xciv.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Rotherham and Pleasley Turnpike-road.

CAP. xcvi.

An Act for making a Railway from the Edinburgh, Perth, and Dundee Railway, at Thornton Junction Station, to the Town of Leven, with Branches to Kirkland Works and to the Harbour of Leven.

CAP. xcvi.

An Act to enable the Lancashire and Yorkshire and York and North Midland Railway Companies to enter into Arrangements as to the working and Management of Portions of their Railways.

CAP. xcvii.

An Act for more effectually repairing the Road from the Town of Beaconsfield to the River Colne, all in the County of Buckingham.

CAP. xcviii.

An Act for enabling the Manchester, Buxton, Matlock, and Midland Junction Railway Company to lease their Undertaking to the London and North-western and the Midland Railways Companies.

CAP. xcix.

An Act to repeal an Act for repairing the Road from Kettering to the Town of Northampton, in the County of Northampton, and to substitute other Provisions in Lieu thereof.

CAP. c.

An Act to confer additional Facilities for the Insurance of Railway Passengers and other Persons by the Railway Passengers Assurance Company.

CAP. ci.

An Act to amend an Act passed in the fourth Year of the Reign of King George the Fourth, intituled "An Act for making and maintaining a Turnpike-road from Helehouse or Riding, near Greenfield, in Saddleworth, to join the Staying Turnpike-road, and also to join the Halifax and Sheffield Turnpike-road, all in the West Riding of the County of York; and to continue the Term thereby granted.

CAP. cii.

An Act for enabling the Leeds Waterworks Company to provide a better Supply of Water to the Town and Neighbourhood of Leeds.

CAP. ciii.

An Act for merging the Undertaking of the Reading, Guildford, and Reigate Railway Company in the Undertaking of the South-eastern Railway Company; for the Dissolution of the Reading, Guildford, and Reigate Railway Company; and for other Purposes.

CAP. civ.

An Act for the Establishment, Maintenance, and Management of Markets in the Borough of Limerick.

CAP. cv.

An Act to authorise the Conversion of the Debenture Debt of the London and North-western Railway Company into a Stock not exceeding 3l. 10s. per Centum; and for enlarging the Stations at Wolverton and Kilburn.

CAP. cvi.

An Act for the Construction of a new Bridge over the River Foyle at Londonderry, and Approaches thereto.

CAP. cvii.

An Act for the Formation of a new Street in the Borough of Londonderry.

CAP. cviii.

An Act to enable the Eastern Counties Railway Company to use the East Anglian Railways, and to empower the Eastern Counties Railway Company and the East Anglian Railways Company to enter into and carry into Effect Agreements for certain Objects therein mentioned; and for other Purposes.

CAP. cix.

An Act to consolidate and amend certain of the Acts relating to the Edinburgh and Glasgow Railway, and to grant further Powers to the Company of Proprietors thereof.

CAP. cx.

An Act for repealing an Act of the ninth Year of the Reign of her present Majesty, relating to Moorings for Vessels in the River Tyne, and the River Police, and for transferring the Powers of the said Act to the Tyne Improvement Commissioners; for enabling the said Commissioners to construct and maintain Piers at the Mouth of the said River in the Counties of Durham and Northumberland, and to construct and maintain Docks and other Works on the North Side of the said River in the last-mentioned County; and for other Purposes.

CAP. cxl.

An Act for embanking and reclaiming from the Sea the Estuary or Back Strand of Framore, in the County of Waterford.

CAP. cxli.

An Act for the Incorporation of the Society for providing Annuities for the Widows and Children of Presbyterian Ministers, under the Style and Title of "The Presbyterian Widows' Fund Association."

CAP. cxlii.

An Act to enable the Trustees of the Yeovil Turnpike Trust and the Ichester Turnpike Trust to make certain new Roads, to repeal existing Acts, and create further Terms in the said Roads; and for other Purposes.

CAP. cxlv.

An Act for enabling the York, Newcastle, and Berwick Railway Company to make a Deviation in the Line of their Bishop Auckland Branch; to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorised to be made in the County of Durham; and for other Purposes.

CAP. cxv.

An Act for repairing the Road from Leek, in the County of Stafford, to Monyash, and from Middlehills to the Macclesfield Turnpike-road, near Buxton, in the County of Derby, and thence to Otterhole, and certain Branches of Road communicating therewith.

CAP. cxvi.

An Act to consolidate and amend the Acts relating to the Ipswich Dock; to allow certain Drawbacks; and for other Purposes.

CAP. cxvii.

An Act to enable the South Wales Railway Company to construct new Railways to Milvern Haven and at Newport, and to abandon Portions of the Lines from Fishguard and at Haverfordwest; and for other Purposes.

CAP. cxviii.

An Act for making a Railway from the Lancashire and Yorkshire Railway, in the Township of Bowling, near Bradford, to the Railway belonging to the Lancashire and Yorkshire and London and North-western Railway Companies, or one of them, in the Township of Wortley, near Leeds, all in the West Riding of the County of York, to be called "The Leeds, Bradford, and Halifax Junction Railway;" and for other Purposes.

CAP. cxix.

An Act for maintaining the Road from Blackburn to Preston, and the two Branches therefrom, and erecting a Bridge on the Line of the said Road over the River Ribbles, all in the County Palatine of Lancaster.

CAP. cxz.

An Act to repeal an Act passed in the fourth Year of the Reign of his late Majesty King George the Fourth, intitled "An Act for more effectually repairing the Road from Preston to Garstang, in the County of Lancaster;" and to make other Provisions in Lieu thereof.

CAP. cxxi.

An Act for making further Provision for the Conservancy of the Port and Harbour of Belfast; for conferring additional Powers on the Belfast Harbour Commissioners; and for other Purposes.

CAP. cxxii.

An Act for maintaining and improving the Blyth and Tyne Railway, in the County of Northumberland, and for incorporating the Subscribers thereto.

CAP. cxxxiii.

An Act to repeal the Act relating to the Road from the Town of Kingston-upon-Thames, in the County of Surrey, to Sheetbridge, near Petersfield, in the County of Southampton; and to make other Provisions in Lieu thereof.

CAP. cxxxiv.

An Act for the Incorporation, Establishment, and Regulation of the North British Flax Company, and to enable the said Company to purchase and work certain Letters-patent.

CAP. cxxxv.

An Act for incorporating and giving Powers to the Frome, Yeovil, and Weymouth Railway Company; and for other Purposes.

CAP. cxxxvi.

An Act for enabling the Monmouthshire Railway and Canal Company to make certain new Railways; and for other Purposes.

CAP. cxxxvii.

An Act for enabling the York and North Midland Railway Company to make a Railway to the Victoria or East Dock at Hull; and for other Purposes.

CAP. cxxxviii.

An Act for constituting Commissioners for the Improvement of the River Nene, and the Navigation thereof; for the more effectual Drainage of certain Lands in the Counties of Northampton, Huntingdon, and Cambridge; and for other Purposes.

CAP. cxxxix.

An Act to amend an Act passed in the seventh Year of the Reign of King George the Fourth, intitled "An Act for more effectually making, repairing, and improving certain Roads leading to and from Liskeard, and certain other Roads therein mentioned, in the Counties of Cornwall and Devon;" and for other Purposes.

CAP. cxxx.

An Act for the Conservancy of the River Humber, and for amending some of the Provisions of an Act relating to the Kingston-upon-Hull Docks.

CAP. cxxxii.

An Act to extend and amend the Provisions of the Act relating to the Wedmore Turnpike-road, in the County of Somerset; to create a further Turn therein; and for other Purposes.

CAP. cxxxiii.

An Act for abandoning certain Parts of the Undertaking of the Lancashire and Yorkshire Railway Company; for constructing certain new Works, and extending the Time for Completion of existing Works; and for Sale of superfluous Lands; for regulating certain Portions of the Capital of the Company, and the Application of Capital; and for authorising the raising of Money by Annuities; and for other Purposes.

CAP. cxxxiii.

An Act to confer on the Great Western Railway Company further Powers for the Purchase of Lands on the Lines of, and for the Construction of, the Birmingham and Oxford Junction, and Birmingham, Wolverhampton, and Dudley Railways respectively; and for the Alteration of the Works of Part of the last-mentioned Railway; and for the Formation of an Extension Line of Railway at Wolverhampton; and for other Purposes.

CAP. cxxxiv.

An Act for more effectually maintaining and keeping in Repair the Road from Cambridge to Ely, and other Roads therein mentioned, in the Counties of Cambridge and Norfolk.

CAP. cxxxv.

An Act for consolidating into one Act and amending the Provisions of the several Acts relating to the North-western Railway Company; for extending the Time for constructing certain Parts of their Undertaking; and granting further Powers to the said Company; and for other Purposes.

CAP. cxxxvi.

An Act for the Reduction of Dues on Shipping and Goods payable to the Mayor, Aldermen, and Burgesses of Kingston-upon-Hull, the Hull Trinity House, and the Dock Company at Kingston-upon-Hull respectively.

CAP. cxxxvii.

An Act to enable the Midland Great Western Railway of Ireland Company to make a Deviation in the authorised Line to Longford, and a Branch Railway to the Town of Cavan; and for other Purposes.

CAP. cxxxviii.

An Act for the better Establishment of a Market at Torquay, in the County of Devon; and for other Purposes.

CAP. cxxxix.

An Act to repeal the Acts relating to the Asthall and Buckland Turnpike-road, and to make other Provisions in Lieu thereof.

CAP. cxl.

An Act for enabling the Completion of the Wilts, Somerset, and Weymouth Railway between Frome and Weymouth to be effected, and for authorizing and confirming Contracts between the Great Western Railway Company and the Kennet and Avon Canal Company and other Companies; and for other Purposes.

CAP. cxli.

An Act for incorporating Claussen's Patent Flax Company, and to enable the said Company to purchase and work certain Letters-patent.

CAP. cxlii.

An Act for enabling the Amalgamation of the Stockton and Hartlepool Railway Company and the Hartlepool West Harbour and Dock Company, and for authorising the Lease or Purchase of the Clarence Railway by the Stockton and Hartlepool Railway Company or the amalgamated Company, and for consolidating the Acts relating to the said Companies; and for other Purposes.

CAP. cxliii.

An Act for the Improvement of the Borough of Cork.

CAP. cxliv.

An Act to enable the Manchester, Sheffield, and Lincolnshire Railway Company to construct certain Branch Railways.

CAP. cxlv.

An Act to amend and enlarge the Powers and Provisions of the Acts relating to the Oxford, Worcester, and Wolverhampton Railway Company; to extend the Time for the Completion of the Works and the Purchase of certain Lands; to authorise Deviations in the Line and Works, and the Construction of certain Branches and Works; and for other Purposes.

CAP. cxlvi.

An Act to authorise the Shrewsbury and Chester Railway Company to construct additional Branches; to purchase or hire Steam-boats; and for other Purposes.

CAP. cxlvii.

An Act to revive and extend the Time for the Execution of certain Powers conferred by "The Wycombe Railway Act, 1846;" and for reducing the Capital of the Wycombe Railway Company; and for enabling the Company to enter into Arrangements with the Great Western Railway Company; and for other Purposes.

CAP. cxlviii.

An Act for enabling the Eastern Union Railway Company to make Arrangements with certain of their Creditors and Shareholders, and with Respect to their Capital, and for granting additional Powers to the Company; and for other Purposes.

CAP. cxlix.

An Act to incorporate the London Necropolis and National Mausoleum Company, and to enable such Company to establish a Cemetery in the Parish of Woking, in the County of Surrey; and for other Purposes.

CAP. cl.

An Act for constructing a Cemetery near to Torquay, in the County of Devon.

CAP. cli.

An Act to repeal the Wexford Harbour Improvement Act, and to make new Arrangements for a more effective and expeditious Execution of a Portion of the Undertaking thereby authorized; and for other Purposes.

CAP. clii.

An Act to appoint Commissioners for the Execution of certain Improvements in the Navigation of the River Slaney; and for other Purposes.

CAP. cliii.

An Act to enable the South Yorkshire Railway and River Dun Company to transfer their Undertaking to the Great Northern Railway Company.

CAP. cliv.

An Act to repeal the Acts relating to the Exeter and the Countess Wear Turnpike-roads, and to make other Provisions in Lieu thereof, and to authorise the Construction of certain new Roads; and for other Purposes.

CAP. clv.

An Act for the Transfer of the Undertaking of the British Gas-light Company to the Commercial Gas Company; and for other Purposes.

CAP. clvi.

An Act for extending the Chelsea Waterworks, and for better supplying the City of Westminster and Parts adjacent with Water.

CAP. clvii.

An Act for enabling the Grand Junction Waterworks Company to obtain a Supply of Water from the Thames at Hampton, and to construct additional Works; and for other Purposes.

CAP. clviii.

An Act for making divers Provisions with respect to the Southwark and Vauxhall Water Company; for empowering that Company to execute additional Works; and for other Purposes.

CAP. clix.

An Act for enabling the Company of Proprietors of the West Middlesex Waterworks to obtain by Agreement a Supply of Water from the Thames above the Reach of the Tide, and to raise further Capital; and for other Purposes.

CAP. clx.

An Act to enable the Governor and Company of the New River to improve their Supply of Water; and for other Purposes.

CAP. clxi.

An Act for enabling the Local Board of Health for the Town and District of Swansea to construct Waterworks; and for other Purposes.

CAP. clxii.

An Act for the Conservancy, Improvement, and Regulation of the River Tees, the Construction of a Dock at Stockton, the Dissolution of the Tees Navigation Company; and for other Purposes.

CAP. clxiii.

An Act to define and amend the Mineral Customs, and to make better Provision for the Administration of Justice in the Barmote Courts within the Soke and Wapentake of Wirksworth, and within the Manors or Liberties of Crich, Ashford, Stoney Middleton and Eyam, Hartington, Litton, Peak Forest, Tideswell, and Youlgreave, in the County of Derby.

CAP. clxiv.

An Act for making divers Provisions with respect to the East London Waterworks Company; for empowering that Company to execute additional Works; and for other Purposes.

CAP. clxv.

An Act to authorise the Use by the Shrewsbury and Birmingham Railway Company of the Navigation-street Station, in Birmingham; and for other Purposes.

CAP. clxvi.

An Act for making a Railway or Tramroad from the Aberllefenny Slate Quarries, in the Parish of Talyllyn, in the County of Merioneth, to the River Dovey, in the Parish of Towyn, in the same County, with Branches therefrom; and for other Purposes.

CAP. clxvii.

An Act to consolidate into one Act and to amend the Provisions of the several Acts relating to the Birkenhead, Lancashire, and Cheshire Junction Railway Company; to define the Undertaking of the Company; and for other Purposes.

CAP. clxviii.

An Act to authorise Traffic Arrangements between the Great Western, the Shrewsbury and Hereford, and the Hereford, Ross, and Gloucester Railway Companies.

London Gazettes.

FRIDAY, SEPTEMBER 17.

BANKRUPTS.

DUNCAN JAMES MACKELLAR and CHARLES HAMPSON, Gresham-st., London, shawl and fancy ware-housemen, dealers and chapmen, Sept. 30 at 2, and Nov. 2 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Mardon & Prichard, Christchurch-chambers, Newgate-street, London.—Petition filed Sept. 15.

GEORGE CLAPHAM, Whittlesea, Cambridgeshire, watch-maker and jeweller, dealer and chapman, Sept. 28 at 2, and Nov. 9 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Reece, Birmingham; Reece & Blyth, 7, Serjeants'-inn, Fleet-street, London.—Petition filed Sept. 9.

DAVID MARRIOTT, Oxford-street, Middlesex, draper, dealer and chapman, Sept. 30 at half-past 11, and Nov. 2 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Norcutt, 11, Gray's-inn-square, London.—Petition filed Sept. 15.

HENRY ALLISON BARKER, Hope Wharf, City-road, Middlesex, coal merchant, Sept. 30 at half-past 1, and Nov. 9 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrance & Co., 14, Old Jewry-chambers, London.—Petition filed Sept. 2.

ALFRED AUGUST, Norwich, ironmonger, dealer and chapman, Sept. 30 and Oct. 19 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Miller & Son, Norwich; Sols & Turner, 68, Aldermanbury, London.—Petition filed Sept. 4.

BENJAMIN BALLS, Birmingham, perfumer and hair-dresser, dealer and chapman, Sept. 27 and Oct. 23 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Allen, Birmingham.—Petition dated Sept. 15.

GEORGE GILBERT, Nottingham, builder, joiner, dealer and chapman, Oct. 8 and 29 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Smith, Nottingham.—Petition dated Sept. 6.

THOMAS STALEY, Stockport, Cheshire, grocer, Sept. 29 and Nov. 10 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Stringer, Stockport.—Petition filed Sept. 15.

CHARLES SEWELL HARRIS, Liverpool, pawnbroker, dealer and chapman, Sept. 28 and Oct. 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Wason & Fletcher, Liverpool.—Petition filed Sept. 8.

MEETINGS.

Zachariah Parkes and Robert Henderson, Duke-street, Lincoln's-inn-fields, Middlesex, and Ventnor, Isle of Wight, Southampton, carpenters, Oct. 1 at 11, Court of Bankruptcy, London, aud. ac.—Albert Pinneberg, Hertford, builder, Sept. 27 at 11, Court of Bankruptcy, London, aud. ac.—Henry Plummer the younger, Golden-lane, St. Luke's, Middlesex, wood turner, Sept. 25 at 2, Court of Bankruptcy, London, aud. ac.—Henry Calvert, Petersfield, Southampton, woollen-draper, Sept. 25 at 11, Court of Bankruptcy, London, aud. ac.—John Wilkins, Brighton, Sussex, builder, Sept. 27 at 1, Court of Bankruptcy, London, aud. ac.—John Dawson, Tolleshunt D'Arcy, Essex, surgeon, Sept. 25 at half-past 11, Court of Bankruptcy, London, aud. ac.—George Martin, Bishop's Stortford, Hertfordshire, sack manufacturer, Oct. 11 at 1, Court of Bankruptcy, London, div.—John D. Randall and George T. Dicks, Greek-street, Soho, Middlesex, leather sellers, Oct. 11 at 12, Court of Bankruptcy, London, div.—Samuel Wagstaff and Thomas Baylis, Kidderminster, Worcestershire, carpet manufacturers, Oct. 2 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles H. Simpson, Bishopsgate-st., London, provision dealer, Oct. 11 at 11, Court of Bankruptcy, London.—Thomas Barton Lawrence, Parliament-street, Westminster, Middlesex, and York-place, Lambeth, Surrey, zinc dealer and manufacturer, Oct. 4 at 11, Court of Bankruptcy, London.—John Coker, Saltash, Cornwall, merchant, Oct. 14 at 11, District Court of Bankruptcy, Plymouth.—Joseph Winterbottom, Huddersfield, Yorkshire, spinner, Nov. 15 at 11, District Court of Bankruptcy, Leeds.—Mary Hartley, widow, and Henry Hartley, Halifax, Yorkshire, stationers, Nov. 15 at 11, District Court of Bankruptcy, Leeds.—Stephen Nelson, Sowerby, near Thirsk, Yorkshire, builder, Oct. 8 at 11, District Court of Bankruptcy, Leeds.—John Wildsmith, Worsborough Dale, near Barnsley, Yorkshire, boat builder, Oct. 8 at 11, District Court of Bankruptcy, Leeds.—Theodore Diger, Hustler-gate, Bradford, Yorkshire, general dealer, Oct. 8 at 11, District Court of Bankruptcy, Leeds.—John Burnley, Batley, Yorkshire, cloth manufacturer, Oct. 8 at 11, District Court of Bankruptcy, Leeds.—John Child and William Barker, Wakefield, Yorkshire, railway contractors, Oct. 8 at 11, District Court of Bankruptcy, Leeds.—John Wilton, Sheffield, Yorkshire, linen-draper, Oct. 9 at 10, District Court of Bankruptcy, Sheffield.—Robert Tomlinson Cartiale, Sheffield, Yorkshire, and Beighton, Derbyshire, builder, Oct. 9 at 10, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Constant Champion, Fenchurch-street, London, merchant.—William Henry Osborn, Ebury-street, Pimlico, Middlesex,

wine merchant.—*Joseph Hall*, Brighton, Sussex, hotel-keeper.—*John Thomas*, Little Stanhope-street, May-fair, Middlesex, builder.—*James Buck*, Manchester, engraver.—*Andrew Atkinson*, Dalton-in-Furness, Lancashire, tanner.

SCOTCH SEQUESTRATIONS.

Finlay Macdonald, Druidaig, Kintail, cattle dealer.—*James Ramsay Hood*, Edinburgh, draper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Owen, Liverpool, retailer of ale, Sept. 27 at 10, County Court of Lancashire, at Liverpool.—*Edward Broomhall*, Liverpool, butcher, Sept. 27 at 10, County Court of Lancashire, at Liverpool.—*John Edward Smith*, Liverpool, oren dealer, Sept. 27 at 10, County Court of Lancashire, at Liverpool.—*William Davis*, Birmingham, furniture broker, Oct. 16 at 10, County Court of Warwickshire, at Birmingham.—*John Willcox*, Birmingham, butcher, Oct. 16 at 10, County Court of Warwickshire, at Birmingham.—*E. Beane*, Birmingham, out of business, Oct. 16 at 10, County Court of Warwickshire, at Birmingham.—*J. Bullock*, Birmingham, retail brewer, Oct. 16 at 10, County Court of Warwickshire, at Birmingham.—*James Newbold*, Birmingham, coach builder, Oct. 16 at 10, County Court of Warwickshire, at Birmingham.—*J. Peters*, Bristol, butcher, Sept. 22 at 11, County Court of Gloucestershire, at Bristol.—*Michael Clarke*, Bristol, draper, Sept. 22 at 11, County Court of Gloucestershire, at Bristol.—*Henry Bortey*, Honington, Suffolk, broom maker, Sept. 30 at 11, County Court of Norfolk, at Thetford.—*Thomas Bethens*, Thetford, Norfolk, miller, Sept. 30 at 11, County Court of Norfolk, at Thetford.—*Rev. John Holmes*, Oldham, Lancashire, clerk, Sept. 24 at 12, County Court of Lancashire, at Oldham.—*Alfred Dalton*, Southampton, boot maker, Oct. 1 at 10, County Court of Hampshire, at Southampton.—*Wm. Gibbs*, Haslemere, Surrey, baker, Oct. 4 at half-past 11, County Court of Surrey, at Godalming.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the CASTLE OF EXETER, Oct. 1 at 10.

John Hoppen the younger, Plymouth, cabinet-maker.

At the County Court of Berkshire, at READING, Oct. 4.

Daniel Forshaw, Beresford-street, Walworth, Surrey, clerk to a law stationer.

At the County Court of Yorkshire, at SHEFFIELD, Oct. 6 at 12.

Jehu Ibotson, Ecclesfield, farmer.

TUESDAY, SEPTEMBER 21.

BANKRUPTS.

BENJAMIN SITCH DEELEY, Buckley-street, White-chapel, Middlesex, engineer and ironfounder, dealer and chapman, Oct. 2 at 11, and Nov. 6 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. E. & H. Wright, Birmingham; Tucker & Sons, Sun-chambers, Threadneedle-street.—Petition dated Sept. 18.

JOHN LOVETT HOPKINS, Star-corner, Bermondsey, Surrey, draper, dealer and chapman, Oct. 5 at 12, and Nov. 2 at half-past 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Sole & Turner, 68, Aldermanbury, London.—Petition filed Sept. 8.

HENRY MILES and **CHARLES MILES**, Old-road, Lime-house, and Giles-row, Cambridge-road, Mile-end-road, Middlesex, drapers, dealers and chapmen, Oct. 7 at half-past 1, and Nov. 9 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Mason, Moira-chambers, 17, Iron-monger-lane, Cheap-side, London.—Petition filed Sept. 15.

ROBERT WILLSON, Market-hill, Cambridge, grocer, tea dealer, and chapman, Oct. 1 at 12, and Nov. 11 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Robinson, Cambridge; Hare, 1, Mitre-court, Temple, London.—Petition filed Sept. 11.

JAMES FREDERICK LAWRENCE, Wookey Hole, near Wells, Somersetshire, paper maker, dealer and chapman, Oct. 6 and Nov. 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed Sept. 11.

MEETINGS.

Charles Stanley, Hastings, Sussex, tailor, Oct. 14 at 11, Court of Bankruptcy, London, div.—*Wm. Wieler*, Crutched-friars, London, merchant, Oct. 9 at 11, Court of Bankruptcy, London, div.—*John Wilkins*, Brighton, Sussex, builder, Oct. 9 at 12, Court of Bankruptcy, London, div.—*Henry Plummer* the younger, Golden-lane, St. Luke's, Middlesex, wood turner, Oct. 9 at 11, Court of Bankruptcy, London, div.—*Henry Adams*, Hastings, Sussex, hardwareman, Oct. 9 at half-past 11, Court of Bankruptcy, London, div.—*Joseph Cross Reeves*, Long Ashton, Somersetshire, paint manufacturer, Oct. 15 at 11, District Court of Bankruptcy, Bristol, div.—*William Higginbotham*, Macclesfield, Cheshire, silk manufacturer, Oct. 14 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry Plummer the younger, Golden-lane, St. Luke's, Middlesex, wood turner, Oct. 9 at 11, Court of Bankruptcy, London.—*Henry T. Watson*, Liverpool, draper, Oct. 14 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Bolderston*, Liverpool, wholesale grocer, Oct. 14 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Martin*, Stamford, Lincolnshire, grocer, Oct. 15 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

James Dormer, Charles-street, St. John's Wood, Portland-town, Middlesex, grocer.—*G. Haines*, Northampton, grocer.—*John Timothy*, Liverpool, flour dealer.—*Walter Pullen*, Torriano-avenue, Kentish-town, Middlesex, out of business.—*George Standerwick* and *Thomas Barnes*, Bristol, auctioneers.—*Francis Farrand*, Almondbury, Yorkshire, fancy cloth manufacturer.

SCOTCH SEQUESTRATIONS.

Wm. Hood, Glasgow, draper.—*Douglas & Co.*, Glasgow, merchants.—*John Edwin*, Leven, Fifeshire, flax spinner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Lancaster, Liverpool, butcher, Sept. 27 at 10, County Court of Lancashire, at Liverpool.—*Alexander Ford*, Sheffield, Yorkshire, caster of cutlery, Oct. 6 at 12, County Court of Yorkshire, at Sheffield.—*Wm. Nutt*, Sheffield, Yorkshire, brickmaker, Oct. 6 at 12, County Court of Yorkshire, at Sheffield.—*George H. Parker*, Sheffield, Yorkshire, furniture maker, Oct. 6 at 12, County Court of Yorkshire, at Sheffield.—*John Hough* the younger, Salford, Lancashire, shoemaker, Sept. 29 at 1, County Court of Lancashire, at Salford.—*E. Harold*, Maidstone, Kent, assistant surgeon, Oct. 5 at 12, County Court of Kent, at Maidstone.—*Samuel Beard*, Beverley, Wombidge, Shropshire, confectioner, Oct. 8 at 10, County Court of Shropshire, at Wellington.—*Jos. Chapman*, Oaken Gate, Wombidge, Shropshire, grocer, Oct. 8 at 10, County Court of Shropshire, at Wellington.—*William Henry Williams*, Newport, Monmouthshire, retail dealer in coal, Oct. 12 at 12, County Court of Monmouthshire, at Newport.—*John S. Pateman*, Leicester, grocer, Oct. 13 at 10, County Court of Leicestershire, at Leicester.—*W. Coltman*, Leicester, engraver, Oct. 13 at 10, County Court of Leicestershire, at Leicester.—*James Dodd*, Hexham, Northumberland, butcher, Oct. 18 at half-past 11, County Court of Northumberland, at Hexham.—*Thomas Gear*, North Ferrott, Somersetshire, millwright, Oct. 8 at 12, County Court of Somersetshire, at Crewkerne.—*Robert Lowrie*, Gateshead, Durham, glass manufacturer, Oct. 21 at 10, County Court of Durham, at Gateshead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 13 at 11, before Mr. Commissioner PHILLIPS.

John Arthur, Kensington-place, High-street, Kensington,

Middlesex, carpenter.—*Wm. Dyer*, Quickset-row, New-road, Middlesex, iron bedstead maker.

Nov. 24 at 11, before the CHIEF COMMISSIONER.

James Iggulden, Disney-place, Red Cross-street, Southwark, Surrey, out of business.—*Henry Wood*, Westmoreland-place, Walworth-common, Newington, Surrey, grocer.

Saturday, Sept. 18.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

John Bennett, Cambridge, bricklayer, No. 75,481 C.; *F. Busby*, assignee.—*George Brooker*, Cambridge, confectioner, No. 75,390 C.; *Frederick Styles*, assignee.—*William Vigor*, Folkestone, Kent, out of business, No. 75,478 C.; *Richard Smith* and *Wm. Baker*, assignees.—*George M. Cowley*, Nottingham, attorney-at-law, No. 75,268 C.; *George Jonathan Robinson*, assignee.

Saturday, Sept. 18.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

John Isaac Adams, Royal-road, Kennington-common, Walworth, Surrey, zinc worker: in the Gaol of Surrey.—*J. Ellis*, Oxford-street, Middlesex, dealer in wine: in the Debtors Prison for London and Middlesex.—*Gavin Sellent*, Brook-st., Mary-street, Hampstead-road, Middlesex, chocolate maker: in the Debtors Prison for London and Middlesex.—*John Harvey Stinson*, Craven-street, Strand, Middlesex, following no trade: in the Debtors Prison for London and Middlesex.—*Henry Baylis*, Canterbury-terrace, Brunswick-street, Great Dover-street, Newington, Surrey, corn dealer: in the Queen's Prison.—*Robert Gardner*, Claremont-row, Barnsbury-road, Islington, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*John Hugoe*, London-st., Fitzroy-square, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Edward Bladon*, Springfield-cottages, Acre-lane, Brixton, Surrey, not in any business: in the Gaol of Surrey.—*J. Kelly*, Stoke next Guildford, Surrey, licensed hawk: in the Gaol of Surrey.—*John Wm. Parker*, Spread Eagle-passage, Leadenhall-market, London, beadle: in the Debtors Prison for London and Middlesex.—*James Blaxter Townsend*, Counter-st., Borough, Southwark, Surrey, potato salesman: in the Queen's Prison.—*William Coson*, Hylton Castle, Durham, merchant's clerk: in the Gaol of Durham.—*Andrew Kerr*, Sunderland-near-the-Sea, Durham, common carrier: in the Gaol of Durham.—*John Hoppen* the younger, Plymouth, Devonshire, cabinet maker: in the Gaol of St. Thomas the Apostle.—*Jos. Keesley*, Lincoln, house painter: in the Gaol of Lincoln.—*Wm. Cos*, Handsworth, Staffordshire, iron merchant: in the Gaol of Coventry.—*Robert Wortley*, Norwich, attorney-at-law: in the Gaol of Norwich.—*Jas. Tattersall*, Manchester, grocer: in the Gaol of Lancaster.—*Charles Willows Medley*, Great Grimsby, Lincolnshire, in no business: in the Gaol of Lincoln.—*Alexander James Howell*, Darlington, Durham, clerk: in the Gaol of Durham.—*J. Wm. Baines*, Holt, Norfolk, innkeeper: in the Gaol of Norwich.—*Wm. Edmondson*, Oldham, Lancashire, butcher: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Oct. 5 at 12.

Richard Malony, Maidstone, out of business.—*W. Bradley Gilbert*, Chatham, shoemaker.

At the County Court of Warwickshire, at COVENTRY, Oct. 13 at 12.

John Elska Watts, Birmingham, woollendrapery.—*Richard Andrew Hushison*, Birmingham, coal dealer.—*Joseph Bate*, Aston, gardener.—*Wm. Henry Norton*, Birmingham, surveyor.

The Queen has been pleased to direct letters-patent to be passed under the Great Seal of the United Kingdom, granting the office of a Vice-Chancellor unto John Stuart, Esq., one of her Majesty's Counsel, in the room of Sir James Parker, deceased.

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LONDON, OCTOBER 2, 1852.

THE Patent-law Amendment Act of the last session effects some very material alterations in the law, but more particularly in the machinery of granting patents.

The first material alteration, operating on the position of the inventor, is that effected by the 8th section, authorising the filing of a provisional specification at a very trifling expense, and giving a provisional period of protection for six months. At first sight this would appear to be a great improvement, as it will give to an inventor a period of six months for making experiments to ascertain the utility of his invention, before he proceeds to the larger expense of a patent. But having regard to the 12th section, by which, on the depositor making application to have a complete patent, opposition may be made to the grant, it may be doubted whether, in practice, the inventor will derive much benefit from his privilege under the 8th section, because if, availing himself of the protection, he makes his invention public, he will be exposed to this danger—that any person who chooses may assert the invention, or portions of it, to be his prior invention, and on that ground oppose; and then it will be a question of priority, which the commissioners must decide upon conflicting evidence. To those inexperienced in the business relating to patents this may seem an imaginary danger; but those who are experienced in it, concur in the assertion, that stealing inventions has always been a trade extensively carried on. Inventors, therefore, should be cautioned by their advisers not to act too freely on the supposed protection of the 8th section, until a little time has shewn how it works.

The great improvement, however, made by this act

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is in the scale of fees payable, and the mode in which they are payable.

The first expense of obtaining a complete patent is to be henceforth, for the three kingdoms, including everything, as we gather from the schedule, 25*l.*, including stamps, and ~~exclusive~~ only of the fee to be charged, under the 8th section, for scientific aid to the commissioners; and for this expense the patentee entitles himself to a patent for three years. If at the end of that time he finds his invention not worth pursuing, he may quietly abandon it, with no greater loss (in the shape of Government tax) than 30*l.*, or thereabouts. If the result of experience is favourable to the invention, then the patentee can prolong his right for four years more for 50*l.*, and afterwards for seven more on payment of 100*l.* This mode of paying the fees by instalments has long been adopted by many foreign Governments, and is beyond all question just and politic.

As regards the law, we do not perceive that any material alterations are made, except such as are consequent on the alterations in the mode of granting patents, and except that effected by the 36th section, which allows more than twelve persons to be shareholders in a patent—an alteration which we conceive will be very beneficial to everybody except conveyancers and parliamentary agents. We observe, also, a very beneficial alteration respecting the practice of the Courts, by the 42nd section, by which, in any action at law, an injunction, inspection, and account may be ordered by the Court in which the action is brought. This will render unnecessary the double proceeding, hitherto frequently required, of a bill in equity for an injunction and account, pending, or in anticipation of, an action at law to try the right. It must not, however, be con-

cluded that the effect will be to transfer wholly the trial of patent rights to the courts of common law; because, by the Chancery Reform Act, the Court being empowered to decide legal titles, (sect. 62), and having also power to examine witnesses orally, there will be in effect a completely concurrent jurisdiction; and there will be many cases in which it will be, perhaps, more convenient for patentees to try their titles in a court of equity than in a court of law.

The 26th section is conceived in a good spirit, but may lead to much litigation. By it letters-patent are not to exclude the use of the invention in *any foreign ship or vessel, or for the navigation of any foreign ship or vessel*, in any of the Queen's ports, or in any of the waters within the jurisdiction, with this restriction only, that such invention shall not be so used for the *manufacture* of any goods or commodities to be vended in or exported from her Majesty's dominions. No doubt what the Legislature had in its mind was the case lately before Sir G. Turner, V. C., of a Dutch vessel fitted with machinery for which there was an English patent, and running between Holland and our ports; and what it intended to permit was, the use of an English invention by a foreign ship, running between its own ports and our own. But it is probable that it will be found to permit a great deal more. It is not difficult to conceive inventions to be used in foreign ships, which may not necessarily be for the ~~manufacture of anything~~ to be vended within the Queen's dominions, and which might be carried into effect on board foreign ships within the jurisdiction of the Queen's Courts, so as effectually to evade any English patent, without being within the Navigation Act. Indeed, looking at the Navigation Act, 12 & 13 Vict. c. 29, it does not seem at all clear that there may not be a right in a foreign ship, under the Patent Act, to navigate our waters so as to compete with an English patentee. The 2nd and 3rd clauses of that act, which are the restrictive clauses, refer, in terms, only to the *carrying* of passengers and goods *coastwise*, and between the United Kingdom and the Channel Islands. Suppose an invention applicable to a steam-tug. There the goods and passengers would be *carried* in the British vessel, and the patent machinery would be used on board the tug, which would not *carry* either goods or passengers.

Again: suppose any improvement in marine steam locomotion applied to a boat running between London and Hampton Court. That could hardly be construed navigation *coastwise*; and though we are not aware that any foreign ship has ever run between those points, probably because there was no inducement to do so, we feel by no means clear that a foreign steam-boat might not lawfully do so, worked by an English patented invention, notwithstanding the Navigation Act.

Public expectation is just now awaiting, with eager curiosity, proposals for the reform of our financial system. We trust that among other objects of the Minister's attention, on the revision of the sources of public revenue, will be included the subject of stamps upon deeds and documents, which is one of the worst devices for raising revenue, of all the bad ones at present

employed in this country. The Bar, and particularly the conveyancers, could give illustrations of the practical working of this particular branch of our system, which would have great effect in reconciling the public mind to the idea of direct taxation. We beg now to call the attention of our readers to one of the last noticed absurdities occasioned by the Stamp Act.

Some time before April, 1848, James Evans, the executor of Jenkyn Richards, filed a bill against Henry Protheroe, and Thomas Richards, the administrator of Evan Richards, for specific performance of a contract by the said Evan Richards, in his lifetime, to sell certain leasehold property to the said Jenkyn Richards, since deceased, for 21l. After some preliminary skirmishing by ejections at common law, this suit had been commenced, and in April, 1848, a decree was made in it, directing two issues to be tried at common law—the first being whether any such contract had been entered into; the second, whether the purchase money had been paid. No one had ever any doubt that both these issues *ought* to be answered in the affirmative, for the principal evidence consisted of a receipt signed by Evan Richards in 1827, and witnessed—a very formal and perfect document, except that it had only a 6d. stamp originally, though subsequently a stamp of 1l. had been added. This receipt was produced on the trial, but the jury were told to disregard it. But to overlook, or throw out of consideration, a palpable fact presented to them, being a mental process beyond their capacity, they found a verdict for the plaintiff on both issues. Accordingly, in December, 1848, there was an application for a new trial, which the Vice-Chancellor refused. From this decision there was an appeal to the Lord Chancellor, who, on the 16th March, 1849, directed a new trial of the two issues. At this second trial the receipt was allowed by the judge to be admitted as evidence, and again there was a verdict for the plaintiff on both issues. Again the defendants moved before the Vice-Chancellor for a new trial. His Honor refused to grant it as to the first issue, but allowed it as to the second. Thereupon the defendants again appealed to the Lord Chancellor, and on this occasion we find, from the report of the case from which these facts are taken, (*Evans v. Protheroe*, 2 Mac. & G. 319; 15 Jur., part 1, p. 193), that Lord Cottenham said, "It is with the greatest reluctance that I find myself under the necessity, in this case, of directing a new trial. The property is very small, and the parties apparently very poor; but the litigation, both at law and in equity, must have been very expensive, and, though long protracted, has up to the present time produced no satisfactory result." His Lordship then went on to say, that the object of producing this receipt on one of the issues was to prove the existence of the agreement; but the manner of establishing this ultimately was by proving directly the fact of payment of the purchase money, which could not be done by a receipt improperly stamped, and that therefore the receipt could not be received in evidence on either issue. This was in 1850. In 1851 the case appears to have been spoken to before Lord Truro, on the point of costs. The third trial of the issues took place in July, 1850, when the receipt was tendered and disallowed; but the jury being, we suppose, twelve technicality-hating Englishmen, again refused to understand how a

fact could be proved by a writing on a 1*l.* stamp, and not proved by a writing on a 6*d.* stamp, and again returned a verdict according to the merits of the case—for the plaintiff on both issues.

An application was then made to the Vice-Chancellor for a fourth new trial, which was refused; and from this there was an appeal to the present Lord Chancellor, (1 De G. Mac. & G. 572), who, after reading the receipt, is reported to have said, "It appears to me to possess all the requisites to constitute it valid evidence of an agreement. . . . The whole of this litigation turns on the fact of the document having originally been impressed only with a 6*d.* stamp. . . . I think the jury arrived at the conclusion which I believe to be in accordance with the merits and justice of the case." And his Lordship refused the motion, with costs. That this is a record of actual proceedings, and not in the slightest particular exaggerated or misrepresented, may be proved to the satisfaction of any one who will take the trouble to look at the references which we have given.

The object of the Stamp Acts is, we beg to remind our readers, solely the raising of revenue for the nation. The whole of the litigation in the above-mentioned case was the penalty imposed by a wise Legislature for omitting—probably by accident—to increase the national revenue by the sum of—6*d.*, and to prevent similar occurrences in other cases. The penalty incurred was not only the danger of losing the property in question—escaped only by the breadth of a hair—nor was it simply the long years of wearisome litigation, with the loss of time, business, money, and the sickness of heart which these must have involved: there was, in addition, the uncertainty which made two eminent judges, and two of the most distinguished Lord Chancellors that have ever been, differ directly in opinion upon a simple question upon which all the right depended; and addressing ourselves, as we believe this journal always has the honour of doing, to readers who we hope and believe have not yet merged all common sense in legal acumen, we ask, can anything be conceived more enormously disproportionate to the object of the Stamp Acts than the trouble and injustice they are thus calculated to occasion?

UPON THE LIEN OF A SOLICITOR FOR COSTS.

A SOLICITOR is entitled to a lien upon the deeds, papers, and other articles of his client which come into his hands in his professional capacity for the purpose of business, for costs not only of the particular cause or matter in the course of which they came into his possession, but for his demand for costs generally upon his client; (*Ex parte Nesbitt*, 2 Sch. & L. 279; *Blunden v. Desert*, 2 Dru. & W. 406; *Warburton v. Edge*, 9 Sim. 508; *Friswell v. King*, 15 Sim. 191); but when employed by a trustee he acquires no lien upon the trust fund for his costs, although the trustee paying those costs might himself retain them out of the fund. (*Worrall v. Halford*, 8 Ves. 4). A solicitor has also a lien upon the fund, if any, recovered in a cause, but for the costs only of the cause in which it is recovered, and not for his costs generally in other matters; (*Lunn v. Church*, 4 Mad. 391; *Boson v. Bolland*, 4 My. & C. 354, overruling *Worrall v. Johnson*, 2 J. & W. 214; *Perkins v. Bradley*, 1 Hare, 219; *Stedman v. Webb*, 4 My. & C. 348; *Hall v. Laver*, 1 Hare, 571; *Burge v. Brutton*, 2 Hare, 373; *Lucas v. Peacock*, 9 Beav. 177; *White v.*

Pearse, 7 Hare, 276; *Hodgens v. Kelly*, 1 Hog. 388); and his lien upon the fund so recovered may be protected by a stop order; (*Hobson v. Shearwood*, 8 Beav. 486); and after the death of the client the lien continues, and may be enforced in a summary way by petition, without regard to the claims of other creditors, and the representatives of the client will not be allowed to defeat it by insisting upon applying the fund in a due course of administration. (*Turmin v. Gibson*, 3 Atk. 720; *Lloyd v. Mason*, 4 Hare, 132).

The nature of a solicitor's lien upon his client's deeds and papers is totally different from his lien upon a fund recovered in a particular cause. In the former case, so long as the client leaves the papers in the solicitor's hands, the solicitor's lien is unavailing; it is a passive lien, which cannot be actively enforced. He might retain possession of the papers, and, if they were essential to the client, might, by so doing, compel payment of his general professional demand, if the client, who has the option to do so, thought fit to purchase the use of the papers at that price; but in the latter instance the solicitor's lien upon the fund is of an active nature, which he is entitled actively to enforce by petitioning for and obtaining payment of his costs of the cause out of the fund realised in the suit. (*Boson v. Bolland*, 4 My. & C. 354; *Blunden v. Desert*, 2 Dru. & W. 406; *Molesworth v. Robbins*, 2 Jo. & Lat. 358; *Pelly v. Wathen*, 7 Hare, 361). However, when the costs of proceedings at law and in equity between the same parties are set off against each other, the lien of the solicitor will not be allowed to enter into conflict with the equities of the parties, and will, therefore, attach only upon the balance which the client can claim from the other party. (*Shine v. Gough*, 2 Ball & B. 33; *Taylor v. Popham*, 15 Ves. 72; *Ex parte Castle*, Id. 539; *Holesworth v. Mortlock*, 1 Cox, 202; *Bawtree v. Watson*, 2 Kee. 713).

In *Worrall v. Johnson*, (2 J. & W. 214), Sir Thomas Plumer held, that where a solicitor voluntarily produced a deed upon which he had a lien for his general bill of costs, and by means of that production a fund was recovered in the cause, which was the fruit of that deed, and could have been recovered only through the medium of it, the solicitor was entitled to a lien upon the fund so realised, co-extensive with his lien upon the deed—that is, not only for the costs of the suit, but for his costs generally in other matters. Lord Cottenham has, however, refused to follow that decision, (*Boson v. Bolland*, 4 My. & C. 354), because it seemed to him that the distinction between the solicitor's lien upon the fund realised in the cause, and his lien upon, or rather right to retain, his client's papers in his hands as solicitor, had not been sufficiently kept in view. It had been argued that the solicitor's claim upon the deed was transferred to the fund recovered by its production; but there was no transfer; the lien upon the deed remained as before, though, perhaps, of no value; and whereas the lien upon the deed could never have been actively enforced, the lien upon the fund, if established, would give a title to payment out of it; the active lien upon the fund, if it existed at all, was newly created, and the passive lien upon the deed continued as before. If the doctrine contended for were to prevail, the lien of a solicitor upon the fund realised would, in most cases, extend to his general professional demand, and not be confined, as it always was, to the costs in the cause; and his Lordship, therefore, held, that in such a case the solicitor was only entitled to payment of his costs in the suit out of the fund realised in it.

If the client intends to place papers in the hands of his solicitor for a particular purpose only, and not to subject them to his general lien for costs, there must be a special agreement for that purpose, otherwise they will be subject to the general lien which the solicitor has for costs upon all papers in his hands. (C)

Sterling, 16 Ves. 258; *Ex parte Pemberton*, 18 Ves. 232; see also *Young v. English*, 7 Beav. 10).

A solicitor has not any lien upon the will of a client, left by the latter in his custody, for the costs incurred in the preparation of it, and cannot therefore refuse to produce it, after his client's death, until his costs have been paid; (*Genges v. Genges*, 18 Ves. 294; *Balch v. Symes*, Turn. & R. 87); and although a solicitor has a right to retain his client's papers, he has no right to stop his cause from proceeding if it cannot be carried on without the papers so retained; (*Merryweather v. Melish*, 13 Ves. 161; *Twort v. Dayrell*, Id. 195; *O'Dea v. O'Dea*, 1 Sch. & L. 315; *Mori v. Mudie*, 1 Sim. & S. 262); the law only enables him to work out satisfaction of his claim against the client by the inconvenience to which he can subject the latter by detaining his papers. (*Pelly v. Wathen*, 7 Hare, 351).

The town agent of a country solicitor has a right to intervene with his claim of lien, not as against the client directly, but as against the solicitor employed by him, giving to the agent a right in equity to the money due from the client to the solicitor before the papers are taken from him, and therefore that the money due shall be paid to him to the extent of his lien against the solicitor; (*Ward v. Hepple*, 15 Ves. 207); but the client himself is not liable to the town agent employed by the solicitor, further than for what he may be indebted to the solicitor for business done in the cause. (*Farewell v. Coker*, 2 P. Wms. 460; *Anon.*, 2 Dick. 802).

The Court, in the exercise of its discretion in regulating the conduct of solicitors, will not allow them to take security from their clients for the costs of business to be done, (*Pitcher v. Rigby*, 9 Price, 79; *Jones v. Tripp*, Jac. 322; *Wood v. Downes*, 18 Ves. 120; *Upington v. Bullen*, 2 Dru. & W. 184; *Lawless v. Mansfield*, 1 Dru. & W. 557; *Gomley v. Wood*, 3 Jo. & Lat. 678), although security may be taken for costs already due; and therefore, where security was taken by a solicitor from a client for costs due and to become due, it was held valid only as to the former, the Court expressly refusing to enforce it as to the costs incurred subsequently to the date of the security. (*Williams v. Pigott*, Jac. 598; *Christian v. Field*, 2 Hare, 177; *Blunden v. Desert*, 2 Dru. & W. 405; see also *Sanderson v. Glass*, 2 Atk. 295, and *Bellew v. Russell*, 1 Ball & B. 96).

The solicitor's lien arises by implied contract, and is lost by his accepting security from his client, for by doing that he enters into a special contract, which supersedes the implied one, and so defeats his lien; and therefore, where some solicitors, who had a lien upon papers in their possession for costs, took promissory notes from their clients for the amount of their costs, payable with interest three years after date, Lord Eldon held that their lien did not remain, and that the fact of the securities not being due did not make any difference; and he therefore ordered them to deliver up their clients' papers. (*Cowell v. Simpson*, 16 Ves. 275; *Bridgis v. Bridgis*, at the Rolls, before Sir W. Grant, reported in note to *Lloyd v. Mason*, 4 Hare, 135). But this doctrine does not apply to costs which are not covered by the security; and therefore, as to those costs, the lien will remain. (*Balch v. Symes*, Turn. & R. 87). The solicitor may also lose his lien for costs by proving his debt under a commission of bankruptcy, and acting under it; (*Ex parte Solomans*, 1 Gl. & Ja. 25); but the solicitor does not lose his lien by attempting to obtain payment of his demand by proceedings against the person of his client, nor by obtaining an order for payment of his demand, nor by issuing an attachment to enforce that order. (*Bawtree v. Watson*, 2 Kee. 718; *Ex parte Bryant*, 1 Mad. 49; *Lloyd v. Mason*, 4 Hare, 132).

This lien, or right of retention, however, exists only

as between the solicitor and client, and not as between the solicitor and third parties, so as to prevail over antecedent rights; and therefore, where the client is bound to produce a deed for the benefit of a third party, the solicitor must also do so, although he may have a lien upon it for costs. (*Furlong v. Howard*, 2 Sch. & L. 115; *Blunden v. Desert*, 2 Dru. & W. 405). The lien of the solicitor is only commensurate with the right of the party delivering the deed, and therefore the solicitor can only retain it, as against the party who deposited it, to the extent of the interest of that party. A tenant for life, having only a limited estate in the property comprised in the deeds, cannot pledge them for more than his own interest in the land, to the prejudice of the remainderman. (*Ex parte Nabitt*, 2 Sch. & L. 279; *Molesworth v. Robbins*, 2 Jo. & Lat. 358; *Pelly v. Wathen*, 7 Hare, 351; on appeal, 16 Jur., part 1, p. 47; *Hall v. Laver*, 1 Hare, 671; *Rider v. Jones*, 2 Y. & C. C. C. 329). Neither can a man, having only a joint interest with others in the property comprised in certain deeds, charge those deeds so as to give his solicitor a lien upon them for more than the extent of his own interest. (*Molesworth v. Robbins*, 2 Jo. & Lat. 358). A man who has previously mortgaged or disposed of his estate cannot afterwards hand over the title-deeds to his solicitor, and give to him a lien against the prior purchaser or mortgagee. The right to the estate confers the right to the possession of the title-deeds, and therefore the solicitor of the grantor cannot acquire a lien upon the title-deeds against a party in whose favour there has been a previous actual disposition of the estate itself. (*Smith v. Chichester*, 2 Dru. & W. 393). Neither can a solicitor's lien upon his client's deeds for costs prevail over the right of a purchaser or mortgagee to whom the estate comprised in the deeds has been transferred subsequently to their delivery over to the solicitor for costs incurred after notice of such transfer, or over the right of a judgment creditor for more than the sum due for costs at the time the judgment was entered up. (*Blunden v. Desert*, 2 Dru. & W. 405).

If the solicitor ceases to act for the client, and so dissolves the connexion of solicitor and client, by discharging himself from conducting his client's business, and refusing to carry it on to a hearing, whatever may be his reason for declining to proceed, he cannot claim a lien upon the papers in his hands, so as to deprive the client of the full use of them for the purposes of the suit; and therefore, where the solicitors in a cause declined to be further concerned in it, but offered to deliver up the papers upon their accounts being discharged, Lord Eldon, after remarking that a solicitor, by virtue of his lien, could not prevent the king's subjects from obtaining justice, made an order directing them to permit their recent client and his agents to inspect the papers in their possession, with liberty to take copies thereof or extracts therefrom, and also directing them to produce the papers, &c. before the Master, upon the proceedings directed by the decree in the cause. (*Commerell v. Poynton*, 1 Swanst. 1). But in another case (*Colegrave v. Manley*, Turn. & R. 400; see also *Mori v. Mudie*, 1 Sim. & S. 282) which subsequently came before him, Lord Eldon further extended the right of the client, when discharged by his solicitor dissolving the connexion between them, and held, that in such a case he was entitled to have the papers in the cause delivered over to his new solicitor, upon the latter undertaking to hold them, subject to the former solicitor's lien for costs, until payment thereof; and the authority of this decision has been expressly recognised and acted upon by Lord Cottingham, and is now well established. (*Heslop v. Metcalfe*, 3 My. & C. 183; *Cane v. Martin*, 2 Beav. 584; *Bennett v. Baxter*, 10 Sim. 417; *Griffiths v. Griffiths*, 2 Hare, 587; *Cooper v. Hewson*, 2 Y. & C. C. C. 515).

On the other hand, where the client discharges the solicitor, the Court will not allow even an inspection of papers in the hands of the latter, much less compel him, or his representatives after his death, to deliver them up without payment of his bill. (*Griffiths v. Griffiths*, 2 Hare, 587; *Redfeare v. Sowerby*, 1 Swanst. 87). In one case (*Ross v. Laughton*, 1 V. & B. 349) before Lord Eldon, before the law upon this point was settled, in which a person employing a solicitor became bankrupt, and his assignees refused to employ the solicitor who had acted for him in the cause, his Lordship held that the solicitor could not refuse to produce and shew to the Master the vouchers and papers received by him in the cause, although he was entitled to refuse to part with them, or to leave them in the Master's office, until his bill was paid. But in a later case, (*Lord v. Wormleighton*, Jac. 580; *Steele v. Scott*, 2 Hog. 141), before the same judge, in which the representatives of a person refused to employ the solicitor who had acted for that person, and who had in his possession the papers in the cause, and claimed a lien thereon, he held that they were not entitled to an inspection, or production of the papers in the cause, without satisfying the solicitor's lien upon them for costs; and stated, that where a solicitor discharged himself, he could not prevent his client having the use of the papers in the cause; but that in such a case as that before him, he thought the solicitor ought to be able to make use of the non-production of the papers in order to get at what was due to him. He also intimated that he was then stating an opinion contrary to what he thought at the time when the cases (*Ross v. Laughton* and *Commerell v. Poynton*) were cited before him. *Ross v. Laughton* must, therefore, be considered as overruled. (*Boson v. Bolland*, 4 My. & C. 354). But it is submitted that *Commerell v. Poynton* is distinguishable from *Lord v. Wormleighton*, inasmuch as in the former case the solicitors declined to be further concerned, whilst in the latter the representatives of the deceased client refused to employ the solicitor who had acted for him: in the one case the connexion of solicitor and client was dissolved by the act of the solicitor, in the other by that of the client, or rather those representing him: and as Lord Eldon, in *Colegrave v. Manley*, (Turn. & R. 400), said, the rule is quite different where the solicitor discharges himself, from what it is where he is discharged by the client.

When a person employs two solicitors who are partners, he stipulates for the activity and services of both of them; (*Cholmondeley v. Clinton*, 19 Ves. 281); and therefore, where they dissolve partnership by arrangement between themselves, with which the client has nothing to do, and of which he knows nothing, they thereby dissolve the connexion of solicitor and client between themselves and their employer, who becomes at once entitled to have his papers handed over to him or his new solicitor, without paying their bill of costs, upon undertaking to hold them subject to their lien; they have no right to withhold them until payment of their bill. (*Griffiths v. Griffiths*, 2 Hare, 587). But although the dissolution of a partnership between solicitors dissolves their connexion with a client who had employed them both, so as to deprive them of their right to withhold his papers, and so to enforce payment of their bill, yet, where a lien has been once acquired, it will not be affected by the circumstance of the party entitled to it afterwards admitting a partner or partners into his business; nor will papers which first come into the joint possession of a firm become subject to a lien for costs due to some or one of the partners separately, who may have acted as solicitor for the client before the constitution of the firm to which the papers were delivered. (*Polly v. Wathen*, 7 Hare, 351; *In re Forshaw*, 16 Sim. 120).

London Gazette.

FRIDAY, SEPTEMBER 24.

BANKRUPTS.

- HERBERT ASHTON and STEWARD SPRIGGS, otherwise STEWARD STEVENSON SPRIGGS, Aldermanbury, London, warehousemen, (trading under the style or firm of Ashton & Spriggs), Oct. 7 at 2, and Nov. 15 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sole & Turner, 68, Aldermanbury, London.—Petition filed Sept. 13.
- OSBORN ENGALL TEASELL, Norwich, timber merchant and sawyer, dealer and chapman, Oct. 5 and Nov. 15 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Woolbright, Norwich; J. & J. H. Linklater, 17, Sise-lane, Cheapside.—Petition filed Sept. 13.
- WILLIAM TURNER, Bath, Somersetshire, engineer and millwright, dealer and chapman, Oct. 5 and Nov. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Pain & Bartrum, Bath; Bevan, Bristol.—Petition filed Sept. 14.
- JOHN ROEBUCK and WILLIAM ROEBUCK, Bank-end Mill, near Holmfirth, Yorkshire, woollen cloth manufacturers, Oct. 14 and Nov. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Kidd, Holmfirth; Bond & Barwick, Leeds.—Petition dated and filed Sept. 20.
- HENRY M'GROTTY, Liverpool, merchant, Oct. 7 and 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Hors, Liverpool.—Petition filed Sept. 22.
- GEORGE CLARKE PAULING and ROBERT CHAPMAN SHARP, Manchester, merchants and contractors for public works, dealers and chapmen, (trading under the firm of Pauling & Co.), Oct. 6 and Nov. 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester; Worthington & Earle, Manchester.—Petition filed Sept. 21.
- THOMAS MOYLE, Deansgate, Manchester, draper, Oct. 6 and Nov. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester.—Petition filed Sept. 20.

MEETINGS.

- Charles Stanley*, Hastings, Sussex, tailor, Oct. 11 at 11, Court of Bankruptcy, London, aud. ac.—*Benjamin Fisher*, Gloucester, currier, Oct. 8 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.: Oct. 22 at 11, div.—*Pearse Manasseh Hadley*, Cardiff, Glamorganshire, corn merchant, Oct. 15 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Oct. 22 at 11, div.—*Humphrey Davies*, Liverpool, leather seller, Oct. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John James* and *Wm. Seddon*, Liverpool, shipbuilders and shipwrights, Oct. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *John James*; Oct. 15 at 11, div. sep. est. of *John James*.—*Hugh Jones*, Chester, grocer, Oct. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jonathan Higginson* and *Richard Deane*, Liverpool, merchants, Oct. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Tyther*, Birmingham, tallow chandler, Oct. 5 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Higginbotham*, Macclesfield, Cheshire, silk manufacturer, Oct. 7 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*S. Trickett*, Victoria Stone-wharf, Isle of Dogs, Middlesex, stone merchant, Oct. 16 at 11, Court of Bankruptcy, London, div.—*Geo. Wyatt* and *Henry Thompson*, Portpool-lane, Gray's-inn-lane, Middlesex, common brewers, Oct. 7 at 1, Court of Bankruptcy, London, fin. div. sep. est. of *H. Thompson*.—*Chas. W. Wass*, New Bond-street, Middlesex, picture dealer, Oct. 15 at 1, Court of Bankruptcy, London, div.—*G. Cook*, Tottenham-court-road, Middlesex, furniture dealer, Oct. 18 at 12, Court of Bankruptcy, London, div.—*Joseph Clegg* and *John Whitby*, Liverpool, merchants, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *J. Whitby*.—*Robert Greenham*, Liverpool, merchant, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*B. Crowther*, Mirfield, Yorkshire, maltster, Oct. 15 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Allanson*, Kirby Moorside, Yorkshire, draper, Oct. 15 at 11, District Court of Bankruptcy, Leeds, div.—*John Padgett*, Idle, Yorkshire, cloth

manufacturer, Oct. 15 at 11, District Court of Bankruptcy, Leeds, div.—*George Smith*, Leeds, Yorkshire, flax spinner, Oct. 15 at 11, District Court of Bankruptcy, Leeds, div.—*George Edw. Hirst*, Halifax, Yorkshire, cloth merchant, Oct. 15 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Barrell, Billericay, Essex, grocer, Oct. 16 at 1, Court of Bankruptcy, London.—*John Davis Randall* and *Geo. T. Dicks*, Greek-street, Soho, Middlesex, leather sellers, Oct. 18 at 1, Court of Bankruptcy, London.—*George Edw. Hirst*, Halifax, Yorkshire, cloth merchant, Oct. 15 at 11, District Court of Bankruptcy, Leeds.—*George Smith*, Leeds, Yorkshire, flax spinner, Oct. 15 at 11, District Court of Bankruptcy, Leeds.—*Archibald Corken*, Oswestry, Shropshire, watch-maker, Oct. 19 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Vevers, Ironmonger-lane, London, woollen warehouseman.—*Charles Ritchie*, Oxford-street, Middlesex, jeweller.—*Julius Harris*, Liverpool, jeweller.—*William H. Richardson*, *Benjamin Richardson*, and *Jonathan Richardson*, Wordesley, Staffordshire, and *Lamb's Conduit-st.*, Middlesex, glass manufacturers.

SCOTCH SEQUESTRATIONS.

James Guthrie, Turriff, Aberdeenshire, farmer.—*James Drew*, Glasgow, smith.—*James Cabert*, Montrose, writer.—*Andrew Irving*, Stranraer, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Stott, Undercliffe, Bradford, Yorkshire, wool sorter, Oct. 9 at 11, County Court of Yorkshire, at Bradford.—*James Walker*, Manningham, near Bradford, Yorkshire, bobbin turner, Oct. 9 at 11, County Court of Yorkshire, at Bradford.—*Henry Amphlett*, Sidbury, Worcestershire, cooper, Oct. 13 at 10, County Court of Worcestershire, at Worcester.—*Charles Pardoe*, St. Martin, Worcestershire, printer, Oct. 13 at 10, County Court of Worcestershire, at Worcester.—*George Greenwood*, Burley, near Otley, Yorkshire, saddler, Oct. 11 at 10, County Court of Yorkshire, at Otley.—*George Wade*, Brewwood, Staffordshire, blacksmith, Oct. 2 at 12, County Court of Staffordshire, at Wolverhampton.—*Richard Gammon*, Ilfracombe, Devonshire, shipwright, Oct. 5 at 10, County Court of Devonshire, at Barnstaple.—*Charles Eaton*, Oxford, butcher, Oct. 11 at 10, County Court of Oxfordshire, at Oxford.—*John Thompson*, Kingston-upon-Hull, bookseller, Oct. 13 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Edward Thorp*, Kingston-upon-Hull, commission traveller, Oct. 13 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George Cookman*, Kingston-upon-Hull, master mariner, Oct. 13 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Moritz Philippshal*, Kingston-upon-Hull, shipbroker, Oct. 13 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Robert Reeve*, Brighton, Sussex, tailor, Oct. 9 at 10, County Court of Sussex, at Brighton.—*John Stapley*, Brighton, Sussex, out of business, Oct. 9 at 10, County Court of Sussex, at Brighton.—*Henry Greethurst*, Brighton, Sussex, lodging-house keeper, Oct. 9 at 10, County Court of Sussex, at Brighton.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Samuel Gosling, Heaton Norris, out of business, No. 75,468; *Robert Stockdale*, assignee.—*Richard Boone*, West Leigh, near Wigan, provision dealer, No. 75,491; *William Hodgson*, assignee.—*William Clegg*, Kirkdale, Liverpool, out of business, No. 75,573; *John Clay*, assignee.—*William Jackson*, Liverpool, commercial traveller, No. 75,409; *Thomas Royde*, assignee.—*John Walsh*, Nova Scotia, Blackburn, grocer, No. 75,180; *William Jardine*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Oct. 8 at 11.

William Edmondson, Oldham, cattle dealer.—*Henry An-*

derton, Salford, manager of dye works.—*Ellen Davies*, Fleetwood-on-Wyer, confectioner.—*John Ogden*, Oldham, cabinet maker.—*John Smith*, Hulme, Manchester, out of business.—*James Tattersall*, Manchester, out of business.—*John Glynn*, Chorlton-upon-Medlock, Manchester, warehouseman.—*Robert Corlett*, Salford, joiner.—*Samuel Andrew*, Knowles-lane, Lees, near Oldham, out of business.—*William Lingard*, Stratford, near Manchester, in no business.

At the County Court of Norfolk, at NORWICH, Oct. 11.
John William Baines, Holt, innkeeper.

At the County Court of Norfolk, at the Guildhall, NORWICH, Oct. 11 at 10.

Robert Wortley, Norwich, attorney-at-law.

At the County Court of Warwickshire, at WARWICK, Oct. 11 at 10.

John Newland, Alveston, out of business.

At the County Court of Lincolnshire, at LINCOLN, Oct. 12 at 12.

Joseph Kealey, Lincoln, house painter.—*Charles Willows Medley*, Great Grimsby, joiner.

At the County Court of Warwickshire, at COVENTRY, Oct. 13 at 12.

Robert Macneair, Bordealeay, Birmingham, soap boiler.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Oct. 13.

Elizabeth Hall, Kingston-upon-Hull, tobacconist.—*Henry Deval*, Kingston-upon-Hull, cab proprietor.

TUESDAY, SEPTEMBER 28.

BANKRUPTS.

THOMAS RUSSELL and **JOHN MUSGROVE**, Norwich, sack manufacturers, Oct. 7 at 12, and Nov. 8 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Miller & Son, Norwich; Sole & Co., Aldermanbury.—Petition filed Sept. 22.

WILLIAM MILNER HARKER, Little Moorfields, London, carrier and saddlers' ironmonger, Oct. 8 at 11, and Nov. 8 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Roberts, 8, Barge-yard-chambers, London.—Petition filed Sept. 24.

JAMES ROBERT COLLETT, Princes-st., Hanover-sq., Middlesex, milliner, dealer and chapman, Oct. 6 at 11, and Nov. 6 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Rutter & Trotter, 4, Ely-place, Holborn.—Petition dated Sept. 23.

JOSEPH WINTER, Holborn-hill, London, clothier, Oct. 2 at 12, and Nov. 6 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Huson, 7, Ironmonger-lane.—Petition dated Sept. 17.

MESTINGS.

Henry Gurney, Pitfield-st., Hoxton, Middlesex, victualler, Oct. 6 at 12, Court of Bankruptcy, London, last ex.—*John Wood* and *Edwin Norton*, Hoyland Nether, Wash-upon-Dearne, Yorkshire, corn millers, Oct. 8 at 11, District Court of Bankruptcy, Leeds, last ex. of *John Wood*.—*John Hinds Watkins*, Woolwich, Kent, grocer, Oct. 14 at 11, Court of Bankruptcy, London, aud. ac.—*Julia T. Denis*, Lime-st., London, and Spur-st., Leicester-sq., Middlesex, wine merchant, Oct. 11 at 11, Court of Bankruptcy, London, aud. ac.—*Robert Greenham*, Liverpool, merchant, Oct. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Geo. Mahon* and *Wm. S. Mammery*, Avery-row, Bond-street, Middlesex, paper stainers, Oct. 1 at 12, Court of Bankruptcy, London, div.—*Richard Jackson*, Liverpool, and Bolton-le-Moors, Lancashire, organ builder, Oct. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Adams*, Haighton, Hammer, Flintshire, cheese factor, Oct. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*Sidney Sherlock*, Liverpool, wine merchant, Oct. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Samuel J. Clegg* and *John Whitby*, Liverpool, merchants, Oct. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Hugh Jones*, Chester, grocer, Oct. 21 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

William Wisch, Coal Hole Tavern, Fountain-court, Strand, licensed victualler, and North-mews, Gray's-inn-lane, Middlesex, ivory cutter, Oct. 20 at 1, Court of Bankruptcy, London.—*Henry Mopsy*, Union-street East, Bishopsgate, Middlesex, ironmonger, Oct. 20 at 12, Court of Bankruptcy, London.—*John William Cowles Brewer*, Gloucester, licensed victualler, Oct. 20 at 11, District Court of Bankruptcy, Bristol.—*Shadrach Edward Robert Jones*, Wrockwardine, Shropshire, apothecary, Oct. 19 at half-past 11, District Court of Bankruptcy, Birmingham.—*William James Williams*, Wolverhampton, Staffordshire, hosier, Oct. 19 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Bluck, Bucklebury, London, wine merchant.—*Samuel Bardley*, Tunstall, Staffordshire, joiner.

PETITION ANNULLLED.

Thomas Jenkins, Tredegar, Monmouthshire, innkeeper.

SCOTCH SEQUESTATIONS.

James Halley, Denny, mason.—*Thomas Templeton*, Campbelltown, merchant.—*J. & D. M. Arthur*, Glasgow, provision merchants.—*Archibald Chambers*, Greenock, commission agent.—*Nathaniel Wiold*, Annan, accountant.—*George Somerville*, Glasgow, wright.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Stone, Chatham, Kent, eating-house keeper, Oct. 7 at 10, County Court of Kent, at Rochester.—*Elizabeth Hopkins*, widow, Luton, Bedfordshire, straw-bonnet manufacturer, Sept. 30 at 11, County Court of Bedfordshire, at Luton.—*William Glover*, West Charlton, Somersetshire, draper, Oct. 9 at 10, County Court of Somersetshire, at Langport.—*John Fowacre*, Taunton, Somersetshire, out of business, Oct. 15 at 10, County Court of Somersetshire, at Taunton.—*Wm. Bell*, Hulme, Manchester, shopkeeper, Oct. 18 at 11, County Court of Lancashire, at Manchester.—*David Grundy*, Chorlton-upon-Medlock, Manchester, fent dealer, Oct. 18 at 11, County Court of Lancashire, at Manchester.—*John Richards*, Deansgate, Manchester, beer-house keeper, Oct. 18 at 11, County Court of Lancashire, at Manchester.—*William Pigot*, Ardwick, Manchester, teacher of music, Oct. 18 at 11, County Court of Lancashire, at Manchester.—*George Greenwood*, Keighley, Yorkshire, piece maker or manufacturer, Oct. 13 at 11, County Court of Yorkshire, at Keighley.—*Thomas Land*, Keighley, Yorkshire, joiner, Oct. 13 at 11, County Court of Yorkshire, at Keighley.—*John Rule*, Upnor, Frindsbury, Kent, market gardener, Oct. 7 at 10, County Court of Kent, at Rochester.—*David Watkeys*, Llanelly, Carmarthen-shire, builder, Oct. 14 at 11, County Court of Carmarthen-shire, at Llanelly.—*Edward Howell*, Norwich, licensed victualler, Oct. 11 at 10, County Court of Norfolk, at Norwich.—*Thos. Paybody*, Tickford-end, Newport Pagnell, Buckinghamshire, blacksmith, Oct. 18 at 12, County Court of Buckinghamshire, at Newport Pagnell.—*John Taylor*, Huddersfield, Yorkshire, iron moulder, Oct. 14 at 10, County Court of Yorkshire, at Huddersfield.—*Henry Rogers*, Llanelly, Carmarthen-shire, carpenter, Oct. 14 at 11, County Court of Carmarthen-shire, at Llanelly.—*Robert Gow*, Fortsea, Hampshire, engineer in the Royal Navy, Oct. 15 at 10, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 1 at 10, before Mr. Commissioner LAW.

James Blaxter Townsend, Counter-st., Borough, South-wark, Surrey, potato salesman.

Nov. 13 at 11, before Mr. Commissioner PHILLIPS.

Fredrick Fielding Piper, Downham-road, Lower Islington, Middlesex, perfumer.—*Amelia Hart*, widow, Rotherhithe-wall, Rotherhithe, Surrey, greengrocer.

Saturday, Sept. 25.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Samuel Mitchell, Middlesborough, Yorkshire, baker, No. 75,042 C.; *John Dunning*, assignee.—*Edward Hosmer*, Tunbridge Wells, Kent, leather cutter, No. 75,047 C.; *Samuel Eyles Peiroe*, assignee.

Saturday, Sept. 25.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

George Faulkner, Charlotte-st., Picnic, Middlesex, out of business: in the Queen's Prison.—*William Johnson Couch*, Lee, Kent, artist: in the Queen's Prison.—*Daniel Humbert*, Frib-st., Soho, Middlesex, Italian warehouseman: in the Debtors Prison for London and Middlesex.—*George Wm. Hogg*, Church-street, Brompton, Middlesex, woollendrapers' assistant: in the Queen's Prison.—*John Ellis*, Garnault-place, Spafields, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*Thomas Whimney*, Shepherd-street, May-fair, Middlesex, livery-stable keeper: in the Queen's Prison.—*Isaac Atkins*, High-street, Shadwell, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Thomas Cook*, Oakhall-place, New Cross, Surrey, tailor: in the Gaol of Surrey.—*M. E. Durup*, Stamford-st., Blackfriars-road, Surrey, following no trade: in the Debtors Prison for London and Middlesex.—*Wm. Nockells*, Jermyn-street, St. James's, Middlesex, newspaper agent: in the Queen's Prison.—*H. Anderton*, Salford, Lancashire, manager of dye works: in the Gaol of Lancaster.—*Edward Banister*, Blackburn, Lancashire, beer-seller: in the Gaol of Lancaster.—*Wm. Gray*, Chorlton-upon-Medlock, Manchester, licensed victualler: in the Gaol of Lancaster.—*John Ogden*, Oldham, Lancashire, cabinet maker: in the Gaol of Lancaster.—*Wm. Rock*, West Bromwich, Staffordshire, commission agent: in the Gaol of Stafford.—*J. Smith*, Hulme, Manchester, beer-seller: in the Gaol of Lancaster.—*Ellen Davies*, Fleetwood-on-Wyre, Lancashire, confectioner: in the Gaol of Lancaster.—*George Bunsall*, Coningree House, Shirland, Derbyshire: in the Gaol of Derby.—*John Cowley*, Manchester, out of business: in the Gaol of Lancaster.—*Mark Cooke*, Denton, Lancashire, joiner: in the Gaol of Lancaster.—*R. G. Das*, Dover, Kent, one of the clerks in the Exchequer Office: in the Gaol of Dover.—*E. T. Das*, Dover, Kent, clerk in the Rule Office, Court of Exchequer: in the Gaol of Dover.—*John Ellis*, High Harrogate, Yorkshire, blacksmith: in the Gaol of York.—*H. B. Noble*, Ledbury, Herefordshire, teacher of French: in the Gaol of Hereford.—*Patrick Campbell*, Bishop Auckland, Durham, innkeeper: in the Gaol of Durham.—*John Carr*, Dewsbury, Yorkshire, stonemason: in the Gaol of York.—*James Lowe*, Pendleton, Salford, Lancashire, corn merchant: in the Gaol of Lancaster.—*John Dewhurst*, Bolton-le-Moors, Lancashire, out of business: in the Gaol of Lancaster.—*Thomas Martin*, Folkestone, Kent, victualler's servant: in the Gaol of Dover.—*Wm. Raybould*, West Bromwich, Staffordshire, carpenter: in the Gaol of Stafford.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, Oct. 13 at 10.

Richard Geo. Das, Dover, one of the clerks in the Exchequer Office.—*E. T. Das*, Dover, clerk in the Rule Office, Court of Exchequer.—*Thomas Martin*, Folkestone, victualler's servant.

At the County Court of Warwickshire, at COVENTRY, Oct. 13 at 12.

Wm. Cos, Handsworth, Staffordshire, iron merchant.

At the County Court of Somersetshire, at TAUNTON, Oct. 15.

Thomas Richard Bulpin, Knapp, North Curry, assistant to a farmer.

At the County Court of Hampshire, at PORTSMOUTH, Oct. 15.

James Jenkins, Southsea, builder.

At the County Court of Lancashire, at MANCHESTER, Oct. 18 at 11.

James Mitchell, Hulme, Manchester, cabinet maker.

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The Jurist

No. 822—VOL. XVI.

OCTOBER 9, 1852.

PRICE 1s.

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LONDON, OCTOBER 9, 1852.

On a former occasion we expressed our opinion of the merits, demerits, and shortcomings of the "Common-law Procedure Bill, 1852*;" and upon a careful perusal of its slightly altered provisions since it has become the statute 15 & 16 Vict. c. 76, we see no reason to alter the opinion which we then offered. As the time approaches for its coming into operation, viz. the 24th of this month, we hear the expression of increased misgivings as to its probable working, and redoubled complaints as to the little real reform effected by a measure which, grafted upon the old system of practice and pleading, retains many of their vices, and introduces but few improvements. However, we have the act, and must deal with it as it is; it will undoubtedly require a careful perusal, and we have thought that such suggestions as have occurred to us, upon an examination of its provisions, may not be unacceptable to our readers. We shall devote the present article simply to the writ of summons under the new procedure; and several important alterations introduced into this branch of practice render it deserving of a separate notice.

The writ of summons must now be considered with

* Ante, p. 197.

reference to the defendant being within or without the jurisdiction of our superior Courts, and in the latter case with reference to his being a British or a foreign subject.

First, if the defendant resides within the jurisdiction of the Courts, the body of the writ is the same as heretofore, except in two particulars, namely, the form of action is omitted, and instead of stating that if the defendant does not appear, the plaintiff may enter an appearance for him, the alternative is stated to be, that the plaintiff may proceed to judgment and execution.

The memorandum subscribed upon the writ differs from the former one, in stating that the writ is to be served within six (instead of four) calendar months from its date, and in adding, "or if renewed, from the date of such renewal, including the day of such date." We may here observe, that in the body of the statute the word "month" is used without the prefix of "calendar," and this is not qualified by the interpretation clause; *prima facie* this would be a lunar month; but as the form uses the term "calendar month," which no doubt it was intended to be, we presume the Courts will adopt that as the period.

The indorsements are the same as before, with the exception of the special indorsement, which it will always be advisable to make upon a writ claiming a debt or liquidated sum of money. This special indorse-

ment is nothing but a short particular of the plaintiff's demand, similar to the particulars delivered under the former practice when the full statement could not be comprised within three folios. (See Schedule (A.), No. 4). This indorsement can only be made where the claim is for a debt or liquidated demand, and its effect will be, that if the defendant appears to the writ, no further particulars of demand need be delivered unless ordered by a court or judge, (sect. 25); while, if he does not appear, and the writ has been personally served, or leave obtained by the plaintiff to proceed as if it had been so served, the plaintiff may, upon filing an affidavit of such personal service, or a judge's order* for leave to proceed, and a copy of the writ of summons, at once sign final judgment (upon which no proceeding in error shall lie) for the sum indorsed and interest, (if any was claimed), together with costs, either at a sum to be fixed by the Masters, or, if more is claimed, at a sum to be taxed, and may thereupon issue execution at the expiration of eight days from the last day for appearance, subject to the defendant being let in to defend the action upon his accounting for the non-appearance, and disclosing a defence upon the merits. (Sect. 27). If the writ is not specially indorsed, and the defendant does not appear, then, upon filing proceedings as above, the plaintiff (without entering any appearance) may file a declaration indorsed with a notice to plead in eight days, and at the expiration thereof, if no plea is delivered, may sign judgment by default, which shall be final, if the claim be one for which a special indorsement might have been made, (i. e. for a liquidated demand); but in such case the plaintiff will lose the costs of the declaration, as that step would have been unnecessary if he had specially indorsed the writ. (Sect. 28). It will not be necessary to give any notice of filing the declaration. If the action be for damages, and they are substantially matter of calculation, e. g. actions for calls on railway shares, no writ of inquiry or rule to compute will be required, but the amount for which final judgment is to be signed may be ascertained by a Master, (sect. 94); in other cases a writ of inquiry will be necessary. It will be observed, that henceforth no appearance sec. stat. will be entered, (see sect. 26), and that if the defendant does not appear, judgment may now be signed without any appearance at all.

Concurrent writs may issue at any time within the six months, but are to be in force only for the same period as the original writ. (Sect. 9). This will afford facilities for service where several defendants are living at different places, as it will multiply the original writs, which must be shewn upon service of the copy, if a demand to that effect be made; but it is not of so much use as formerly, inasmuch as now the writ may be served in any county. (Sect. 14). Concurrent writs may be issued for service within and without the jurisdiction. (Sect. 22).

Alias and pluries writs, and the old mode of continuing process to save the Statute of Limitations, are abolished, and a more simple plan is substituted, namely, by renewing the writ, within the first six

months, for another six months, and so on from time to time. This will be done by merely impressing a seal upon the original writ. (Sects. 10, 13).

Personal service is to be effected as heretofore, where it may be practicable; but where it is not, and reasonable efforts have been made thus to serve it, and the writ has come to the defendant's knowledge, or he has wilfully evaded service, and has not appeared thereto, the court or a judge may give the plaintiff leave to proceed as if personal service had been effected. (Sect. 17). This proceeding is substituted for the writ of *distringas*, which is altogether abolished, whether for the purpose of entering an appearance or of proceeding to outlawry.

Secondly, the old and clumsy proceedings to outlawry are abolished, and in lieu thereof there are a few important provisions for the service of writs of summons out of the jurisdiction, where the cause of action arose within it.

1. Where the defendant is a British subject, and residing out of the jurisdiction of our courts, in any place, (*except Scotland and Ireland*), a form of writ* is given similar to the one of which we have been treating, but allowing a sufficient number of days within which the defendant may appear, with reference to the distance he may be from England. (Sect. 18). Should not this be with reference to the time required for communication between the place where he may be and England? It is also to be indorsed with a statement that it is for service out of the jurisdiction. Then, upon affidavit of a cause of action within the jurisdiction, and of personal service, or of reasonable efforts for that purpose, and that the writ came to the defendant's knowledge, and either that he wilfully neglects to appear, or that he is living out of the jurisdiction in order to defeat and delay his creditors, the plaintiff may obtain leave to proceed in the action upon such terms as to the court or a judge may seem fit, but he must prove the amount of his debt or damages as a condition precedent to his obtaining judgment.

2. Where the defendant is not a British subject, a somewhat similar writ is to issue, but a notice thereof alone is to be served on the defendant, and then proceedings as in the last case may be taken. (Sect. 19). This section appears to be defectively worded, and, in terms, to provide only for the actual service of the notice—not for reasonable efforts for that purpose. Looking, however, at the context, we think that the section will be construed as if it repeated the material words, which are contained in the section which immediately precedes it. A more serious difficulty, however, connected with this part of the act, is, that while the *distringas* for the purpose of proceeding to outlawry is altogether abolished, the new proceedings which are substituted for it do not apply where the debtor is in Scotland or Ireland. How, then, is a debtor in one of those parts of the United Kingdom to be proceeded against? Is there any mode except by suing him in Scotland or Ireland? In any view of the case, it seems strange that there should be greater facility for proceeding against a debtor who may be in Australia or

* The section (sect. 27) mentions only judge's order; but as leave may be obtained also by rule of Court, (see sect. 17), in some cases the rule of Court must be filed.

* The form appears to be incorrect in being addressed to "C. D., of —, in the county of —," as he is supposed to be abroad.

New Zealand, than against one within the United Kingdom. It is said that this evidence was introduced just before the act was passed, and probably the consequences of it were not fully perceived. There is a provision for admitting in evidence affidavits, for the purpose of enabling proceedings to be taken against a defendant residing out of the jurisdiction of the Court, such affidavits having been sworn before any consul or consular agent. (Sect. 23). But, according to the way in which it is expressed, it would seem to be necessary, not only that it should purport to be signed by the consul or consular agent, but also that proof should be given of his official character, his signature, and perhaps of the fact that it was sworn before him*.

Writs of summons may be amended in respect of any omission.

THE subject of the second paper in THE JURIST of last week deserves a further consideration in a legal point of view, now that there are two decisions of two judges, both of the greatest eminence, in direct conflict. The question may, under these circumstances, be fairly considered open. The difference between the two decisions is, that the one is rather elaborately reasoned; the other is a simple declaration of opinion, not professing to give any reasons at all. Lord Cottenham says, "It was contended before me that though it (the receipt) could not have been received to prove payment of the money, the object in this case was, not to prove such payment, but an object quite collateral, viz. to establish the fact of the agreement; and a recent case of *Matheson v. Ross* (2 H. L. C. 286) was relied upon for this distinction. I have carefully examined that case. The House of Lords there proceeded upon the ground that the paper in question, though there was upon it a receipt for a balance, was also a statement and settlement of accounts, which was quite unconnected with the fact whether the balance had or had not been paid, which was not in question in the case; and the House thought that, for the purpose of shewing the state and balance of the account, the paper might be received, that being altogether collateral to the object and purpose of the paper as a receipt; and I find that I am reported as having qualified my opinion in favour of the admission of the document by these observations:—'Most of the cases go to shew this—that if in a particular instance the matter to be proved is the payment of money, and the payment is to be proved by the production of a written document of an acknowledgment of payment, or what is called a receipt, the Stamp Acts immediately apply to such documents so produced; and for such a purpose, whether it is for the direct purpose of proving payment, as a discharge between debtor and creditor, or whether it is for an indirect or collateral purpose, as to shew some right in, or advantage belonging to, a party in consequence of such payment, where, for instance, a matter collateral is to be proved by the proof of the fact of payment, and that fact of payment is established by a receipt, such a case is clearly within the provisions of the Stamp Acts. That, however, is not the present case.' It is,

* The words are, "Every affidavit, so sworn &c., shall be admitted in evidence, provided it purport" &c.

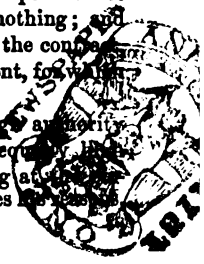
however, the case now under my consideration. The object of producing the document is to prove the fact in the issue, called 'collateral,' namely, the agreement, by proof of the fact of payment; and that fact of payment is attempted to be established by a receipt not having a proper stamp."

Lord St. Leonard's, on the other hand, says, "It appears to me to possess all the requisites to constitute it valid evidence of an agreement, for it contains the names of the parties who are the buyer and the seller, and it distinctly specifies both the property, and the consideration money for that property. The whole of this litigation turns upon the fact of the document having originally been impressed only with a 6d. stamp; and it was contended before me that the document had been virtually admitted, and that the minds of the jury had been warped. There is, however, no ground for such an assertion, because, while there was no obligation on the part of the plaintiff not to tender the document, the learned judge who tried the issues on the last occasion, in fact, rejected it. Now, the questions being, first, whether there was any binding contract at all between the parties, and secondly, whether there was any money paid; and the object of the investigation being simply to elicit truth; I confess I entertain no doubt, with all deference to the opinions which have been attributed to the learned judges before whom the case has already come, that the document in question was receivable as evidence of an agreement, though, by reason of the fiscal regulations of the country, not as evidence of a receipt. Under these circumstances, I think the jury arrived at the conclusion which I believe to be in accordance with the merits and justice of the case, and I am satisfied that I am exercising a sound discretion in refusing this motion, with costs."

That the justice of the particular case is met by the decision of Lord St. Leonard's can hardly be doubted; but if the rule of law is, that a receipt improperly stamped cannot be produced as evidence of the payment of the money for which it purports to be a receipt, and if it happens that the only proof of an agreement to purchase is existing proof of the payment of the purchase money, how can it be consistent with the rule of law to let a receipt, which ex concessis proves nothing directly but the payment of the money, be produced as evidence of the contract? If, as in *Matheson v. Ross*, the document tendered proved, either directly or indirectly, but exclusively of the proof of payment, some fact which would be evidence of the contract, then it is reasonable to receive it as evidence, because it is received in evidence, not as a receipt for money, but as a document proving something else, which it would equally prove if it were not held proof of payment at all.

But in *Evans v. Protheroe*, if the receipt did not prove the payment of money, it proved nothing; and you cannot get, through it, at the proof of the contract, except by first treating it as proof of payment, for which purpose it cannot be looked at.

Notwithstanding, therefore, the very high authority of Lord St. Leonard's, looking at the equal authority of Lord Cottenham, and looking at the circumstance that while Lord Cottenham gives



Lord St. Leonard's carefully avoids giving any, it may be doubted whether *Evans v. Protheroe*, as last decided, is good law.
T. V.

THE 44th section of the Chancery Proceedings Amendment Act may have a serious effect, if at all extensively applied, as a commencement of absorption of the jurisdiction of the Ecclesiastical Courts. It is as follows:—

"If, in any suit or other proceeding before the Court, it shall appear to the Court that any deceased person who was interested in the matters in question has no legal personal representative, it shall be lawful for the Court either to proceed in the absence of any person representing the estate of such deceased person, or to appoint some person to represent such estate for all the purposes of the suit or other proceeding, on such notice to such person or persons, if any, as the Court shall think fit, either specially or generally by public advertisements; and the order so made by the said Court, and any orders consequent thereon, shall bind the estate of such deceased person in the same manner in every respect as if there had been a duly constituted legal personal representative of such deceased person, and such legal personal representative had been a party to the suit or proceeding, and had duly appeared and submitted his rights and interests to the protection of the Court."

There are repeatedly cases before the Court of Chancery in which a suit is much delayed by the necessity of procuring representation to deceased parties, because, though the suit cannot proceed without them technically, representation is substantially so little wanted by anybody, that no one likes the expense and trouble of taking out administration; and in certain cases, which are generally those where *substantial* representation is the least wanted, the process of the Ecclesiastical Courts is so ponderously dilatory, that it works great oppression.

In these cases, at any rate, it may be presumed the Court of Chancery will, under the new act, upon motion, and without requiring any very tedious proceedings, either appoint a person, who will be, in effect, administrator ad litem, or direct the suit to proceed without him; and thus will one portion of the business of the Ecclesiastical Courts be invaded. The first blow being struck, it is not probable that the public will wait long before making further incursions into the sacred precincts.

Court Papers.

COMMON-LAW SITTINGS, IN AND AFTER MICHAELMAS TERM, 1852.

Court of Queen's Bench.

MIDDLESEX.—In Term.

1st sitting, (at 10 o'clock),	} Any common jury cause may be taken at these sittings.
Wednesday Nov. 3	
2nd sitting, (at 10 o'clock),	
Monday 15	} For undefended causes only.
3rd sitting, (at 10 o'clock),	
Saturday 20	

After Term.—Friday, Nov. 26.

LONDON.—In Term.

1st sitting (at 10 o'clock)	Thursday	Nov. 11
2nd sitting (at 10 o'clock) ..	Thursday	Nov. 18

[Any common jury cause may be taken in term.]
After Term.—Saturday, Nov. 27, to adjourn only.

The Court will sit at half-past nine o'clock on every day after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Court of Common Pleas.

In Term.

MIDDLESEX.		LONDON.
Monday	Nov. 8	Thursday
Monday	15	Thursday
		Nov. 18

After Term.

Friday	Nov. 26	Saturday	Nov. 27
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The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Saturday, the 27th November, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Associate is at the Lord Chief Justice's Chambers, Rolls-garden, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Sychequer of Pleas.

In Term.

MIDDLESEX.		LONDON.
1st sitting, Wednesd., Nov. 3		1st sitting, Thursday, Nov. 11
2nd sitting, Friday	12	2nd sitting, Thursday
3rd sitting, Friday	19	Nov. 18

After Term.

Friday	Nov. 26	Saturday	Nov. 27
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(To adjourn only).

The Court will sit, during and after term, at ten o'clock. The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

London Gazette.

FRIDAY, OCTOBER 1.

BANKRUPTS.

- ROBERT PITT, East Donyland, Essex, shipowner, builder, licensed victualler, dealer and chapman, Oct. 4 at 11, and Nov. 19 at 2, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Abell, Colchester, and 8, Romney-terrace, Horseferry-road, Westminster, Middlesex.—Petition dated Sept. 7.
- WILLIAM PROSSER, Shoreditch, Middlesex, draper, dealer and chapman, Oct. 13 at 1, and Nov. 12 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sole & Co., 68, Aldermanbury, London.—Petition filed Sept. 27.
- EDWARD THOMAS BRADSHAW, Manchester, dealer in bricks and timber, dealer and chapman, Oct. 13 and Nov. 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester.—Petition filed Sept. 22.
- THOMAS WARD SHARLAND, Liverpool, tea broker, dealer and chapman, (trading under the firm of Thomas Ward Sharland & Co.), Oct. 12 and Nov. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Holden, Liverpool.—Petition filed Sept. 28.

MEETINGS.

Stephen Hey and John Hey, Colne, Lancashire, manufacturers, Oct. 13 at 12, District Court of Bankruptcy, Man-

chester, aud. ac.—*Thos. Pearce and Wm. Thackray*, Sunderland, Durham, timber merchants, Oct. 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Sidney Sherlock*, Liverpool, wine merchant, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Samuel J. Clegg and John Whitby*, Liverpool, merchants, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*E. Waring*, Liverpool, keeper of an inn, Oct. 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Allanson*, Kirby Moorside, Yorkshire, draper, Oct. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Benjamin Crowther*, Mirfield, Yorkshire, maltster, Oct. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Smith*, Leeds, Yorkshire, flax spinner, Oct. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Edward Hirst*, Halifax, Yorkshire, cloth merchant, Oct. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Padgett*, Idle, Yorkshire, cloth manufacturer, Oct. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*J. Willon*, Sheffield, Yorkshire, linendraper, Oct. 16 at 10, District Court of Bankruptcy, Sheffield, aud. ac.; Oct. 23 at 10, div.—*Jonathan Higginson and Richard Deane*, Liverpool, merchants, Oct. 22 at 11, District Court of Bankruptcy, Liverpool, div. joint est., and div. sep. est. of *Jonathan Higginson*.—*John Ashcroft*, Toxteth-park, Liverpool, timber broker, Oct. 25 at 11, District Court of Bankruptcy, Liverpool, div.—*James Forster*, Liverpool, filter merchant, Oct. 25 at 11, District Court of Bankruptcy, Liverpool, div.—*Patrick Beiras*, Liverpool, tailor, Oct. 25 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph Roberts, Chester, grocer, Oct. 22 at 11, District Court of Bankruptcy, Liverpool.—*George Lodge* the younger and *Robert Hope*, Leeds, Yorkshire, flax spinners, Nov. 16 at 1, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

James Silvester, Gloucester-st., Queen-sq., and Hart-st., Covent-garden, Middlesex, sauce, pickle, and preserve manufacturer.—*John Wm. Edwards*, Marchmont-st., Brunswick-sq., Middlesex, cheesemonger.—*Wm. Roberts*, Warren-st., Camden-town, Middlesex, builder.—*George Flint*, Lombard-street, London, hosier.—*Robert Hawkins*, Farnham, Surrey, grocer.—*Charles Standerwick*, Bristol, auctioneer.—*William Wheeler*, Abergavenny, Monmouthshire, innkeeper.—*Adolf Heilbronn*, Great St. Helen's, London, drysalter.—*G. Walsh*, Blackburn, Lancashire, pawbroker.

PARTNERSHIP DISSOLVED.

Arthur Parsons and Wm. Walls, Nottingham, attorneys, solicitors, and conveyancers.

SCOTCH SEQUESTRATION.

Robert Waddell, Carlisle, Lanarkshire, wood merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Walker, Stanningley, Leeds, Yorkshire, shopkeeper, Oct. 21 at 10, County Court of Yorkshire, at Leeds.—*John Kinnell*, Ipswich, Suffolk, brickmaker, Oct. 15 at 10, County Court of Suffolk, at Ipswich.—*John O'Herlihy*, Debenham, Suffolk, officer of the Inland Revenue, Oct. 15 at 10, County Court of Suffolk, at Ipswich.—*Samuel Brown*, Redditch, Worcestershire, needle pointer, Oct. 16 at 10, County Court of Worcestershire, at Redditch.—*George Pilmour*, South Shields, Durham, licensed retailer of ale and porter, Oct. 25 at 10, County Court of Durham, at South Shields.—*Wm. Grieve*, Crow Hall, near Gateshead, Durham, classical teacher, Oct. 25 at 10, County Court of Durham, at South Shields.—*Zechariah Barratt*, Buckingham, saddler, Oct. 25 at 11, County Court of Buckinghamshire, at Buckingham.—*Joseph White*, Wells, butcher, Oct. 22 at 12, County Court of Somersetshire, at Wells.—*P. Parr*, West Leigh, Lancashire, shopkeeper, Oct. 16 at 11, County Court of Lancashire, at Leigh.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, Oct. 15.

John Blain, Bents, near Whitburn, out of employ.—*Jacob Moses*, Sunderland near the Sea, licensed hawk.—*William Asquith*, Hartlepool, labourer.—*Wm. Wheatley*, Thinford, near Cornforth, mason.—*John Mowbray*, Framwellgate Moor, out of business.—*Williams Hall*, Bankfoot-row, near Crook, pitman.—*Benj. Jackson*, Woodbine-cottage, near Red Briars, out of business.—*George Porteous*, Sunderland near the Sea, shipwright.—*Wm. Coson*, Hylton Castle, clerk to a merchant.—*Nathan Samuel*, Bishop Wearmouth, assistant to a fishmonger.—*Alex. Jas. Howell*, Darlington Surrogate, clerk.—*Patrick Campbell*, Bishop's Auckland, builder.

At the County Court of Devonshire, at EXETER, Oct. 16 at 10.

Samuel West Alabaster, Plymouth, baker.

TUESDAY, OCTOBER 5.

BANKRUPTS.

JOHN AUGUST and WILLIAM AUGUST, Norwich, builders, (trading under the style or firm of August & Son), dealers and chapmen, Oct. 15 at 12, and Nov. 12 at 2, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Miller & Son, Norwich; Sole & Co., 68, Aldermanbury, London.—Petition filed Sept. 21.

JOSEPH MOREWOOD, Fludyer-st., Westminster, and Basford-terrace, Liverpool-road, Islington, Middlesex, merchant, (formerly of Winchester-buildings, London), Oct. 14 at 1, and Nov. 18 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Courtenay, 21, Lincoln's-inn-fields.—Petition filed Sept. 22.

JAMES MARLOW, Walsall, Staffordshire, ironfounder, dealer and chapman, Oct. 19 and Nov. 9 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. E. & H. Wright, Birmingham.—Petition dated Sept. 29.

JOHN GUEST, Burslem, Staffordshire, victualler, Oct. 16 and Nov. 8 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Motteram & Co., Birmingham.—Petition dated Sept. 15.

JOHN BRINDLEY BOON, Burslem, Staffordshire, woollen draper, Oct. 19 and Nov. 9 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Lees, Burslem; Motteram & Co., Birmingham.—Petition dated Sept. 24.

GEORGE ROWELL the younger, Carlisle, Cumberland, painter and glazier, Oct. 19 at 11, and Nov. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Griffith & Crighton, Newcastle-upon-Tyne.—Petition dated Sept. 28.

MEETINGS.

Daniel Keith and Thomas Shoodridge, Wood-st., Cheap-side, London, warehousemen, Oct. 15 at 12, Court of Bankruptcy, London, last ex.—*William Lionel Felix Tollemach*, Keaton and Lock's Bottom, Kent, and Penton Lodge, near Andover, Hampshire, horse dealer, Oct. 20 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas M' Cree*, Newcastle-upon-Tyne, grocer, Oct. 18 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Thomas*, Shrewsbury, Shropshire, grocer, Oct. 16 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Cyrus Gittins*, Stanley, Staffordshire, grocer, Oct. 16 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Ward Evans*, Ludlow, Shropshire, butcher, Oct. 28 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Robert Till*, Worcester, grocer and bacon factor, Oct. 30 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*Frederick Wm. M'Andrew*, Mill-wall, Poplar, Middlesex, brewer, Oct. 28 at 11, Court of Bankruptcy, London, div.—*James T. Coulthard* the younger, and *Wm. Dyer*, Lombard-street, Union-street, Southwark, whitelead makers, Oct. 28 at 12, Court of Bankruptcy, London, div.—*John Tompkinson*, Liverpool, and Runcorn, Cheshire, stonemason, Oct. 27 at 11, District Court of Bankruptcy, Liverpool, div.—*James Kyrke*, Glascoed, Denbighshire, limeburner, Oct. 26 at 11, District

Court of Bankruptcy, Liverpool, div.—*Samuel W. Anthony*, Everton, Liverpool, shipowner, Oct. 27 at 11, District Court of Bankruptcy, Liverpool, div.—*John Deane*, Liverpool, chemist, Oct. 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm Todd* and *James Todd*, Liverpool, provision merchants, Oct. 26 at 11, District Court of Bankruptcy, Liverpool, div.—*David Henry Thomas*, Tyntwr, Carnarvonshire, draper, Oct. 26 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Richardson*, Lombard-street, London, merchant, Oct. 13 at 12, Court of Bankruptcy, London, last ex.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Hodge, Great Marlborough-street, Westminster, Middlesex, wholesale manufacturing stationer, Oct. 27 at 12, Court of Bankruptcy, London.—*Wm. S. Rumsey*, Queen-street-place, Upper Thames-st., London, druggist, Oct. 27 at 1, Court of Bankruptcy, London.—*Wm. Ogilvie Cameron*, Mintern-street, New North-road, Hoxton, Middlesex, pickle merchant, Oct. 27 at 2, Court of Bankruptcy, London.—*Charles Johnson*, Northumberland-place, Commercial-road East, Middlesex, ironmonger, Oct. 27 at half-past 1, Court of Bankruptcy, London.—*J. Keddell*, Gravesend, Kent, brewer, Oct. 29 at 11, Court of Bankruptcy, London.—*J. Bentley*, Smithfield-bars, London, cheesemonger, Oct. 27 at half-past 11, Court of Bankruptcy, London.—*Patrick Hayes*, Widnes, Lancashire, oil manufacturer, Oct. 26 at 12, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John Ruty, Gerard-st., Soho, Middlesex, draper.—*Charles Rogers*, Camborne, Cornwall, draper.—*Robert Pace* the elder, Liverpool, shipowner.—*Josiah Perry*, Fenton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer.—*T. Brooks*, Lye, near Stourbridge, Worcestershire, nail manufacturer.—*Thomas Bathgate*, Birmingham, draper.

PARTNERSHIP DISSOLVED.

Sir Wm. Foster, Bart., *Clement W. Unthank*, *Randall E. Burroughes*, and *John M. Robberds*, Norwich, attorneys and solicitors, (so far as regards *Clement W. Unthank*).

SCOTCH SEQUESTRATION.

James Mutrie & Co., Glasgow, merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Daniel Edwards, Cardiff, Glamorganshire, tailor, Oct. 12 at 10, County Court of Glamorganshire, at Cardiff.—*Thomas Isaac*, Sketty, Swansea, Glamorganshire, stonemason, Oct. 16 at 10, County Court of Glamorganshire, at Swansea.—*Daniel M. Anson*, Lakenham, Norwich, plumber, Oct. 11 at 10, County Court of Norfolk, at Norwich.—*E. Smith*, Carlton, near Skipton, Yorkshire, shoemaker, Oct. 15 at 10, County Court of Yorkshire, at Skipton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 6 at 10, before Mr. Commissioner LAW.

Jas. Ware, Bartholomew-close, Smithfield, London, wheelwright.—*Alexander Dargavel*, Union-street, Southwark, Surrey, wholesale confectioner.

Nov. 15 at 11, before Mr. Commissioner PHILLIPS.

Henry Stone, Woodford, Essex, tailor.

Nov. 26 at 11, before the CHIEF COMMISSIONER.

Wm. Mansbridge, Whitechapel-road, Middlesex, fruiterer.—*Samuel James Haynes*, Church-street, Hackney, Middlesex, hairdresser.

Saturday, Oct. 2.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's Inn-fields, on giving the Number of the Case.

Henry Nichols, Ipswich, Suffolk, assistant to a shopkeeper, No. 75,333 C.; *John Fenton*, assignee.—*Frederick Coventry*,

Swan-place, Old Kent-road, Surrey, builder, No. 63,120 T.; *John Gibbons*, assignee.—*Thos. W. Martin*, Oxford, tailor, No. 75,489 C.; *John W. Gabriel*, assignee.—*Henry Mallet*, Pantagelly, Llantilio, Pertholey, Monmouthshire, railway contractor, No. 75,338 C.; *Edwin Tucker*, assignee.—*George Hawkins*, Gosport, Hampshire, shopman, No. 35,591 C.; *T. Gadd*, assignee.—*Wm. Collins*, Walton-place, Sloane-street, Chelsea, Middlesex, gentleman, No. 75,534 C.; *S. Darling*, assignee.—*Wm. Bentley*, Leeds, Yorkshire, out of business, No. 75,497 C.; *John Tomkins*, assignee.—*Charles Jarvis*, Birmingham, ironmaster, No. 74,980 C.; *John P. Litchfield*, assignee.—*John Clements*, Ramsey, Huntingdonshire, miller, No. 75,428 C.; *William Staffurth* and *Thomas Barlow*, jun., assignees.

Saturday, Oct. 2.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

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The Jurist

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OCTOBER 16, 1852.

PRICE 1s.

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LONDON, OCTOBER 16, 1852.

In continuing our review of the provisions of the Common-law Procedure Act, we arrive at those which relate to appearance. We observed in our last article that appearance sec. stat. is abolished, and we then called attention to the sections which provide for the course of proceeding in the event of the defendant not appearing, and this whether the writ was specially indorsed or not. The defendant may appear at any time before judgment, and if he appear after the time specified in the writ or order to proceed, he shall, after notice of such appearance, be in the same position, as to pleadings and other proceedings in the action, as if he had appeared in time. (Sect. 29). No provision is made for the alternative of the defendant not giving notice of his appearance. Is the plaintiff at liberty wholly to disregard an appearance entered after the limited time, where he has not received any notice thereof, or must he search for an appearance before he signs judgment, and if he finds one entered, then either declare, or, if he has already declared, wait until the expiration of the time for pleading? The appearance is entered in the same form and manner as before, except that if the defendant appear in person, he is to give an address for service. (Sects. 30, 31). Notwithstanding the sections which have been framed to meet the event of non-appearance on the part of the defendant, there follows this section, which certainly appears to be necessary, namely, "All such proceedings

as are mentioned in any writ or notice issued under this act shall and may be had and taken in default of a defendant's appearance." (Sect. 32). In an action against several defendants, where the writ is specially indorsed, if some of the defendants do not appear, the plaintiff may sign judgment and issue execution against them, but he then abandons his remedy against the others who have appeared; or, if he wishes to preserve his remedy against all, he may declare against the latter, stating, by way of suggestion, the judgment obtained against the others, in which case the judgment by default shall have the same effect as a judgment by default in an action of debt formerly had. (Sect. 33). That is, the notice of trial must be tam ad triandum quam ad inquirendum, and at the trial the plaintiff must establish a joint liability against all the defendants. If the writ is not specially indorsed, it seems that the plaintiff must declare against all.

The next class of sections relate to the nonjoinder and misjoinder of parties; and first, as to plaintiffs, they may, by leave, be added or struck out at any time before trial, if no injustice will be thereby done, and if the parties to be added or struck out consent thereto. If, at or before the time of pleading, notice be given by the defendant of nonjoinder of plaintiffs, or if he plead it in abatement, (as in the case of executors plaintiffs), plaintiffs may amend without any order; and if no such notice has been given or plea pleaded, then nonjoinder or misjoinder of plaintiffs may be amended at the trial, as before it, and upon terms. (Sects. 34—36). The

effect of this seems to be, that if notice has been given of nonjoinder, and the plaintiff refuses to amend before trial, he cannot do so at the trial as to the nonjoinder; but he may still amend as to misjoinder, because the notice does not apply to that defect. A misjoinder of defendants in an action of contract may be amended in the same manner. If the nonjoinder of the defendants be pleaded in abatement, the plaintiff may amend at once, without any order. (Sects. 37—39).

With respect to joinder of causes of action, any number and any kind, except ejectment and replevin, may be joined in the same action, subject to the court or a judge directing otherwise. (Sect. 41). The time for such direction is not limited, and perhaps it would not be too late to make it at the trial. If two or more of the causes of action be local, the venue may be laid in either county. (Id.) In an action by husband and wife for an injury done to the wife, claims in the right of the husband alone may be added, and separate actions in respect thereof may be consolidated; and in the event of the death of one plaintiff, those causes of action, which would formerly survive, shall still survive. (Sect. 40*).

Questions may be raised by consent, without any pleadings, if the parties have a bona fide interest in their determination, and the judge is of opinion that they are fit to be tried. These questions may be of fact, where the parties are agreed as to the facts to be decided, (and the issue will then be like the new feigned issue), or of law; and may be stated at any time after writ issued, instead of after issue joined, as heretofore was the case with regard to feigned issues. Provision is made for settling the amount, and costs, to be recovered on the determination of the question. (Sects. 42—48†).

We now come to pleadings. All statements which need not be proved shall be omitted. Special demurrers are abolished; general demurrers remain. If a pleading be framed so as to prejudice, embarrass, or delay the fair trial of an action, it may be ordered to be amended or struck out. A notice is substituted for rules to declare, reply, &c. Profert and oyer are abolished, and a party pleading, in answer to any pleading in which a document is mentioned, may set out so much thereof as is material, and it shall be deemed part of his pleading. Performance of conditions precedent may be averred generally, and the opposite party must specify in his pleading the conditions the performance of which he means to contest. (Sects. 49—57). This latter enactment is analogous to the rule which prevailed, in some cases, with regard to replications, viz. that where performance was averred generally in the plea, the plaintiff had to specify in his replication the particular covenants which had not been performed. It seems it will still be necessary to aver readiness and willingness, and other excuses of performance, specifically, and not to depend upon them under a general averment of performance.

THE House of Lords has decided, in the case of *Macpherson v. Macpherson*, (16 Jur., part 1, p. 847), that the tenant for life of residuary property bequeathed to him, and to others in succession, takes the whole income thereof during the first year after the testator's death, if the residuary property is at that period actually invested in authorised securities. This is a final settlement of a much-litigated question, quite in accordance with the inclination of authority and the general feeling of the Profession. The decision thus stated, however, leaves open two other questions, to which there is no satisfactory answer to be found in the books:—What is the rule when the testator's residuary property is invested in unauthorised securities, safe, but producing an excessive interest, or not producing any interest? And what is the rule when the investment is of such a nature that its value diminishes by the expiration of time? The Lord Chancellor says, "Where, as in the case of *Angerstein v. Martin*," the investment "was Russia stock, bearing a large interest, there a difficulty may arise; and there are other cases of the same sort. Lord Eldon gave to the tenant for life even that. Judges have since supposed that his attention was not drawn to it." (See per Sir J. L. Knight Bruce, V. C., 1 Y. & C. C. C. 318; Sir J. Wigram, V. C., 1 Hare, 172). "I think Lord Eldon's attention was not called to that; but subsequent decisions have taken a fair course in that respect, and there will be no difficulty in dealing with a case of that sort when it arises." The course taken of late in such a case has been, where the securities were not wasting, either to give the whole interest to the tenant for life during the first year, as in *Douglas v. Congreve*, (1 Kee. 410), following *Angerstein v. Martin* and *Hewitt v. Morris*, (Turn. & R. 241); or to give him during that year only the dividends of so much 3l. per Cent. stock as the value of the property at the end of the year invested in stock at that time would produce, as in *Dimes v. Scott*, (4 Russ. 209); *Taylor v. Clark*, (1 Hare, 161); and *Morgan v. Morgan*, (14 Beav. 72); or, again, to give him 4l. per cent. interest during the first year upon the value of the property, as ascertained at the end of the year, as in *Walker v. Shore* (19 Ves. 387) and *Caldecott v. Caldecott*, (1 Y. & C. C. C. 312, 737). This last course is generally, or was till a year ago, equivalent to supposing the property invested in stock, and giving the dividends of that stock; but it has the great advantages of simplicity and uniformity; and, considering the possibility of a sudden very considerable rise or fall of the price of stock, we think that, in practice, it would be the fairer of the two modes of ascertaining the interest of the tenant for life, as between him and those entitled in succession. Whether the Lord Chancellor, where the property is not wasting, would give the whole first year's income to the tenant for life or not, he does not distinctly say. We should certainly conclude not, from his criticism upon *Angerstein v. Martin*, were it not for the terms in which, in the former part of his judgment, he speaks of Lord Eldon's later decisions, and of the case of *Douglas v. Congreve*. However, in the case of wasting securities, it cannot be doubted that his Lordship would admit that the possibility of such a general law working injustice, as in the instance given by Sir James Wigram, V. C., of leaseholds producing

* This section is placed under "Joinder of parties" in the act; it should be under "Joinder of causes of action."

† Quære the meaning of the words "upon a question inserted in the issue for that purpose," in sect. 43.

10,000*l.* a year for a term, of which, at the testator's death, but one year remained, would be a decisive argument against it; and we hope and believe that, at least in the case of wasting securities, the law will soon be confirmed—that from the death of the testator until their conversion the tenant for life shall be entitled to 4*l.* per cent. interest upon their estimated value at the end of the year.

The Profession would probably be better satisfied that the same rule should be established in the case of unauthorised but safe investments, producing a large interest. It has often occurred to us, that, under such circumstances, it might be well to make a difference where the tenant for life is a child of the testator, and has no other provision.

By analogy to the case of a legacy to a child, equity might consistently shew such a tenant for life some favour. Would it not be imputing to testators a wise intention, to suppose a child entitled to the actual interest of safe, unwasting securities, *where that may be most for his benefit?*—or must the consideration, that it might happen that all the property, or the bulk of it, was, at the testator's death, uninvested or reversionary, or otherwise unfruitful, compel us to admit that the fairest—as it would certainly be the simplest—course would be, to have one rule for all residuary legatees for life, whether children of the testator or not, and for all investments not authorised by the will or the practice of the Court?

THERE seems some difficulty about the working of the Chancery Pleading Act, with reference to the clause relating to the production of documents by a defendant. Hitherto, a defendant being obliged to put in an answer, the only difficulty, and that was not inconsiderable, was, whether the answer sufficiently admitted the possession of the documents, and the facts shewing the right of the plaintiff to see them. But by the 18th section of the 15 & 16 Vict. c. 86, a fresh difficulty seems introduced; for by that the Court may, "upon the application of the plaintiff in any suit in the said court, whether commenced by bill or by claim, and as to a suit commenced by bill, whether the defendant may or may not have been required to answer the bill, or may or may not have been interrogated as to the possession of documents, make an order for the production by any defendant, upon oath, of such of the documents in his possession or power relating to matters in question in the suit, as the Court shall think right."

Now, how is the plaintiff, if there is no answer, and particularly no answer as to the possession of documents, to proceed to compel their production?

The defendant is to produce, on oath, such of the documents as the Court shall think right. Will this give power to the Court to put the defendant upon his negative oath, viz. that he has none save those that he has produced? Or, should he simply decline, not having been interrogated, to say anything, will the Court have power to compel him to speak? If not, the power of enforcing production will be very limited indeed, when there is no answer; and yet, upon the construction of the clause, it would seem that the Court must have some information as to what docu-

ments the defendant does possess, before it can order him to produce any. This point will, no doubt, be soon settled; but until it is, it will certainly be prudent, in a hostile suit, to exhibit an interrogatory, at least as to books and papers.

The effect of the new practice upon injunctions to stay proceedings at law, under the 58th and 59th sections, will be material. Under the old practice, except in a very few cases, an injunction could not be obtained until default in appearing or answering. Anything like an *ex parte* injunction, or an injunction on short notice, was therefore, in general, impossible. But now it would seem that when a case of pressing danger or inconvenience is made, an injunction to stay proceedings at law may be obtained as rapidly as any other injunction. On the other hand, no such injunction will be obtainable except on merits. All the class of cases, commencing with *Norway v. Rowe*, (19 Ves. 143), and ending with *Manser v. Jenner* (2 Hare, 600) and *Roche v. Matthews*, (2 De G. & S. 227), will, of course, become useless, as an answer is henceforth, for the purpose of an injunction, to be merely treated as an affidavit.

London Gazettes.

FRIDAY, OCTOBER 8.

BANKRUPTS.

JOHN JOSEPH MOREWOOD, (and *see* Joseph Morewood, as before advertised), Fladyer-st., Westminster, and Barford-terrace, Liverpool-road, Islington, Middlesex, merchant, (formerly of Winchester-buildings, London), Oct. 14 at 1, and Nov. 18 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Courtenay, 21, Lincoln's-inn-fields.—Petition filed Sept. 22.

EDWARD WINSTANLEY and HENRY GEORGE WINSTANLEY, Poultry, London, chemists and druggists, Oct. 23 at half-past 11, and Nov. 27 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lawrence & Co., 14, Old Jewry-chambers, Old Jewry, London.—Petition dated Oct. 8.

THEODORE ROE, Suffolk-place, Lower-road, Islington, Middlesex, upholsterer and furniture dealer, dealer and chapman, Oct. 23 and Nov. 19 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Angell, 41, Watling-st., London.—Petition dated Sept. 27.

WILLIAM STEEL, Hockley Hill, Birmingham, innkeeper, beer retailer, dealer and chapman, (carrying on business with Thomas Nock and William Martin, as coal masters, at the Ettingshall Colliery, Sedgley, Staffordshire, under the style or firm of the Ettingshall Colliery Company), Oct. 19 and Nov. 16 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Thorn, Wolverhampton; Motteram & Co., Birmingham.—Petition dated Sept. 17.

ROBERT SHELTON, Wellington, Shropshire, saddler, Oct. 23 and Nov. 15 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Phillips, Shiffnal; Motteram & Co., Birmingham.—Petition dated Oct. 2.

FRANCIS LEWIN, Ragland, Monmouthshire, engineer and agricultural implement manufacturer, dealer and chapman, Oct. 27 and Nov. 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed Sept. 29.

JOHN RHODES the younger, Oldham, Lancashire, tailor and draper, dealer and chapman, Oct. 22 and Nov. 18 at 1, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Sale & Co., Manchester.—Petition filed Oct. 2.

SPAIN

ALFRED ASTLEY, Manchester, glass, china, and earthenware dealer, dealer and chapman, Oct. 19 and Nov. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Makinson, Manchester; Twigg, Burslem.—Petition filed Sept. 18.

JOHN GERMAN HARRISON, Liverpool, dealer in locks and fire-proof boxes and safes, Oct. 21 and Nov. 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Lloyd, Liverpool; Norton, New-street, Bishopsgate, London.—Petition filed Oct. 5.

MEETINGS.

Thomas Smurwaite, Scarborough, Yorkshire, wine merchant, Nov. 2 at 12, Court of Bankruptcy, London, last ex.—*Joseph Nicholson*, Shotley Bridge, Durham, ironmonger, Oct. 29 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.; Oct. 29 at 1, and. ac.—*J. Howe*, Felling, Durham, builder, Oct. 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John William Edwards*, Matchmont-st., Brunsworth-sq., Middlesex, cheesemonger, Oct. 20 at 11, Court of Bankruptcy, London, and. ac.—*John Robinson*, Nassau-place, Commercial-road East, and Cannon-street-road, Middlesex, wholesale clothier, Oct. 20 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Morley*, High Holborn, Middlesex, silversmith, Oct. 20 at 12, Court of Bankruptcy, London, and. ac.—*Henry Mopsey*, Union-street East, Bishopsgate, Middlesex, ironmonger, Oct. 20 at 11, Court of Bankruptcy, London, and. ac.—*George Baker* and *George Baker* the younger, Threadneedle-street, London, stockbrokers, Oct. 20 at 12, Court of Bankruptcy, London, and. ac.—*Fred. G. Monsarrat*, Duke-street, Grosvenor-sq., Middlesex, wine merchant, Oct. 20 at 12, Court of Bankruptcy, London, and. ac.—*William Bell*, Abergavenny, Monmouthshire, pianoforte dealer, Oct. 29 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Joseph Roberts*, Aberystwith, Cardiganshire, draper, Oct. 29 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Jeremiah Cairns*, Newport, Monmouthshire, banker, Nov. 5 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Thomas Wilce*, Rourdean, Gloucestershire, grocer, Oct. 29 at half-past 11, District Court of Bankruptcy, Bristol, and. ac.—*Jonathan Higginson* and *Richard Deane*, Liverpool, merchants, Oct. 21 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Yates*, Preatcot, Lancashire, builder, Oct. 19 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*James Kyrke*, Glascoed, Denbighshire, lime burner, Oct. 18 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*John Tomkinson*, Liverpool, and Runcorn, Cheshire, stonemason, Oct. 19 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*John Warburton*, Liverpool, tailor, Oct. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Terence B. M'Manus*, Liverpool, commission agent, Oct. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*William Nobilet*, Blackpool, Lancashire, post-horse keeper, Oct. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Wm. Todd* and *James Todd*, Liverpool, provision merchants, Oct. 18 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*John Deane*, Liverpool, chemist, Oct. 19 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*Julius Harris*, Liverpool, jeweller, Oct. 20 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*David Henry Thomas*, Tyntwr, Carnarvonshire, draper, Oct. 18 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*Samuel Bickerton*, Liverpool, butcher, Oct. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*James M'Cookree*, Liverpool, merchant, Oct. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*James Reid*, Newcastle-upon-Tyne, shipbroker, Oct. 26 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Wm. Peverley* and *John Ayrey Charlton*, Sunderland-near-the-Sea, Durham, ship builders, Oct. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac. sep. est. of *J. A. Charlton*.—*James Teece* and *Thomas Peate*, Coventry, Shropshire, drapers, Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac. and fin. div.—*John Phillips*, Longton, Staffordshire, grocer, Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac. and fin. div.—*Joseph Price* and *J. Lavender*, Birmingham, paper dealers, Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.; Nov. 4 at half-past 11, fin. div.—*J. A. Boden*, Sheffield, Yorkshire, razor manufacturer, Oct. 23 at 10, District Court of Bankruptcy, Sheffield, and. ac.; Oct. 30 at 10,

div.—*Chas. Pearson*, Sheffield, Yorkshire, licensed victualler, Oct. 23 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*Anne Bailes*, Sheffield, Yorkshire, licensed victualler, Oct. 23 at 10, District Court of Bankruptcy, Sheffield, and. ac.; Oct. 30 at 10, div.—*James Fairman*, Great St. Helen's, London, commission agent, Nov. 2 at 11, Court of Bankruptcy, London, div.—*Samuel Wagstaff* and *Thomas Baylis*, Kidderminster, Worcestershire, carpet manufacturers, Oct. 30 at 11, Court of Bankruptcy, London, fin. div.—*John Wheatley*, Kennington-cross, Lambeth, Surrey, livery-stable keeper, Oct. 30 at 11, Court of Bankruptcy, London, div.—*Vincent Cooke*, Worcester, cabinet maker, Nov. 9 at half-past 11, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Matthew Slads Hooper, Billiter-street, London, tea dealer, Oct. 29 at half-past 1, Court of Bankruptcy, London.—*John Bailey Capper*, Montpelier-vale, Blackheath, Kent, chemist, Nov. 2 at 11, Court of Bankruptcy, London.—*John Wheatley*, Kennington-cross, Lambeth, Surrey, livery-stable keeper, Oct. 30 at 11, Court of Bankruptcy, London.—*Wm. Jones*, Conway, Carnarvonshire, chemist, Nov. 9 at 11, District Court of Bankruptcy, Liverpool.—*John Dodgson*, Liverpool, Nov. 1 at 11, District Court of Bankruptcy, Liverpool.—*Holt Taylor*, Waterfoot, near Newchurch, Lancashire, coal dealer, Nov. 1 at 12, District Court of Bankruptcy, Manchester.—*William Burman*, Birmingham, brickmaker, Oct. 30 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Charles Richmond Pottinger, Hardwick-place, Commercial-road East, Middlesex, wine merchant.—*Christian Klug*, New Bond-street, Middlesex, revalenta arabica importer.—*William Arthur Watson*, Whitacre, Warwickshire, builder.—*William Wheeler*, Cleobury Mortimer, Shropshire, miller.

SCOTCH SEQUESTRATION.

William Howatt, Glasgow, ironmonger.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Hall, West Derby, Liverpool, coffee dealer, Oct. 11 at 10, County Court of Lancashire, at Liverpool.—*Thomas Bleakley*, Liverpool, fruit salesman, Oct. 11 at 10, County Court of Lancashire, at Liverpool.—*Benjamin Lockwood*, Linthwaite, Almondbury, Yorkshire, clothier, Oct. 28 at 10, County Court of Yorkshire, at Huddersfield.—*John Pipkin*, Newcastle-upon-Tyne, out of business, Oct. 28 at 10, County Court of Northumberland, at Newcastle.—*Henry Edward Gerlach*, Tynemouth, Northumberland, out of business, Oct. 28 at 10, County Court of Northumberland, at Newcastle.—*David Chippendale*, Boston, Yorkshire, joiner, Oct. 16 at 10, County Court of Yorkshire, at Boston.—*James Moore*, Neath, Glamorganshire, cabinet maker, Oct. 14 at 10, County Court of Glamorganshire, at Neath.—*Charles Akeroyd*, Batley, Yorkshire, rag dealer, Oct. 28 at 10, County Court of Yorkshire, at Dewsbury.—*Thomas Mills*, East Retford, Nottinghamshire, chemist, Nov. 5 at 1, County Court of Nottinghamshire, at East Retford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 6 at 10, before Mr. Commissioner LAW.

Horatio G. Adamson, Eversholt-st., Oakley-sq., Bedford New-town, Middlesex, linendraper.—*Philip Holbrook*, Carlton-place, High-st., Stoke Newington, Middlesex, baker.

Nov. 15 at 11, before Mr. Commissioner PHILLIPS.

John Morris, Bethnal-green-road, Bethnal-green, Middlesex, sawyer.—*Richard D. Hoskins*, Elm's-place, Union-road, Rotherhithe, Surrey, baker.

Nov. 26 at 11, before the CHIEF COMMISSIONER.

George Taylor, Stonecutter-st., Farringdon-st., London, hatter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Oct. 22 at 11.

James Lowe, Pendleton, Salford, flour merchant.—John Featherstonkaugh, Blackburn, butcher.—D. Jones, Bootle, near Liverpool, out of business.—Joseph Turner, Bolton-le-Moors, provision dealer.—John Cowley, Manchester, out of business.—Mark Cooke, Denton, near Manchester, joiner.—William Gray, Manchester, out of business.—Peter Jones, Heston Norris, brushmaker.—Hugh McClellan, Ardwick, Manchester, clogger.—John Bigg, Salford, out of business.—Stephen Todd, Whin House, near Inglewhite, near Garstang, out of business.—James Brancher Spence, Manchester, out of business.—John Cheworth, Liverpool, out of business.—E. Banister, Blackburn, beer seller.—Mary Higson, Worsley, near Manchester, farmer.—Alice Higson, Worsley, near Manchester, farmer.—Margaret Higson, Worsley, near Manchester, farmer.—Thomas Dick, Manchester, grocer.—William Halliwell, Oldham, out of business.—Wm. Fox, Manchester, undertaker.—Andrew French, Liverpool, superannuated officer of her Majesty's Customs.—George Antrobus, Liverpool, pork butcher.—John Corran, Liverpool, provision dealer.

At the County Court of Derbyshire, at DERBY, Oct. 23 at 11.

George Bonsall, Shirland, farming servant.

At the County Court of Staffordshire, at STAFFORD, Oct. 25 at 12.

Wm. Raybould, West Bromwich, carpenter.—Wm. Rock, West Bromwich, commission agent.—John Lea, Penkridge, grocer.

At the County Court of Yorkshire, at YORK, Oct. 25.

John Blackburn, Kirkheaton, near Huddersfield, fulling miller.—Thomas C. Sudbury, Pontefract, joiner.—John Carr, Dewsbury, stonemason.—John Brown, Newfields, Howden, out of business.—Wm. Middleton, Leeds, wood turner.—J. Strong, Middlesborough, master of the steam-boat Conquest.—Wm. M. Cliffe, Batley, near Dewsbury, lime merchant.—Richard Beaulands, Halifax, butcher.—Wm. Lister, Addingham, near Skipton; sub post-office keeper.—J. Dunsill, Wakefield, tailor.—John Wood, Bramley, near Leeds, dyer.—Wm. Kirk, Morthew, near Rotherham, out of business.—John Ellis, High Harrogate, blacksmith.—Moses Howard, Holme, near Holmfirth, woollen manufacturer.

TUESDAY, OCTOBER 12.

BANKRUPTS.

WILLIAM WELLINGTON and ROBERT BUTTERFIELD, King's-road, Brighton, Sussex, lacemen, dealers and chapmen, Oct. 21 at 1, and Nov. 25 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Reid & Co., Friday-street, Cheshire.—Petition filed Oct. 1.

RICHARD TAMSETT, Woolwich and Plumstead, Kent, builder, Oct. 23 at 1, and Nov. 27 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Hodson & Sparrow, 23, Bucklersbury, London.—Petition dated Oct. 11.

GEORGE GARDNER, Woolwich and Plumstead, Kent, ironmonger, trader, dealer and chapman, Oct. 26 and Nov. 25 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury, London.—Petition filed Oct. 8.

JOHN BRIMACOMBE, Falmouth, Cornwall, wine and spirit merchant, licensed victualler, dealer and chapman, Oct. 26 at 1, and Nov. 23 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Laidman, Exeter; Taylor & Collisdon, 26, Great James-st., Bedford-row, London.—Petition filed Oct. 5.

ISAAC ISAACS, Plymouth, Devonshire, dealer in watches, hardware, and fancy goods, Oct. 21 at 1, and Nov. 18 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Terrell, Exeter; Ford, Pinner's Hall, Old Broad-st., London.—Petition filed Oct. 5.

HENRY COWIE, Liverpool, shipowner and shipbroker, dealer and chapman, Oct. 22 and Nov. 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Pemberton, Liverpool.—Petition filed Oct. 9.

SAMUEL LANGFORD, Hyde, Cheshire, ironmonger, furniture broker, dealer and chapman, Oct. 22 and Nov. 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Neild, Manchester; Hodgson, Birmingham.—Petition filed Sept. 30.

MEETINGS.

Jonathan Streeter, Brighton, Sussex, corn merchant, Oct. 23 at 12, Court of Bankruptcy, London, last ex.—T. Webber Richards, Goswell-road, Middlesex, printer, Oct. 25 at half-past 1, Court of Bankruptcy, London, last ex.—John Blake, Attleburgh, Norfolk, innkeeper, Oct. 22 at 12, Court of Bankruptcy, London, last ex.—Emil Kretzschmar, King-square, Middlesex, manufacturing jeweller, Nov. 2 at 12, Court of Bankruptcy, London, div.—James Scott McCulloch, Liverpool, draper, Nov. 4 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Gurney, Pitfield-street, Hoxton, Middlesex, victualler, Nov. 3 at 1, Court of Bankruptcy, London.—Charles Edward Bingham, Mount-street, Grosvenor-square, Middlesex, printer, Nov. 3 at half-past 1, Court of Bankruptcy, London.—Alex. Bristow Fraser and Charles Lightfoot, Lime-st., London, merchants, Nov. 3 at 12, Court of Bankruptcy, London.—John Dodgson, (and not Dodson, as before advertised), Liverpool, Nov. 1 at 11, District Court of Bankruptcy, Liverpool.—Frank James, Walsall, Staffordshire, ironfounder, Oct. 4 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Richard Whalley, Accrington, Lancashire, mercer.—Robert Brisley, Rochdale, Lancashire, innkeeper.—John Barr, Uttoxeter, Staffordshire, brewer.—Thomas Shaw, Birmingham, stationer.—Charles Frederick Bailey, Burnley, Staffordshire, shoemaker.—Robert W. Lishman, Shenstone, Staffordshire, surgeon.—Thomas Doorbar, Bradley-green, Biddulph, Staffordshire, wheelwright.—John Child and William Barker, Wakefield, Yorkshire, railway contractors.—Theodore Dilger, Bradford, Yorkshire, general dealer.—John Burnley, Batley, Yorkshire, cloth manufacturer.—Stephen Nelson, Sowerby, near Thirak, Yorkshire, builder.—Edward Clarkson, Horton, Bradford, Yorkshire, worsted spinner.

PETITIONS ANNULLED.

George Morton, Crown-wharf, Great Scotland-yard, Middlesex, coal merchant.—John Hick, Wakefield, Yorkshire, corn merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Cooper, Openshaw, near Manchester, joiner, Nov. 1 at 11, County Court of Lancashire, at Manchester.—Samuel Furnivall, Openshaw, near Manchester, joiner, Nov. 1 at 11, County Court of Lancashire, at Manchester.—Charles Dyste, Manchester, traveller to a tailor, Nov. 1 at 11, County Court of Lancashire, at Manchester.—Daniel Cooper, Tostock, Suffolk, out of business, Oct. 26 at 10, County Court of Suffolk, at Stowmarket.—Wm. Hooks, Long Stratton, Norfolk, baker, Oct. 18 at 1, County Court of Norfolk, at Harleston.—John Little Mason, Great Burstead, Essex, baker, Nov. 5 at 11, County Court of Essex, at Brentwood.—Richard Hickman, Bilston, Staffordshire, carpenter, Oct. 30 at 12, County Court of Staffordshire, at Wolverhampton.—Edward Sutton, Wolverhampton, Staffordshire, engineer, Oct. 30 at 12, County Court of Staffordshire, at Wolverhampton.—William James Summerland, Lichfield, Staffordshire, milliner, Oct. 19 at 11, County Court of Staffordshire, at Lichfield.—William Davies, Wrexham, Denbighshire, farmer, Oct. 22 at 10, County Court of Denbighshire, at Wrexham.—John Creffield, Slough, Upton-cum-Chalvey, Buckinghamshire, coach builder, Nov. 3 at 10, County Court of Berkshire, at Windsor.—Thomas Porter, Stratford-upon-Avon, Warwickshire, assistant bailiff of the

county court, Oct. 23 at 11, County Court of Warwickshire, at Stratford-upon-Avon.—*Benjamin Nicholas*, Portsea, Hampshire, grocer, Nov. 16 at 11, County Court of Hampshire, at Portsmouth.—*John Way*, Week, near Winchester, Hampshire, shoemaker, Nov. 16 at 11, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 9 at 10, before Mr. Commissioner LAW.

Robert Wilkinson, Russell-terrace, Holland-road, Brixton, Surrey, clerk in her Majesty's Ordnance-office at the Tower of London.—*Francis Tidman*, Ryder's-court, Leicester-square, Middlesex, house decorator.

Nov. 20 at 11, before Mr. Commissioner PHILLIPS.

Wm. Walker, Charles-street, Commercial-road, Peckham, Surrey, chandler-shop keeper.—*John Hall*, Button-street, Chelsea, Middlesex, launderer.

Dec. 1 at 11, before the CHIEF COMMISSIONER.

Edward George Tyree, Ship-yard, Temple-bar, Middlesex, carpenter.—*Alfred Raven*, Bloomfield-street, Harrow-road, Paddington, Middlesex, in no business.

Saturday, Oct. 9.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Rev. John Jacob, Stoke Damarel, Devonshire, clerk, No. 27,182 T.; *Samuel Sturgis*, new assignee.—*Charles Squire*, Old Fish-street, Doctors'-commons, London, carver and gilder, No. 62,407 T.; *William Henry Gregg*, assignee.—*Stephen Lintott Palmer*, Canterbury, Kent, professor of music, No. 67,043 C.; *Robert Walker*, assignee.—*Daniel Douglas*, Hulme, Manchester, joiner, No. 75,444 C.; *John Farrington*, assignee.—*William Byford*, Wilderness-lane, Salisbury-square, Fleet-street, London, publican, No. 63,129 T.; *Thomas Clarke*, assignee.—*Harry Bentley*, Salford, Lancashire, roller maker, No. 74,912 C.; *William Bolton*, assignee.—*Isaac Isaacs*, Plymouth, Devonshire, dealer in watches, No. 75,542 C.; *Henry Solomon*, assignee.

Saturday, Oct. 9.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Henderson, Cottage-place, Brompton, Middlesex, out of business: in the Queen's Prison.—*Frederick Amos Simpson*, Euston-square, Middlesex, master mariner: in the Debtors Prison for London and Middlesex.—*Henry John Preston*, Maida-vale, Paddington, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Alexander Ewan Lloyd*, Eagle-cottage, Thistle-grove, Brompton, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*John Blain*, Deverell-street, Dover-road, Surrey, draper: in the Gaol of Surrey.—*James Nisbet*, Morpheth-street, Green-street, Bethnal-green, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*John Lovell Lawton*, Bread-street, Cheapside, London, out of business: in the Debtors Prison for London and Middlesex.—*Edward Nightingale Hardy*, Chichester-place, King's-cross, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*Henry Elliot*, Bath-street, City-road, Middlesex, steward of the Hospital for Poor French Protestant Refugees: in the Queen's Prison.—*L. Brackentwyn*, Russell-st., King's-road, Chelsea, Middlesex, retired deputy assistant commissary-general in her Majesty's Army: in the Debtors Prison for London and Middlesex.—*J. Lessiter*, Whitley, Melksham, Wiltshire, cheese dealer: in the Gaol of Fisherton Anger.—*Daniel Jones*, Bootle, near Liverpool, out of business: in the Gaol of Lancaster.—*John Bigg*, Salford, Lancashire, out of business: in the Gaol of Lancaster.—*Edmund Cuckson*, Salford, Lancashire, out of business: in the Gaol of Lancaster.—*Robert Goodwin*, Toxteth-park, Liverpool, butcher: in the Gaol of Lancaster.—*Wm. Halliwell*, Oldham, Lancashire,

out of business: in the Gaol of Lancaster.—*Stephen Todd*, Inglewhite, near Garstang, Lancashire, out of business: in the Gaol of Lancaster.—*James B. Spence*, Manchester, out of business: in the Gaol of Lancaster.—*Jane Taylor*, Liverpool, in no business: in the Gaol of Lancaster.—*Samuel Thomas*, Blewya, Llanfihangel, Abercwin, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*John Thomas*, Llwynoelwyn, Llanginning, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*John Smith* the younger, Coventry, Warwickshire, assistant to a butcher: in the Gaol of Warwick.—*Alice Robertson*, Newcastle-upon-Tyne, publican: in the Gaol of Newcastle-upon-Tyne.—*Wm. Lewis*, Marlborough, Noltun, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—*John Glossop*, Ilkeston, Derbyshire, leather seller: in the Gaol of Nottingham.—*Moses Kear*, Ellwood, near Coleford, Gloucestershire, carpenter: in the Gaol of Gloucester.—*F. Primavesi*, Southgate-st., Gloucestershire, out of business: in the Gaol of Gloucester.—*George Wilson*, Newcastle-upon-Tyne, commission agent: in the Gaol of Newcastle-upon-Tyne.—*John Clark*, Coble Dean, Chirton, Tynemouth, Northumberland, licensed victualler: in the Gaol of Newcastle-upon-Tyne.—*Michael Hudson*, Sunderland-near-the-Sea, Durham, greengrocer: in the Gaol of Durham.—*James Martyn*, Hartlepou, Durham, joiner: in the Gaol of Durham.—*John Ward*, Waterbeach, Cambridgeshire, labourer: in the Gaol of Cambridge.—*Rich. Place*, Hinkley, Leicestershire, bookkeeper: in the Gaol of Leicester.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, Oct. 26.

James Bailey, Titchfield, beer retailer.

At the County Court of Northumberland, at NEWCASTLE, Oct. 28 at 10.

George Wilson, Newcastle-upon-Tyne, commission agent.—*John Clark*, Coble Dean, Chirton, Tynemouth, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Oct. 28 at 10.

Alice Robertson, Newcastle-upon-Tyne, publican.

At the County Court of Gloucestershire, at GLOUCESTER, Oct. 28 at 10.

Moses Kear, Ellwood, near Coleford, carpenter.—*Felix Primavesi*, Gloucester, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, Nov. 11 at 9.

John Glossop, Ilkeston, Derbyshire, leather seller.

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The Jurist

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OCTOBER 23, 1852.

PRICE 1s.

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LONDON, OCTOBER 23, 1852.

A FEW sections in the Common-law Procedure Act, headed "The Time and Manner of declaring, and Particulars of Demand," although they contain nothing relating to particulars, enact, inter alia, that a plaintiff will be deemed out of court unless he declare within one year after the writ of summons is returnable, (sect. 58); that is, after its service. (See 1 Arch. Prac. 184).

Declarations are to commence thus:—"(Venue).—A. B., by E. F., his attorney, sues C. D. for" &c.; and to conclude thus—"and the plaintiff claims £—;" (or in detinue, "the plaintiff claims a return of the said goods, or their value, and £— for their detention.") (Sect. 59). In actions for defamation, the plaintiff may aver that the words were used in a defamatory sense, specifying it without any prefatory averment. (Sect. 61).

With regard to pleas and subsequent pleadings, no rule to plead or demand of plea shall be necessary; notice to plead alone will be sufficient; the time for pleading in bar will be always eight days where the defendant is within the jurisdiction. Express colour, special traverses, allegations of actionem non, or actionem ulterius non, prayer of judgment, precludi non, formal conclusions, namely, verifications and conclusions to the country, and signature of counsel, are no longer necessary. Pleas are to be written in separate paragraphs, and numbered. (Sects. 62—67, 75). A defendant, in all the actions in which he could formerly

pay money into court with or without leave of a judge, may now do so without leave; but this is not to affect the Libel Act, 6 & 7 Vict. c. 96. If one of several defendants is desirous of paying money into court, he must obtain leave to do so. The form of plea is—"The defendant, by —, his attorney, brings into court the sum of £—, and says that the said sum is enough to satisfy the claim of the plaintiff in respect of the matter herein pleaded to." This will get rid of several difficulties to which the form adopted before this act gave rise. (Sects. 70—73). Any plea, good in substance, shall not be objectionable upon the ground that it treats the declaration either as framed for a breach of contract, or for a wrong. (Sect. 74). All pleas capable of being construed distributively shall be taken distributively. (Sect. 75). A defendant may either traverse generally such facts as might have been denied by one plea, or may select and traverse any material allegation, though it might have been included in a general traverse. A plaintiff may traverse the whole of any pleading of the defendant by a general denial, or, admitting some parts thereof, deny the rest, or deny any one or more allegations. (Sect. 77). The effect of this enactment will be to allow the replication de injuria, or a similar general denial, which may be simply by joining issue (sect. 79) in all cases; and although this will be an advantage to which the plaintiff is fairly entitled in some instances, yet, in others, it is to be feared that it will needlessly increase the expenses of the trial, by presenting a wide issue to be decided by the jury, and consequently requiring a

greater amount of evidence than would be necessary where the question is more distinct and specific.

A defendant may in like manner deny the whole or part of a replication or subsequent pleading of the plaintiff. (Sect. 78). Either party may, by leave, plead and demur to the same pleading at the same time, upon an affidavit, if required by the court or judge, to the effect that he is advised and believes that he has just ground for his traverse, and that the matters pleaded in confession and avoidance are true, and that he is advised and believes that the objections in law are valid. The plaintiff may by leave plead, in answer to the plea or subsequent pleading of the defendant, several matters, and the defendant may by leave plead several matters upon an affidavit (if required) as aforesaid, but no rule of Court to plead several matters shall be necessary where an order has been made for that purpose, and no leave shall be required for pleading such pleas as before could be pleaded without any summons or order, or in pleading some few other pleas, which are enumerated in this act. (Sects. 80—84).

One new assignment only shall be pleaded to any number of pleas, and it shall be consistent with the particulars, if any; and no plea which has been already pleaded to the declaration shall be pleaded to such new assignment, except a plea in denial, unless by leave, which is only to be granted on satisfactory proof that the repetition is essential to a trial on the merits. (Sects. 87, 88). In sect. 89, the words, "except in the cases herein specifically provided for," were inserted with reference to special demurrers, which, however, are not to be allowed in any case, (see sect. 51), and therefore these words should be struck out. Where a pleading is amended, the opposite party shall plead thereto within the time specified in the original notice to plead, or within two days after amendment, unless otherwise ordered; and if he does not plead within such time, the original pleadings, if any, shall be considered as pleaded to the amended pleading. (Sect. 90). This will render the practice uniform in this respect, which appears not to have been the case under the former system. (See 1 Arch. Prac. 211).

Numerous forms of pleadings are given in the schedule, but the latter of them need not be followed, so long as the substance is expressed without prolixity. (Sect. 91). The following is the form of a declaration by the payee against the maker of a promissory note:—

"In the Queen's Bench, (or Exchequer, or Common Pleas).

"The — day of —, A. D. 1852.

"(Venue).—A. B., by E. F., his attorney, sues C. D., for that the defendant, on &c., by his promissory note, now overdue, promised to pay to the plaintiff £—, two months after date, but did not pay the same."

The plea denying the making of the note will be as follows:—

"In the Queen's Bench, (or Exchequer, or Common Pleas).

"The — day of —, A. D. 1852.

"C. D. } The defendant, by —, his attorney, says
v. } that he did not make the promissory note,
A. B. } as alleged."

The replication will be—

"In the Queen's Bench, (or Exchequer, or Common Pleas).

"The — day of —, A. D. 1852.

"A. B. } The plaintiff takes issue upon the defendant's
v. } plea."
C. D. }

The other forms are of like brevity; and it is to be hoped that the adoption of them will free our system of pleading from the reproach of tautology and prolixity by which it has been disgraced for so long a period.

With respect to judgment by default, and the mode of ascertaining the amount to be recovered thereupon, it is enacted that no rule to compute shall be necessary. In actions where it appears to the court or a judge that the amount of damages sought to be recovered is substantially a matter of calculation, it may be ascertained by the Master.

In all actions where the plaintiff recovers a sum of money, the amount to which he is entitled may be awarded to him by the judgment generally, without any distinction being made whether it is recovered by way of a debt or damages. (Sects. 92—95). This appears to have been enacted in order to meet the joinder of different forms of action.

We then come to notice of trial and inquiry, which is rendered uniform, and henceforth will be ten days in all cases, unless otherwise ordered. Notice of trial by record, however, will still, it seems, be two days. Countermand is to be given four days before the time mentioned in the notice of trial, unless short notice of trial has been given, and then it is to be two days. A rule for the costs of the day, for not proceeding to trial according to notice, may be drawn up on affidavit, without motion. (Sects 97—99).

The proceedings formerly adopted for obtaining judgment as in case of a nonsuit are abolished; henceforth the same result will be attained by entering a suggestion on the record, which is not to be traversable. But previously to this, the plaintiff must not only have made default as before, but the defendant must have given twenty days' notice to the plaintiff to try at the sittings or assizes after those at which the plaintiff should have tried, and the plaintiff must have neglected to have given notice of trial for such sittings or assizes, or to proceed to trial in pursuance of the notice given by the defendant. (Sect. 101).

ERRATUM.—In our last number, p. 377, first column, last line, for "necessary," read "unnecessary."

OUR artificial system of property, permitting the legal interest to be in one person while the entire beneficial interest belongs to others, compels the adoption of arbitrary rules to secure the persons beneficially entitled against the loss that might be occasioned by the sale or incumbrance of the property, for his own benefit, by an indigent trustee. With this object, equity allows the cestui que trust to have a claim, not only against the trustee so selling, but also against the person purchasing from him; so that, in case the trustee should have wasted the purchase money, and be in-

solvent, it may be recovered over again from the purchaser. This rule is shortly expressed, in general, by its first consequence, that the trustee's receipt for the purchase money is not, *prima facie*, a good discharge to the purchaser, but he is bound, further, to see that the money reaches the hands of the *cestui que trust*.

Naturally, considerable inconvenience is occasioned in practice by such a state of the law; but there can be little doubt that it is a great safeguard of trust property, and its importance was recognised by the Legislature in the stat. 8 & 9 Vict. c. 106, repealing the 7 & 8 Vict. c. 76, which, by sect. 10, had abolished the equitable rule.

It is, however, a familiar doctrine, that a settlor may, if he choose, commit his property, in this respect, to the uncontrolled discretion of the trustees whom he selects, and this he does by an express declaration that their receipts shall be good discharges, which is introduced almost always into deeds and wills giving to trustees authority to sell the trust property; or, though the settlor does not express that the trustees are to have this uncontrolled power, it is sometimes inferred, from the nature of the trust, that he intended to give it; and to two recent illustrations of the nature and extent of this inference we beg now to direct attention.

It has been decided, that a devise of land to trustees to sell, and out of the proceeds first to pay the testator's debts, and then to give the surplus to A., implies that the trustees have power to discharge a purchaser from them, by their simple receipt, from the obligation of seeing that the debts are paid, and that the surplus of the money reaches A.'s hands. Here the inference, adopted, no doubt, for the sake of convenience, from the nature of the trust, is, that it must have been the intention of the testator, contemplating the possibility of his dying indebted, that the trustees should have a power to give good receipts to purchasers. It follows that if the debts are actually paid before the sale, or even if there were no debts owing by the testator at his death, the trustees must still have the power to give receipts, which was not the less intended to be given to them; and the Lord Chancellor has so decided in the case of *Stroughill v. Anstey*, (1 De G. Mac. & G. 636). When the principle is kept in view, the logical deduction we have stated is so clear, that every one must yield assent to the Lord Chancellor's criticisms upon the case of *Forbes v. Peacock*, (11 Sim. 152), and upon the observations of Lord Lyndhurst in the same case on appeal, (1 Ph. 717). To state the rule in the Lord Chancellor's own words, "The case must stand upon one of two grounds—either that there are no debts within the knowledge of the purchaser, and then it is indifferent whether there were no debts at the death of the testator, or no debts at the time of the purchase; or, which is more satisfactory, and open to no ambiguity, on the ground that when a testator by his will charges his estate with debts and legacies, he shews that he means to entrust his trustees with the power of receiving the money, anticipating that there will be debts, and providing for the payment of them. It is, by implication, a declaration by the testator that he intends to entrust the trustees with the receipt and application of the money, and not to throw any obligation at all upon the purchaser or mortgagee. That intention does

not cease because there are no debts; it remains just as much if there are no debts as if there are debts, because the power arises from the circumstance that the debts are provided for: there being in the creation of the trust a clear indication amounting to a declaration by the testator, that he means, and the nature of the trust shews that he means, that the trustees are alone to receive the money and apply it. This would be a consistent rule, on which everybody would be able to act, authorised, too, by the words of the testator, and drawing none of those fine distinctions which embarrass courts and counsel, and lead to litigation; and it is one to which I shall adhere as long as I sit in this court."

The argument against this view of the doctrine would be, that if the testator leaves no debts, the circumstance from which the authority to give receipts is implied not existing in that case, the authority does not arise, but is like a power given only on an event which has not happened. But the answer to this objection is obvious. The question is, simply, did the testator intend to place this reliance in the integrity of his trustees? If it can be implied that he did, in case debts existed at his death, how can their non-existence make any difference? It would be imputing to him an absurd intention to suppose the declaration made by the testator to be, in effect, "If I leave any debts the trustees shall have power to give receipts, but not otherwise;" for his dying indebted, or not, is a thing totally unconnected with his confidence in his trustees, which therefore cannot, by implication, be measured by that circumstance.

We notice another case, before the late Sir J. Parker, V. C., (*Lock v. Lomas*, ante, part 1, p. 813), in which, believing himself supported by previous authority, that very learned judge decided, that a power to vary the investments of the purchase money implied an intention in the testator to confer on the trustees authority to give good receipts for the purposes of the trust. There is, perhaps, no previous decision precisely to this effect, but the case is scarcely an extension of the doctrine on the subject; for on reference to the case quoted by counsel, before the late Sir J. Parker, V. C., (*Wood v. Harman*, 5 Mad. 368), it will be seen that Sir John Leach decided that an "authority given by the testator to lay out and invest the money was an authority to do all acts essential to that trust, and necessarily, therefore, to give sufficient discharges to the borrowers of the money." Of course the implication is stronger when the authority is, not only to invest, but also to vary the securities; for it is evident that it was in the settlor's contemplation that the trustees would, on several occasions, have the fund in their own hands, and therefore it is so much the more probable that he intended they should have authority to receive it.

It may be doubted whether the implication of this authority by Courts of equity has not been carried quite as far as is prudent, considering how improbable it is, that in a will or deed containing elaborate trusts, the authority would be omitted by mistake; and that practically a settlor has no method of depriving his trustees of this power, save by the silence of the instrument conferring the trust. Few men would act as trustees if such a want of confidence in them were openly expressed by the settlor.

London Gazettes.

FRIDAY, OCTOBER 15.

BANKRUPTS.

- SAMUEL DAINES**, New Bond-street, Middlesex, hosier and glover, Oct. 28 at 1, and Nov. 18 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Lepard & Co., 9, Cloak-lane.—Petition filed Oct. 6.
- ALFRED DAWSON**, Charles-street, Mile-end New-town, Middlesex, engineer, dealer and chapman, Oct. 21 at 2, and Nov. 18 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Ellis, Cowper's-court, Cornhill.—Petition filed Oct. 12.
- JOHN HOGARTH**, Thames Tunnel Iron-wharf, and Rotherhithe-street, Rotherhithe, Surrey, iron merchant, dealer and chapman, Oct. 26 at 2, and Nov. 25 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Hoppe & Boyle, Sun-court, Cornhill.—Petition filed Oct. 4.
- AUGUSTUS PICKETT**, Sydney-terrace, Brighton, and Burgess-hill, Keymer, brickmaker, dealer and chapman, Oct. 28 at 2, and Nov. 29 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Sowton, 6, Great James-street, Bedford-row.—Petition filed Oct. 15.
- CHARLES HENRY CANNING**, Birmingham, draper, dealer and chapman, Oct. 30 and Nov. 20 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Hodgson, Birmingham; Sole & Co., Aldermanbury, London.—Petition dated Oct. 12.
- WILLIAM SMITH**, Bolton-le-Moors, Lancashire, grocer, dealer and chapman, Oct. 28 and Nov. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Sutton, Manchester.—Petition filed Oct. 5.

MEETINGS.

Samuel Bricknell the younger, Exmouth, Devonshire, master mariner, Oct. 28 at 1, District Court of Bankruptcy, Exeter, last ex.—*Thomas Hutchinson* and *James Hutchinson*, Sunderland, Durham, grocers, Oct. 26 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Duncan James Mackellar* and *Charles Hampson*, Gresham-street, London, shawl warehousemen, Nov. 2 at 1, Court of Bankruptcy, London, aud. ac.—*Samuel Mitchell*, Stepney-gate, Commercial-road East, Middlesex, shoemaker, Nov. 2 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas M'Cree* and *Andrew M'Cree*, Newcastle-upon-Tyne, grocers, Nov. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. joint est.; at half-past 11, aud. ac. sep. est.; Nov. 11 at 12, div. joint est.; at half-past 12, div. sep. est. of *Thomas M'Cree*; at 1, div. sep. est. of *Andrew M'Cree*.—*John Passman*, Stockton-upon-Tees, Durham, carrier, Nov. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Nov. 11 at 11, div.—*Richard Wilson Todd* and *Rich. Hobbs*, Bath, Somersetshire, ironmongers, Nov. 4 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*George Standerwick*, *Charles Standerwick*, and *Thos. Barnes*, Bristol, auctioneers, Nov. 4 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Nov. 18 at 11, div.—*William Veale Matthews*, Yeovil, Somersetshire, druggist and grocer, Oct. 26 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 11 at 1, div.—*John Thomas Hotten*, Penzance, Cornwall, watchmaker, Oct. 26 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 11 at 1, div.—*James Hill*, Holcombe Rogus, Devonshire, linendraper, Oct. 27 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 11 at 1, div.—*Chas. Rogers*, Camborne, Cornwall, draper, Oct. 27 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 11 at 1, div.—*James Edwards*, Allington, Dorsetshire, sack manufacturer, Oct. 27 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 11 at 1, div.—*Daniel Pugsley*, Bread-st., Cheapside, London, warehouseman, Nov. 8 at 1, Court of Bankruptcy, London, div.—*John Harris*, Leicester-square, Middlesex, carpet warehouseman, Nov. 9 at 11, Court of Bankruptcy, London, fin. div.—*Thos. Gates James*, River-st., Myddleton-square, Middlesex, builder, Nov. 6 at 11, Court of Bankruptcy, London, div.—*Roderick Mackenzie*, Hunter-street, Brunswick-square, Middlesex, and Bond-court, Walbrook, London, commission agent, Nov. 6 at half-past 11, Court of Bankruptcy, London, div.—*Andrew Scott* and *Wm. Thompson*, Upper Ground-st., Blackfriars, Surrey, ironfounders, Nov. 6 at half-past 12,

Court of Bankruptcy, London, div.—*Mackness Branson*, Stratford, Essex, stationer, Nov. 5 at half-past 11, Court of Bankruptcy, London, div.—*Thos. Jeyes Edwards*, King-st., St. George's, Bloomsbury, Middlesex, dressing-case maker, Nov. 5 at half-past 11, Court of Bankruptcy, London, div.—*Geo. Clark*, Old-st., St. Luke's, Middlesex, draper, Nov. 5 at half-past 11, Court of Bankruptcy, London, div.—*J. Whitaker*, Park-place, Mile-end-road, Middlesex, draper, Nov. 15 at 11, Court of Bankruptcy, London, div.—*Jon. Streeter*, Brighton, Sussex, corn merchant, Nov. 6 at half-past 12, Court of Bankruptcy, London, div.—*Samuel Knight*, Fore-street, Cripplegate, London, cheesemonger, Nov. 6 at 12, Court of Bankruptcy, London, div.—*Frederick Ricketts* and *Trevenen James*, Moorgate-st., London, merchants, Nov. 6 at 11, Court of Bankruptcy, London, div. sep. est. of *Trevenen James*.—*Edward Mountcastle*, King William-st., London, and London-street, Greenwich, Kent, hatter, Nov. 6 at 12, Court of Bankruptcy, London, div.—*Jos. Mitchell*, Camden-st., Camden-town, Middlesex, carpenter, Nov. 6 at half-past 11, Court of Bankruptcy, London, div.—*George Rutland*, Luton, Bedfordshire, and Falcon-square, London, straw bonnet manufacturer, Nov. 6 at 12, Court of Bankruptcy, London, div.—*Robert Wm. Street*, Oxford-street, Soho, Middlesex, victualler, Nov. 6 at half-past 11, Court of Bankruptcy, London, div.—*W. Plaister* and *Mary Plaister*, Wickwar, Gloucestershire, and Bristol, cheese factors, Nov. 18 at 11, District Court of Bankruptcy, Bristol, div.—*Benjamin Hopkinson Bates*, Liverpool, merchant, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, div.—*J. Webster* and *Joseph Harrison*, Liverpool, merchants, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, div.—*Jas. Ogle Holmes*, Sunderland, and *Young Lovson Marshall*, Roker, Durham, timber merchants, Nov. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Jos. Nicholson*, Shotley Bridge, Durham, ironmonger, Nov. 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Theodore Dilger*, Hustler-gate, Bradford, Yorkshire, general dealer, Nov. 5 at 11, District Court of Bankruptcy, Leeds, div.—*John Child* and *Wm. Barker*, Wakefield, Yorkshire, railway contractors, Nov. 5 at 11, District Court of Bankruptcy, Leeds, div. joint est. and sep. est.—*James Ibbelton*, Bradford, Yorkshire, bookseller, Nov. 5 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Thompson, Upper Ground-street, Blackfriars-road, Surrey, ironfounder, Nov. 5 at half-past 1, Court of Bankruptcy, London.—*Jean B. Dauplain*, Wharf-road, City-road, Middlesex, colour merchant, Nov. 5 at half-past 11, Court of Bankruptcy, London.—*George Ball*, Fenchurch-st., London, wine merchant, Nov. 5 at 1, Court of Bankruptcy, London.—*Louis England*, Shepperton-st., New North-road, Islington, Middlesex, builder, Nov. 9 at half-past 1, Court of Bankruptcy, London.—*John Craven*, Birkenhead, Cheshire, grocer, Nov. 5 at 11, District Court of Bankruptcy, Liverpool.—*John Greener* the younger, Wigan, Lancashire, ironmonger, Nov. 12 at 12, District Court of Bankruptcy, Manchester.—*Edwin Henry Griffin*, Liverpool, merchant, Nov. 8 at 11, District Court of Bankruptcy, Liverpool.—*John Avery* and *Samuel Street*, Birkenhead, Cheshire, shipwrights, Nov. 8 at 11, District Court of Bankruptcy, Liverpool.—*Frank James*, Walsall, Staffordshire, ironfounder, Nov. 4 (and not Oct. 4, as before advertised) at half-past 11, District Court of Bankruptcy, Birmingham.—*John Mottram*, Shrewsbury, Shropshire, hop merchant, Nov. 8 at half-past 10, District Court of Bankruptcy, Birmingham.—*John Swift*, Staveley, Derbyshire, grocer, Nov. 6 at 12, District Court of Bankruptcy, Sheffield.—*John Richardson*, Leeds, Yorkshire, wool merchant, Nov. 5 at 11, District Court of Bankruptcy, Leeds.—*Joseph Bealand*, Birkenshaw Bottoms, Birstal, and Bradford, Yorkshire, woolstapler, Nov. 5 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Charles Johns, Great Queen-st., Lincoln's-inn-fields, and Kirby-street, Hatton-garden, Middlesex, fixture dealer.—*John Wilton*, Sheffield, Yorkshire, linendraper.

PARTNERSHIP DISSOLVED.

Thos. Kingden and *G. Sydney Davies*, Wimborne Minster,

Dorsetshire, (under the firm of Castleman, Kingden, & Davies), attorneys, solicitors, and conveyancers.

SCOTCH SEQUESTRATIONS.

James Murray, Dundee, ironmonger.—J. Gray, Dundee, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Bailey, Stamford, Lincolnshire, publican, Nov. 8 at 11, County Court of Lincolnshire, at Stamford.—John Whitaker, Shaw Chapel, near Oldham, Lancashire, shoemaker, Oct. 22 at 11, County Court of Lancashire, at Oldham.—G. Terry, Wendover, Buckinghamshire, shoemaker, Oct. 27 at 12, County Court of Buckinghamshire, at Aylesbury.—Thomas Brown, Backland Common, Buckinghamshire, licensed victualler, Oct. 27 at 12, County Court of Buckinghamshire, at Aylesbury.—Daniel Horne, Swindon, Wiltshire, blacksmith, Oct. 29 at 12, County Court of Wiltshire, at Swindon.—Henry Jackson, Walsall, Staffordshire, steam-engine fitter, Oct. 22 at 9, County Court of Staffordshire, at Walsall.—Samuel Priest, Newton-next-Castlecre, Norfolk, miller, Oct. 28 at 10, County Court of Norfolk, at Swaffham.—James Strong, Harborne, Staffordshire, engineer, Oct. 27 at 9, County Court of Staffordshire, at Oldbury.—J. Waterhouse, Titford, Oldbury, Worcestershire, butty collier, Oct. 27 at 9, County Court of Staffordshire, at Oldbury.—John Davis, Canterbury, Kent, grocer, Oct. 28 at 11, County Court of Kent, at Canterbury.—George Gibbs the younger, Canterbury, Kent, grocer, Oct. 28 at 11, County Court of Kent, at Canterbury.—Thomas Jourdan, Stamford, Lincolnshire, shoemaker, Nov. 8 at 11, County Court of Lincolnshire, at Stamford.—William Henry Wood, Willenhall, Staffordshire, grocer, Oct. 30 at 12, County Court of Staffordshire, at Wolverhampton.—Thomas Webb, Newton, near Hyde, Cheshire, grocer's assistant, Oct. 23 at 10, County Court of Cheshire, at Hyde.—Wm. Baker, Hastings, Sussex, general dealer, Nov. 29 at 11, County Court of Sussex, at Hastings.—William Henry Slade, Chichester, Sussex, out of business, Oct. 27 at 11, County Court of Sussex, at Chichester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 1 at 10, before Mr. Commissioner LAW.

Robert Collinson, Newman-street, Oxford-street, Middlesex, upholsterer.—Richard Adams, Croydon, Surrey, tuncok to the Croydon Waterworks Company.—D. Humbert, Frith-street, Soho, Middlesex, Italian warehouseman.—Henry Baylis, Canterbury-terrace, Brunswick-street, Great Dover-street, Newington, Surrey, out of business.—James George Vickery, Commercial-road, Lambeth, Surrey, out of business.—James Blaxter Townsend, Counter-street, Borough, Southwark, Surrey, potato salesman.—Thomas Whinsey, Shepherd-street, May-fair, Middlesex, livery-stable keeper.—Edward Bladon, Springfield-cottages, Acre-lane, Brixton, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Wiltshire, at SALISBURY, Oct. 30.

James Lessiter, Whitley, cheese dealer.—W. Cue, Bishopstone, near Swindon, small farmer.

At the County Court of Sussex, at LEWES, Nov. 2 at 11.

Henry Piercey, Brighton, tailor.

TUESDAY, OCTOBER 19.

BANKRUPTS.

RICHARD THOMAS TUBBS, Holywell-street, Shore-ditch, Middlesex, haberdasher and tailors' trimming seller, Nov. 2 at 1, and Dec. 2 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Archer, 36, Bloomsbury-street, London.—Petition filed Oct. 18.

ABIATHAR BROWN WALL, Bishop's-road, Bayswater, Middlesex, apothecary, surgeon, dealer and chapman, Oct. 23 at 2, and Dec. 4 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Orchard, 11, Staple-inn, Holborn.—Petition dated Oct. 18.

WILLIAM AUSTIN, Grove, Great Guildford-street, and New-street, Southwark-bridge-road, Southwark, Surrey, ironfounder, dealer and chapman, Nov. 2 at 2, and Dec. 2 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Roston, 29, Southampton-street, Strand.—Petition filed Oct. 15.

CAROLINE LEE, Park-street, Oxford-street, Middlesex, bread and biscuit baker, dealer and chapwoman, Oct. 25 at 2, and Dec. 4 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Scarman, 21, Coleman-street, London.—Petition dated Oct. 15.

JOHN BRIMACOMBE, Falmouth, Cornwall, wine and spirit merchant, licensed victualler, dealer and chapman, Oct. 26 at 1, and Nov. 23 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Laidman, Exeter; Taylor & Collison, 28, Great James-street, Bedford-row, London.—Petition filed Oct. 5.

AMON LUMB STOCKS, Huddersfield, Yorkshire, draper, dealer and chapman, Nov. 4 and 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. J. & J. H. Richardson & Gaunt, Leeds; Sale & Co., Manchester.—Petition dated and filed Oct. 12.

ROBERT M'BURNIE, Wetherby, Yorkshire, grocer, Nov. 5 and 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Barr & Nelson, Leeds; Hill & Matthews, St. Mary Axe, London.—Petition dated Oct. 12; filed Oct. 13.

THOMAS BELL and AMBROSE CHAMP, Liverpool, provision dealers, Oct. 29 and Nov. 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Dewhurst, Liverpool.—Petition filed Oct. 16.

WILLIAM LOWCOCK, Bootle, Lancashire, butcher, (lately carrying on the business of a butcher at Liverpool), Oct. 29 and Nov. 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Greatley, Liverpool.—Petition filed Oct. 14.

GEORGE SMITH, Liverpool, tailor and draper, dealer and chapman, Nov. 1 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Duncan & Co., Liverpool.—Petition filed Oct. 5.

MEETINGS.

Wm. Davis Prichard and Daniel Prichard, High-street, St. Marylebone, Middlesex, coachsmiths, Oct. 29 at 12, Court of Bankruptcy, London, last ex.—John Robinson, Nassau-place, Commercial-road East, and Cannon-street-road, Middlesex, clothier, Oct. 29 at 1, Court of Bankruptcy, London, last ex.—Samuel Wilkes, Birmingham, clock-dial maker, Nov. 1 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—Thomas S. Sleightholme, Scarborough, Yorkshire, painter, Nov. 23 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, fin. div.—George Fletcher and Albion Craven, Leeds, Yorkshire, cloth manufacturers, Oct. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac. joint est. and sep. est.—John Watson, Skipton, Yorkshire, linendraper, Oct. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—George Moon, Borrowby, near Thirsk, Yorkshire, corn miller, Oct. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—E. Nicholson, York, tailor, Oct. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—F. Ingham, Doncaster, Yorkshire, grocer, Oct. 30 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—Joseph Birley, Doncaster, Yorkshire, grocer, Oct. 30 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—Edwin Fagg, Grove-road, St. John's-wood, and New Church-street, Lisson-grove, Paddington, Middlesex, apothecary, Nov. 11 at 1, Court of Bankruptcy, London, div.—Duncan James Mackellar and Charles Hampson, Gresham-street, London, shawl warehousemen, Nov. 9 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Edward Halford Dalby, Hornsey-road, Middlesex, butcher, Nov. 10 at 2, Court of Bankruptcy, London.—Mackness Branson, Stratford, Essex, stationer, Nov. 10 at 1, Court of Bankruptcy, London.—John Lee, Brook's-mews, Gloucester-place, Paddington, Middlesex, cab proprietor, Nov. 10 at 12, Court of Bankruptcy, London.—John Whittaker, Park-place, Mile-end-road, Middlesex, draper, Nov. 10 at 11, Court of Bankruptcy, London.—George Rutland, Luton, Bedfordshire, and Falcon-square, London, straw-bonnet manufacturer, Nov. 10 at half-past 11, Court of Bankruptcy, London.—John Hen.

Morris, King William-street, Strand, Middlesex, manufacturer of India rubber pavement, Nov. 10 at half-past 11, Court of Bankruptcy, London.—*Thomas Crocker*, Wisbeach, Isle of Ely, Cambridgeshire, sailmaker, Nov. 9 at 12, Court of Bankruptcy, London.—*William Richard Carter*, Ingram-court, Fenchurch-street, London, wine merchant, Nov. 11 at 12, Court of Bankruptcy, London.—*William Eliza Holland*, Portland-place, St. Mark's-road, Kennington, Surrey, brewer, Nov. 11 at 1, Court of Bankruptcy, London.—*Eliza Babb*, Grosvenor-street West, Eaton-square, Middlesex, dressmaker, Nov. 11 at 11, Court of Bankruptcy, London.—*William John Darke* and *James Porter*, Hayfield-place, Mile-end-road, Middlesex, carpenters, Nov. 11 at 2, Court of Bankruptcy, London.—*James Burrows Davies*, Liverpool, provision merchant, Nov. 11 at 12, District Court of Bankruptcy, Liverpool.—*Joshua Shaw*, Manchester, warehouseman, Nov. 9 at 12, District Court of Bankruptcy, Manchester.—*John Mack*, Wolverhampton, Staffordshire, victualler, Nov. 20 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

William Wymark, Mistley, near Manningtree, Essex, wharfinger.—*William Bolderston*, Liverpool, wholesale grocer.—*Joseph Higgott*, Cromford, Derbyshire, miller.—*William Martin*, Stamford, Lincolnshire, grocer.—*George Edward Hirst*, Halifax, Yorkshire, cloth merchant.—*George Smith*, Leeds, Yorkshire, flax spinner.

SCOTCH SEQUESTRATION.

James Gordon Horsburgh, Dundee, corn merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Cooper, Upton-upon-Severn, Worcestershire, plumber, Nov. 8 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Abraham Dearman*, Beech-farm, St. Peter, Hertfordshire, farmer, Oct. 29 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*George Seer*, Flamstead, Hertfordshire, straw-plait dealer, Oct. 29 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Charles Hewitt*, St. Alban's, Hertfordshire, beer-house keeper, Oct. 29 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Edwin Handley*, Worcester, gardener, Nov. 10 at 10, County Court of Worcestershire, at Worcester.—*Thomas Cavdle*, Tor, Tormoham, Devonshire, livery-stable keeper, Nov. 6 at 10, County Court of Devonshire, at Newton Abbot.—*John Downton*, Kingston, near Ringwood, Hampshire, dealer in cattle, Nov. 6 at 11, County Court of Hampshire, at Ford-cbridge.—*Joseph Wood*, Luton, Bedfordshire, plumber, Oct. 28 at 11, County Court of Bedfordshire, at Luton.—*Benjamin Newson*, Campsey Ash, Suffolk, farmer, Oct. 23 at 10, County Court of Suffolk, at Woodbridge.—*Henry Lawrence*, Stowmarket, Suffolk, leather cutter, Oct. 26 at 10, County Court of Suffolk, at Stowmarket.—*Benjamin Bancroft*, Keighley, Yorkshire, shuttle maker and wood turner, Nov. 10 at 11, County Court of Yorkshire, at Keighley.—*Henry Williams*, Liverpool, tailor, Oct. 25 at 10, County Court of Lancashire, at Liverpool.—*Mary Gidlow*, widow, Liverpool, butcher, Oct. 25 at 10, County Court of Lancashire, at Liverpool.—*Augustine Unsworth*, Kirkdale, Lancashire, out of business, Oct. 25 at 10, County Court of Lancashire, at Liverpool.—*John Walsh*, Liverpool, dealer in old clothes, Oct. 25 at 10, County Court of Lancashire, at Liverpool.

Saturday, Oct. 16.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Caleb Hankins, Worcester, farmer, No. 64,742 C.; *Benj. Boulter*, assignee.—*John Wm. Thos. Tasker*, Wilderspool, near Warrington, Cheshire, farmer, No. 75,159 C.; *James Edge*, assignee.—*James Saunders*, Ipswich, Suffolk, grocer, No. 75,169 C.; *Samuel Wainwright*, assignee.—*S. A. Cooke*, Cawston, near Reepham, Norfolk, clerk, No. 75,435 C.; *D. Turton Johnson* and *Wm. Hunter*, assignees.—*Joshua Kidd*, Lower Wike, near Halifax, Yorkshire, out of business, No. 75,495 C.; *Wm. Wand* and *George Bidwell*, assignees.—*B. Johnson*, Broomfield, Bradford, Yorkshire, dealer in flour,

No. 75,591 C.; *J. Stead*, assignee.—*P. Holmes*, Northwram, near Halifax, Yorkshire, publican, No. 75,614 C.; *Paul Greenwood*, assignee.

Saturday, Oct. 16.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Matthias Hytch Jacobs, Union-st., Borough-road, Surrey, china dealer: in the Debtors Prison for London and Middlesex.—*Thos. Wardhaugh*, Rahere-st., Goswell-rd., Middlesex, beer-shop keeper: in the Queen's Prison.—*J. Dickinson*, Old-st., St. Luke's, Middlesex, general dealer: in the Debtors Prison for London and Middlesex.—*Eliza Cottrell*, Robert-st., Grosvenor-square, Middlesex, stationer: in the Queen's Prison.—*Jas. Hadfield Andrews*, Cork-st., Barlington-gardens, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Robert Couch*, Regent-st., Horseferry-road, Westminster, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*James Palmer*, Milton-st., Dorset-square, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Harriet Maria Baker*, widow, Camden-st. North, Camden-town, Middlesex, not in any trade: in the Debtors Prison for London and Middlesex.—*Harriet Thompson Gladstones*, Tibberton-square, Lower-road, Islington, Middlesex, widow: in the Debtors Prison for London and Middlesex.—*Anna Robertson*, Norfolk-crescent, Hyde-park, Middlesex, boarding-house keeper: in the Debtors Prison for London and Middlesex.—*Harry Haggard Hale*, St. James-terrace, Back-road, St. George's-in-the-East, Middlesex, coal weigher: in the Debtors Prison for London and Middlesex.—*Augustus Wm. Bryant*, Roberts-mews, Belgrave-square, Middlesex, stable keeper: in the Debtors Prison for London and Middlesex.—*John Moss*, John-street-mews, Harper-street, New Kent-road, Surrey, horse dealer: in the Gaol of Horsemonger-lane.—*Wm. Angel King*, Wellington-street, Old Ford-road, Bethnal-green, Middlesex, wine merchant: in the Debtors Prison for London and Middlesex.

(On Creditors' Petitions).

John Shaw, John-st., Commercial-road East, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*John Chas. Webster*, Hereford-st., Walworth, Surrey, isinglass manufacturer: in the Gaol of Surrey.

(On their own Petitions).

John Airey, Blackburn, Lancashire, coach builder: in the Gaol of Lancaster.—*Henry Piercey*, Brighton, Sussex, tailor: in the Gaol of Lewes.—*George Bloxidge*, Birmingham, nail cutter: in the Gaol of Coventry.—*William Stower*, Dover, Kent, secretary to the Lambeth Mutual Provident Society: in the Gaol of Dover.—*Wm. Fisch*, Birmingham, nail cutter: in the Gaol of Coventry.—*James Hayes*, Salford, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Geo. Richard Howard*, Maidstone, Kent, chemist: in the Gaol of Maidstone.—*Jas. Birrell*, Gatehead, Durham, travelling draper: in the Gaol of Durham.—*William M'Pherson*, Bishopwearmouth, Durham, plumber: in the Gaol of Durham.—*John Ibbotson*, Hulme, Manchester, cotton waste dealer: in the Gaol of Lancaster.—*Wm. Nowell*, Manchester, butcher: in the Gaol of Lancaster.—*Francis Curry Lawrence*, Ramsgate, Kent, livery-stable keeper: in the Gaol of Dover.—*Thomas Thomas*, Llandovery, Carmarthenshire, victualler: in the Gaol of Carmarthen.—*James Burrell Stainbank*, Clarence-st., Greenwich, Kent, master mariner: in the Gaol of Maidstone.—*Geo. Lock*, Southsea, Southampton, grocer: in the Gaol of Winchester.—*Jas. Matthews*, Topsham, Devonshire, inn-keeper: in the Gaol of Exeter.—*Anthony Elliott*, Sunderland, Durham, publican: in the Gaol of Durham.—*George Pringle*, Sunderland, Durham, writer: in the Gaol of Durham.—*Geo. Venus*, Bishopwearmouth, Durham, grocer: in the Gaol of Durham.—*Richard Kaye*, Tranmere, near Liverpool, butcher: in the Gaol of Lancaster.—*Wm. Ross*, Manchester, fishmonger: in the Gaol of Lancaster.—*Edw. Tyson*, Manchester, bookseller: in the Gaol of Lancaster.—*Mary Spencer*, Manchester, druggist: in the Gaol of Lancaster.

(On Creditor's Petition).

Wm. Harrington, Birmingham, perfumer: in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 2 at 11, before the CHIEF COMMISSIONER.

Robert N. Wilson, Craven-street, Strand, Middlesex, in no trade.—John Isaac Adams, Kennington-common, Walworth, Surrey, zinc worker.—John Hugoe, London-st., Fitzroy-sq., and George-st., Folsy-place, Middlesex, carpenter.—John H. Stinson, Craven-st., Strand, Middlesex, in no trade.—James N. Brooks, Hobury-street, King's-road, Chelsea, Middlesex, clerk to an estate agent.—Charles Brackett, North-street, Spitalfields-market, Middlesex, fruiterer.—J. Heath, High-street, Stoke Newington, Middlesex, stonemason.—Charles Bedford, Johnson-st., Notting-hill, Middlesex, cabinet maker.

Nov. 2 at 10, before Mr. Commissioner LAW.

John Pelling, Luton, near Chatham, Kent, miller.—Fredrick Upton, Great James-street, Lisson-grove, Middlesex, out of business.—Frederick A. Simpson, Euston-sq., Middlesex, master mariner.—Manuel E. Durup, Stamford-st., Blackfriars-road, Surrey, in no trade.

Nov. 2 at 11, before Mr. Commissioner PHILLIPS.

James Shearmur, St. George's-st., St. George's-in-the-East, Middlesex, shopman to a general outfitter.—Joseph H. Page, Hyde-place, Hoxton, Middlesex, appraiser.—Daniel Pinestone, Hutchinson-street, Aldgate, London, licensed victualler.—John Kelly, Stoke-next-Guildford, Surrey, licensed hawk of drapery goods.—William B. Gunning, Back-lane, Twickenham, Middlesex, carpenter.—Wm. Noekells, Jermyn-street, St. James's, Middlesex, newspaper agent.

Nov. 3 at 11, before the CHIEF COMMISSIONER.

Benjamin Jarman, Stockwell-grove, Stockwell-green, Lambeth, Surrey, carpenter.—John Ellis, Garnault-place, Spafields, Middlesex, part owner of a trading vessel.—John Brookland, Newland-st., Pimlico, Middlesex, jobbing carpenter.—John Wm. Parker, Spread Eagle-passage, Leadenhall-market, London, ward beadle of Cornhill.—George Hinks, Stafford-place, Pimlico, Middlesex, lodging-house keeper.—Wm. J. Couch, Caunden-place, Lee, Kent, artist.—William Shorter, Hercules-passage, Old-street, London, victualler.—Thomas Cook, Oakhall-place, New-cross, Surrey, tailor.

Nov. 4 at 11, before Mr. Commissioner PHILLIPS.

George Wm. Hogg, Church-st., Queen's Elms, Brompton, Middlesex, assistant to woollendrapers.—Isaac Elkins, High-street, Shadwell, Middlesex, grocer.—Gavino Sellent, Brook-st., Mary-st., Hampstead-road, Middlesex, chocolate maker.—George Faulkner, Charlotte-st., Pimlico, Middlesex, out of business.—Thomas Stevens, Selborne, Hampshire, out of business.—Robert Gardner, Claremont-row, Barnsbury-road, Islington, Middlesex, and Luton, Bedfordshire, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD,
Oct. 25 at 12.

Henry Bent, West Bromwich, out of business.

At the County Court of Kent, at MAIDSTONE, Nov. 2 at 12.

John D. Haslewood, Boughton, Monchelsea, clerk.—James B. Stainbank, Greenwich, master mariner.

At the County Court of Gloucestershire, at BRISTOL, Nov. 10 at 11.

John Watts, Lock's Mills, Bedminster, Somersetshire, miller.

At the County Court of Pembrokeshire, at HAVERFORDWEST,
Nov. 12 at 10.

Wm. Lewis, Marlborough, farmer.

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LONDON, OCTOBER 30, 1852.

In the public journals of last week appeared a report of the proceedings at a great meeting of solicitors held at Derby, for the purpose of forwarding an association for the protection of the interests of that branch of the Profession. We have read the speeches made at that meeting with regret, their whole tone evincing a degree of irritation towards the Bar, and a desire to depreciate its value, of the existence of which, or at least of the extent of which, we certainly had no idea. It was assumed, among other things, that the Junior Bar asserted to themselves a degree of power to which they were not entitled; that while they did not disdain to invade the province of the solicitor in the matter of holding Government solicitorships, &c., they opposed the employment of solicitors in any manner as advocates. The notion of counsel being in any degree more learned in the law than solicitors was sneered at, and the sneer was received with loud applause, as indeed was every sarcasm levelled at the Bar.

So far as we could collect from the speeches, the general object was to suggest some sort of fusion, by which solicitors should be left at liberty to act as counsel, if their clients wished it. But the converse proposition, that counsel should act for their clients without the intervention of solicitors, did not appear to be considered as at all involved in, or consequent upon, the principal proposition, for poor Mr. Charles Rann Kennedy was treated with the most unbounded ridicule for advocating, in his recent speech, such an opinion.

One eminent London solicitor—a gentleman who is far too well informed not to have been perfectly aware that he was drawing largely on the credulity of his less learned brethren—ventured to find fault with the New Orders in Chancery, on the ground of their still requiring the signature of counsel to a bill, not asserting as a reason that generally solicitors can draw a bill as well as counsel—had he asserted that, the

proposition would have been at least intelligible—but because the bill is now a printed form!

Now, all this we say we have seen with much regret, because it shews a feeling which ought not to exist, and which is prejudicial to both branches of the Profession. If ever there was a time when the Highland maxim of "shoulder to shoulder" ought to prevail among the members of the Profession, the present, when everything relating to it is undergoing attack and dislocation, is that time. If it be indeed true—and it may be true—that the changing state of society requires a change in the division of legal labour; if it be true that all lawyers should be simply such—that there should be no exclusive grade of barristers, and no exclusive grade of solicitors, but that the public should be at liberty to select indifferently any lawyer to do any legal duty—be it so. But let that necessity be urged by the public; let the amalgamation follow the fiat of the public; and let it not be urged by one branch of the Profession against the other, as though the distinction, instead of being what it is—a distinction established and maintained by the whole body of the Profession for mutual convenience, and hitherto, as it has been believed, for the convenience of the public—were a tyrannical incroachment of one branch on the rights of the other.

Above all, let not either branch of the Profession urge such an alteration, on the footing of dislike or jealousy of the other branch. There is no special right, undoubtedly, in any one man more than another, to be a barrister, or to be an attorney. Each man at the outset of his life finds these two professions existing: he makes his selection, and enters which he likes. Nay, more, he can at any time quit, on certain terms, the branch that he has selected, and join the other. But while the solicitor does not choose to abandon the more certain present of the branch to which he belongs, for the more brilliant but more uncertain future of the Bar, it is too bad that he should be angry with and depreciate the Bar, simply because it is the Bar.

No doubt there are many points of professional arrangement which, as between the Bar and the Solicitors, and between both and the public, require revision; but a revision of those points advantageously to both will not be effected by one branch expressing dislike of the other, and endeavouring publicly to hold it up to ridicule. Let lawyers of every kind be quite sure, that while they abuse each other, the public looks on and laughs; and let the solicitors in particular feel assured, that to pull the Bar down will not necessarily be to elevate themselves. If the public really, as the speeches at the Derby meeting seemed to intimate, requires the services of the Bar less, and of the solicitors more, the functions and members of the Bar will of course gradually become contracted, and they will make way for the other branch of the Profession; and while no effort of theirs can retard such a consummation, on the other hand no mere assertion that they are not wanted will affect their position, if the want of their legal learning and ability is really felt by the business public.

Now, we have in these observations hitherto been merely speaking of *the Bar* and *the Solicitors* as two specially constituted bodies, two quasi corporations; but it must be remembered, that the designations and the constitutions of these bodies are merely conventional, and each is simply a certain set of *men*, who, if their services are not wanted under one *form* and designation, but are wanted substantially, will simply relinquish their old special designation, and serve the public under the new one. To depart from generalities, and to speak plainly and practically. If the solicitors are right in the opinion more than shadowed forth by the Derby meeting—if it is true that the public do not require barristers as such, but desire that their attorney, if a clever advocate, shall be their advocate in court as well as their adviser and draftsman in private, the result will be simply this—the abolition de facto of a special corps called *the Bar*. But the men who are barristers would not be removed from the scene; they will not die as men, because their corps ceases to exist; and those among them who have to live by their personal exertions will simply throw off the wig and gown, and work, as the American and French Bar do, as a sort of compound of attorney and advocate. The men who are now barristers may lose in dignity, but we do not see how that would be any gain in rank to the men who are now solicitors; at any rate, the gain would be grievously balanced by the practical injury produced by compelling a numerous body of men to become their rivals.

On the large question, whether by any such change the public interests would generally be benefited, we are not now going to enter; all we now urge is, that in adapting itself to the changes of some kind that seem inevitable, the fair interests of an existing branch of the Profession will not be advanced by seeking to cast ridicule and odium on the other.

In conclusion, we will only add, that though no doubt the Derby meeting did represent the feelings of an active, if not a numerous, portion of the solicitors, we do not believe that it represents the general feeling of that body, any more than the opinions expressed by Mr. Keane represent the general feeling of the Bar.

REGULA GENERALIS.

ORDER OF COURT.—Oct. 16, 1852.

The Right Hon. EDWARD BURTENSHAW Lord St. LEONARD's, Lord High Chancellor of Great Britain by and with the advice and assistance of the Right Hon. Sir JOHN ROMILLY, Master of the Rolls, the Right Hon. the Vice-Chancellor Sir GEORGE JAMES TURNER, and the Hon. the Vice-Chancellor Sir RICHARD TORR KINDERSLEY, doth hereby, in pursuance of an act of Parliament passed in the fifteenth and sixteenth years of her present Majesty, intituled "An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Dispatch of Business in the said Court," and in pursuance and execution of all other powers enabling him in that behalf, order and direct—

That all and every the orders, rules, and directions hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, General Orders and Rules of the High Court of Chancery, viz. :—

Summons.

I. The summons for the purpose of proceedings before the Master of the Rolls and Vice-Chancellors respectively at chambers, whether originating in chambers or not, may be in a form similar to the form set forth in Schedule (A.) to these Orders, with such variations as the circumstances of the case may require.

II. The summons to be issued under sect. 30 of stat. 15 & 16 Vict. c. 80, may be in a form similar to the form set forth in Schedule (B.) to these Orders, with such variations as the circumstances of the case may require.

III. A seal is forthwith to be provided for the chambers of the Master of the Rolls and each of the Vice-Chancellors, and summonses are to be prepared by the parties, and sealed by one of the clerks, at the chambers of the judge from whose chambers they are issued, and a copy of such summons is to be left at the judge's chambers by the party obtaining such summons.

IV. In cases of applications under the 15 & 16 Vict. c. 86, s. 45, applications for guardianship and maintenance of infants, originating in chambers, and of all other applications originating in chambers, a duplicate of the summons is to be filed in the Record and Writ Office, and in cases where service is required, the copies served are to be stamped in the manner provided by sect. 46 of stat. 15 & 16 Vict. c. 86.

V. In cases where proceedings originate in chambers the original summons is to be served seven clear days before the return thereof. All other summonses, not being summonses referred to in Order II, are to be served two clear days before the return thereof.

VI. In cases where proceedings originate in chambers, and where from any cause the summons may not have been served upon any party seven clear days before the return thereof, an indorsement may be made upon the summons, and upon a copy thereof stamped for service, appointing a new time for the parties not before served to attend at the chambers of the judge, and such indorsements are to be sealed at the judge's chambers, and the service of the copy so indorsed and sealed is to have the same force and effect as the service of an original summons; and where any party has been served before such indorsement, the hearing thereof may upon the return of the summons be adjourned to the new time so appointed.

Appearances.

VII. In all cases where proceedings originate in chambers the parties served are, before they are heard in chambers, to enter appearances in the Record and Writ Office, and give notice thereof.

Orders and Directions, applicable to all Cases, whether originating in Chambers or not.

VIII. In all cases in which by any order any accounts are directed to be taken, or inquiries to be made, each direction shall be numbered, so that, as far as may be, each distinct account and inquiry may be designated by a number, and such order may be in the form set forth in Schedule (C.) to these Orders, with such variations as the circumstances of the case may require.

IX. Where an order is made directing an account of debts, claims, or liabilities, or any inquiry for next of kin or other unascertained persons, unless otherwise ordered, all persons who do not come in and prove their claims within the time which may be fixed for that purpose by advertisement are to be excluded from the benefit of the order.

X. Where an order is made directing an account of the debts of a deceased person, unless otherwise ordered, interest is to be computed on such debts, as to such of them as carry interest, after the rate they respectively carry, and as to all others, after the rate of 4l. per cent. per annum, from the date of the order.

XI. Where an order is made directing an account of legacies, unless otherwise ordered, interest is to be computed on such legacies after the rate of 4l. per cent. per annum, from the end of one year after the deceased's death, unless any other time of payment or rate of interest is directed by the will, and in that case according to the will.

XII. Where an order is made directing any property to be sold, unless otherwise ordered, the same is to be sold, with the approbation of the judge to whose court the cause or matter is attached, to the best purchaser that can be got for the same, to be allowed by such judge, and all proper parties are to join therein as such judge shall direct.

XIII. Where an order is made directing a receiver to be appointed, unless otherwise ordered, the person to be appointed is first to give security, to be allowed by the judge to whose court the cause is attached, and taken before an officer or agent of the court in the country, if there shall be occasion, duly to account for what he shall receive on account of the rents and profits for the receipt of which he is to be appointed, at such periods as such judge shall appoint, and to account for and pay the same as the Court shall direct, or, as the case may be, to be answerable for what he shall receive in respect of the personal estate for the getting in and collection of which he is to be appointed, and to account for and pay the same as the Court shall direct; and the person so to be appointed is to be allowed a proper salary for his care and pains in receiving such rents and profits, or, as the case may be, to have an allowance made to him in respect of his collecting such personal estate.

XIV. The General Orders of the Court with respect to receivers shall, *mutatis mutandis*, apply to receivers appointed under orders made after these rules and regulations come into operation.

XV. Recognisances which have been heretofore given to the Master of the Rolls and the senior Master in Ordinary are hereafter to be given to the Master of the Rolls and the senior Vice-Chancellor for the time being.

Proceedings in Chambers.

XVI. In all cases where matters, in respect of which summonses have been issued, are not disposed of upon the return of the summons, the parties are to attend from time to time, without further summons, at such time or times as may be appointed for the consideration or further consideration of the matter.

XVII. In all cases of proceedings in chambers under any order, the solicitor prosecuting the same shall leave a copy of such order at the judge's chambers, and shall certify the same to be a true copy of the order as passed and entered.

XVIII. Upon a copy of the order being left, a summons is to be issued to proceed with the accounts or inquiries directed, and upon the return of such summons the judge is to be satisfied, by proper evidence, that all necessary parties have been served with notice of the order; and thereupon directions are to be given as to the manner in which each of the accounts and inquiries is to be prosecuted, the evidence to be adduced in support thereof, the parties who are to attend on the several accounts and inquiries, and the time within which each proceeding is to be taken; and a day or days may be appointed for the further attendance of the parties, and all such directions may afterwards be varied or added to, as may be found necessary.

XIX. If, upon the hearing of the summons, it shall appear to the judge that by reason of absence, or for any other sufficient cause, the service of notice of the order upon any party cannot be made, or ought to be dispensed with, the judge may, if he shall think fit, wholly dispense with such service, or may, at his discretion, order any substituted service, or notice by advertisement or otherwise, in lieu of such service.

XX. If, in the prosecution of the order, it shall appear to the judge that it would be expedient that further accounts should be taken, or further inquiries made, he may order the same to be taken or made accordingly; or, if desired by any party, may direct the same to be considered in open court.

XXI. At the time any summons or appointment is obtained, an entry thereof is to be made in a book, called "The Summons and Appointment Book," stating the date on which the summons is issued or appointment made, the name of the cause or matter, and by what party, and, shortly, for what purpose such summons or appointment is obtained, and at what time receivable.

XXII. Lists of matters appointed for each day are to be made out, and affixed outside the doors of the chambers of the respective judges, and, subject to any special direction, such matters are to be heard in the order in which they appear in such list.

XXIII. The course of proceeding in chambers is ordinarily to be the same as the course of proceeding in court upon motions. No states of facts, charges, or discharges are to be brought in; but, when directed, copies, abstracts, or extracts of or from accounts, deeds, or other documents, and pedigrees and concise statements, are to be supplied for the use of the judge and his chief clerk, and, where so directed, copies are to be handed over to the other parties. But no copies to be made of deeds or documents, where the originals can be brought in, without special direction.

XXIV. The party intending to use any affidavit on any proceeding in chambers is to give notice to the other parties concerned of his intention in that behalf.

XXV. The practice of the Court with respect to evidence before the hearing, when applied to evidence to be taken before an examiner in any cause subsequently to the hearing, is to be subject to any special directions which may be given in any particular case.

XXVI. Where a chief clerk is directed by the judge to examine any witness, the practice and mode of proceeding is to be the same as in the case of the examination of witnesses before the examiner, subject to any special directions which may be given in any particular case.

XXVII. The original examinations and depositions of parties and witnesses taken by or before the chief clerk, authenticated by his signature, are to be transmitted by him to the Record and Writ Office, to be there filed, and any party to the suit or proceeding may have a copy thereof, or of any part or portion thereof, upon payment of the proper fee.

XXVIII. All orders made in chamber
up by the chief clerks or registrars are to

the same manner and in the same office as orders made in open court are entered.

XXIX. Where any account is directed to be taken, the accounting party is, unless the judge shall otherwise direct, to make out his account, and verify the same by affidavit. The items on each side of the account are to be numbered consecutively, and the account is to be referred to by the affidavit as an exhibit, and to be left in the judge's chambers.

XXX. Any party seeking to charge any accounting party beyond what he has by his account admitted to have received is to give notice thereof to the accounting party, stating, so far as he is able, the amount sought to be charged, and the particulars thereof, in a short and succinct manner.

XXXI. Upon a receiver's account being left in the judge's chambers to be passed, a summons to proceed thereon is to be taken out; and the account, when passed, is to be entered by the solicitor of the receiver in books, in the same manner as heretofore; but the affidavit verifying the account so passed is to refer to it as an exhibit, and not to be annexed to it.

XXXII. When a receivership has been completed, the book containing the accounts is to be deposited in the Record and Writ Office.

XXXIII. Where advertisements are required for any purpose, a peremptory and only one is to be issued, unless for any special reason it may be thought necessary to issue a second advertisement or further advertisements; and any advertisement may be repeated as many times and in such papers as may be directed.

XXXIV. The advertisements are to be prepared by the solicitor, and submitted to the chief clerk for approval, and, when approved, are to be signed by him, and such signature is to be sufficient authority to the printer of the Gazette to insert the same.

XXXV. Advertisements for creditors or other claimants are to fix a time for the creditors or claimants to come in and prove their claims, and to appoint a day for the hearing and adjudicating thereon, and may be in a form similar to the form set forth in Schedule (D.) to these Orders, with such variations as the circumstances of the case may require.

XXXVI. Claimants coming in pursuant to advertisement are to enter their claims at the chambers of the judge in "The Summons and Appointment Book," for the day appointed for hearing by the advertisement, and are to give notice thereof, and of the affidavit filed, to the solicitors in the cause, within the time specified in the advertisement for bringing in claims.

XXXVII. The claimants filing affidavits are not to be required to take office copies; but the party prosecuting the cause or matter is to take office copies, and produce the same at the hearing, unless otherwise ordered in chambers.

XXXVIII. If, on the day appointed for hearing the claims, they are not then disposed of, an adjournment day for hearing such claims is to be fixed; and where further evidence is to be adduced, a time may be named within which the evidence on both sides is to be closed, and directions may be given as to the mode in which such evidence is to be adduced.

XXXIX. Any claimant, who has not before entered his claim, may be heard on such adjournment day, provided he enters his claim and files his affidavit four clear days prior to such day, and no certificate of debts or claims shall in the meantime have been made.

XL. Creditors claiming debts not exceeding 5*l.* need not attend on the day of hearing, unless required to do so by notice from some party.

XLI. After the time fixed by the advertisement, no claims are to be received, except as before provided in case of an adjournment, unless the judge at chambers shall think fit to give special leave, upon application made by summons, and then upon such terms and con-

ditions as to costs and otherwise as the judge shall think fit.

XLII. A list of all claims allowed shall, when required by the judge, be made out and left in the judge's chambers by the party prosecuting the order.

XLIII. In cases where the Court directs any computation of interest, or the apportionment of any fund, which is to be acted upon by the Accountant-General or other person, without any further order from the Court, the order to be made by the Court may direct such computation or apportionment to be made by one of the chief clerks attached to the court of such judge, and may direct the certificate thereof, signed by such chief clerk, to be acted upon accordingly, without the same being signed and adopted by the judge.

XLIV. Where an account has been directed, the certificate or report is to state the result of such account, and not to set the same out by way of schedule, but is to refer to the account verified by the affidavit filed, and to specify, by the numbers attached to the items in the account, which, if any, of such items have been disallowed or varied, and to state what additions, if any, have been made by way of surcharge. In any case in which the account verified by the affidavit has been so altered that it is necessary to have a fair transcript of the account so altered, such transcript may be required to be made by the solicitor prosecuting the order, and is then to be referred to by the certificate or report. The accounts and the transcripts, if any, referred to by certificates or reports, are to be filed therewith, but no copies thereof are to be required to be taken by any party.

XLV. The certificates or reports to be made by the chief clerk to the judge are not, except the special circumstances of the case shall render it necessary, to set out the order, or any documents or evidence or reasons, but are to refer to the order, documents, and evidence, or particular paragraphs thereof, so that it may appear upon what the result stated in any such certificate or report is founded.

XLVI. The certificate of the chief clerk to the judge may be in a form similar to the form set forth in Schedule (E.) to these Orders, with such variations as the circumstances of the case may require; and when prepared and settled, it is to be transcribed by the solicitor prosecuting the proceedings, in such form and within such time as the chief clerk shall require, and is then to be signed by the chief clerk at an adjournment to be made for that purpose. But where, from the nature of the case, the certificate can be drawn and copied in chambers whilst the parties are present before the chief clerk, the same shall be then completed and signed by him without any adjournment.

XLVII. The time within which any party is to be at liberty to take the opinion of the judge upon any proceeding which shall have been concluded, but as to which the certificate or report of a chief clerk shall not have been signed and adopted by the judge, is to be four clear days after the certificate or report shall have been signed by the chief clerk.

XLVIII. Any party desiring to take the opinion of the judge, as mentioned in the last preceding rule, is, within four clear days after the certificate or report shall have been signed by the chief clerk, to obtain a summons for such purpose.

XLIX. At the expiration of four clear days after the certificate or report shall have been signed by the chief clerk, if no party has in the meantime obtained a summons to take the opinion of the judge thereon, the chief clerk is to submit the certificate or report to the judge for his approval, and the judge may thereupon, if he approve the same, sign such certificate or report in testimony of his adoption thereof, as follows:—"Approved, this — day of —."

L. The certificate or report, when signed by the judge, with the accounts, if any, to be filed therewith, is to be

transmitted by the chief clerk to the Report Office, to be there filed.

LI. The time within which an application may be made by summons or motion to discharge or vary any certificate or report which has been signed and adopted by the judge sitting in chambers is to be eight clear days after the filing of such certificate or report.

LII. Certificates of the chief clerk made as mentioned in Rule XLIII, and not required to be signed and adopted by the judge, are to be transmitted and filed in the same manner as those signed and adopted by the judge.

LIII. The Orders XLVII, XLVIII, XLIX, and LI are not to apply to certificates on passing receivers' accounts. Such certificates may be approved and signed by the judge without delay, and upon being so signed are to be filed and forthwith acted upon.

LIV. A register is to be kept of all proceedings in the judge's chambers, with proper dates, so that all the proceedings in each cause or matter may appear consecutively and in chronological order, with a short statement of the questions or points decided or ruled at any hearing.

LV. Parties attending any proceeding in chambers, without having obtained the previous leave of the judge to attend the same, are not to be allowed any costs of such attendance, unless by special order of the Court.

LVI. The costs of counsel attending the judge in chambers are not in any case to be allowed, unless the judge certifies it to be a proper case for counsel to attend.

Deposit of Deeds.

LVII. Where any deeds or other documents are ordered to be left or deposited, the same are to be left or deposited in the Record and Writ Office, and are to be subject to such directions as may be given for the production thereof.

Power of Judge.

LVIII. Powers and authorities given to the Masters in Ordinary of the Court of Chancery by any General Order or Orders of the Court may be exercised by the judge sitting in chambers.

LIX. The power of the Court and of the judge sitting in chambers to enlarge or abridge the time for doing any act or taking any proceeding, and to give any special direction as to the course of proceeding in any cause or matter, is unaffected by these Orders.

Commencement of Orders.

LX. These Orders shall take effect and come into operation from and after the first day of Michaelmas Term, 1852.

Interpretation.

LXI. In these Orders the following words have the several meanings hereby assigned to them, over and above their several ordinary meanings, unless there be something in the subject or context repugnant to such construction, viz.:—

1. Words importing the singular number include the plural number, and words importing the plural number include the singular number.

2. Words importing the masculine gender include females.

3. The word "party" includes a body politic or corporate.

4. The word "affidavit" includes affirmation.

5. The word "order" includes decree and decretal order.

6. The word "receiver" includes consignee and manager.

ST. LEONARD'S, C.
JOHN ROMILLY, M. R.
G. J. TURNER, V. C.
RICH. T. KINDERSLEY, V. C.

SCHEDULE (A.)

Form of Summons.

In Chancery.

In the matter of John Thomas, an infant,

or

Joseph Wilson

against

William Jackson.

Let all parties concerned attend at my chambers [in the Rolls-yard, Chancery-lane, Middlesex], [or, at No. —, — square, Lincoln's-inn, Middlesex], on —, the — day of —, at — of the clock in the — noon, on the hearing of an application on the part of [here state on whose behalf the application is made, and the precise object of the application.]

Dated this — day of —, 1852.

JOHN ROMILLY, Master of the Rolls, or,
GEORGE JAMES TURNER, Vice-Chancellor, or,
RICHARD T. KINDERSLEY, Vice-Chancellor, or,
JOHN STUART, Vice-Chancellor.

This summons was taken out by A. & B., of Lincoln's-inn, in the county of Middlesex, solicitors for —.

To —.

[The following Note to be added to the original summons where proceedings originate in chambers; and when the time is altered by indorsement, the indorsement to be referred to as below.]

Notes.—If you do not attend, either in person or by your solicitor, at the time and place above mentioned, [or, at the place above mentioned, at the time mentioned in the indorsement hereon], such order will be made, and proceedings taken, as the judge may think just and expedient.

N. B.—The form of summons to be obtained under sect. 45 of the act 15 & 16 Vict. c. 86, is prescribed by Rule XLII of the Orders of the 7th August, 1852.

SCHEDULE (B.)

Form of Summons by Chief Clerk.

In Chancery.

In the matter of the estate of John Thomas, late of —, in the county of —, deceased,

or

Joseph Wilson

against

William Jackson.

The defendant, William Jackson, [or, A. B., of &c.], is hereby summoned to attend at the chambers of the Master of the Rolls, [or, Vice-Chancellor —], in the Rolls-yard, Chancery-lane, [or, No. —, — square, Lincoln's-inn, Middlesex], on —, the — day of —, at — of the clock in the — noon, to be examined [or, to be examined as a witness on the part of the —] for the purpose of the proceedings directed by the Master of the Rolls [or, the said Vice-Chancellor] to be taken before me.

Dated this — day of —, 1852.

A. B.,

Chief Clerk.

This summons was taken out by A. & B., of Lincoln's-inn, in the county of Middlesex, solicitors for —.

SCHEDULE (C.)

Form of Order.

This Court doth order that the following accounts and inquiries be taken and made, that is to say—

1. An account of the personal estate, not specifically bequeathed, of A. B., deceased, the testator in the pleadings named, come to the hands of &c.
2. An account of the said testator's debts.
3. An account of the said testator's funeral expenses.
4. An account of the said testator's legacies.
5. An inquiry what parts, if any, of the said testator's personal estate are outstanding or undisposed of.

And it is ordered, that the said testator's personal estate, not specifically bequeathed, be applied in payment of his debts and funeral expenses in a course of administration, and then in payment of his legacies.

And it is ordered, that the following further accounts and inquiries be taken and made, that is to say—

6. An inquiry what real estate the said testator was seized of or entitled to at the date of his will and at the time of his death.
7. An inquiry what incumbrances affect the said testator's real estate.
8. An account of the rents and profits of the said testator's real estate received by &c.
9. And it is ordered, that the said testator's real estate be sold.

And it is ordered, that the further consideration of this cause be adjourned, and any of the parties are to be at liberty to apply as they may be advised.

SCHEDULE (D.)

Form of Advertisement.

Pursuant to a decree or order of the High Court of Chancery, made in a cause

against

the creditors of [*or persons claiming debts, or liabilities affecting the estate of, or the persons claiming to be next of kin to, or the heir of, as the case may be*], —, late of —, in the county of —, who died in or about the month of —, are by their solicitors, on or before the — day of —, to come in and prove their debts or claims at the chambers of the Master of the Rolls, in the Rolls-yard, Chancery-lane, [*or, of the Vice-Chancellor —, No. —, — square, Lincoln's-inn*], Middlesex, or in default thereof they will be peremptorily excluded from the benefit of the said decree [*or, order.*]

Monday, the — day of —, at — o'clock in the — noon, at the said chambers, is appointed for hearing and adjudicating upon the claims.

Dated this — day of —, 1852.

A. B.,
Chief Clerk.

SCHEDULE (E.)

Form of Certificate of Chief Clerk.

In the matter of —, [*or, between —.*]

[*State title.*] In pursuance of the directions given to me by the Master of the Rolls, [*or, the Vice-Chancellor —*], I hereby certify, that the result of the accounts and inquiries which have been taken and made, in pursuance of the order in this cause dated the — day of —, is as follows:—

1. The defendants, —, the executors of —, the testator, have received personal estate to the amount of £—, and they have paid, or are entitled to be allowed on account thereof, sums to the amount of £—, leaving a balance due from [*or to*] them of £—, on that account.

The particulars of the above receipts and payments appear in the account marked —, verified by the affidavit of —, filed on the — day of —, and which account is to be filed with the certificate, except

that in addition to the sums appearing on such account to have been received, the said defendants are charged with the following sums [*state the same here, or in a schedule*], and except that I have disallowed the items of disbursement in the said account numbered — and —.

[*Or in cases where a transcript has been made.*]

The defendants, —, have brought in an account verified by the affidavit of —, filed on the — day of —, and which account is marked —, and is to be filed with this certificate. The account has been altered, and the account marked —, and which is also to be filed with this certificate, is a transcript of the account as altered and passed.

2. The debts of the testator which have been allowed are set forth in the — schedule hereto, and, with the interest thereon and costs mentioned in the schedule, are due to the persons therein named, and amount altogether to £—.

3. The funeral expenses of the testator amount to the sum of £—, which I have allowed the said executors in the said account of personal estate.

4. The legacies given by the testator are set forth in the — schedule hereto, and, with the interest therein mentioned, remain due to the persons therein named, and amount altogether to £—.

5. The outstanding personal estate of the testator consists of the particulars set forth in the — schedule hereto.

6. The real estate to which the testator was entitled consists of the particulars set forth in the — schedule hereto.

7. The incumbrances affecting the said testator's real estate are specified in the — schedule hereto.

8. The defendants have received rents and profits of the testator's real estate, &c. [*in a form similar to that provided with respect to the personal estate.*]

9. The real estates of the testator directed to be sold have been sold, and the purchase monies, amounting altogether to £—, have been paid into court.

N. B.—The above numbers are to correspond with the numbers in the decrees.

After each statement the evidence produced is to be stated as follows:—

The evidence produced on this account [*or inquiry*] consists of the probate of the testator's will, the affidavit of A. B. filed —, and paragraph No. — of the affidavit of C. D. filed —.

ST. LEONARD'S, C.
JOHN ROMILLY, M. R.
G. J. TURNER, V. C.
RICHARD T. KINDERSLEY, V. C.

[*Orders regulating the fees and allowances to solicitors in respect of the matters to which these Orders relate, and regulating the fees to be payable by visitors of the Court to the officers thereof in respect of the business to be conducted before the Master of the Rolls and the Vice-Chancellors, at chambers, and their respective chief clerks, will be issued before the first day of Michaelmas Term.*]

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

Tuesday Nov. 2	Appeal Motions.
Wednesday 3	Petition-day.
Thursday 4	} Appeals.
Friday 5	
Saturday 6	
Monday 8	
Tuesday 9	
Wednesday 10	

Thursday	11	Appeal Motions.
Friday	12	Petition-day.
Saturday	13	
Monday	15	} Appeals.
Tuesday	16	
Wednesday	17	
Thursday	18	Appeal Motions.
Friday	19	Petition-day.
Saturday	20	
Monday	22	} Appeals.
Tuesday	23	
Wednesday	24	
Thursday	25	Appeal Motions.

N. B.—His Lordship will sit in the House of Lords, on Appeals, on Mondays, Tuesdays, Thursdays, and Fridays, after the House meets.

Before the LORDS JUSTICES, at Westminster.

Tuesday Nov. 2	2	Appeal Motions.
Wednesday	3	} Appeals.
Thursday	4	
Friday	5	Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Saturday	6	
Monday	8	} Appeals.
Tuesday	9	
Wednesday	10	Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Thursday	11	Appeal Motions.
Friday	12	
Saturday	13	} Appeals.
Monday	15	
Tuesday	16	
Wednesday	17	Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Thursday	18	Appeal Motions.
Friday	19	
Saturday	20	} Appeals.
Monday	22	
Tuesday	23	
Wednesday	24	Petitions in Lunacy, Bankruptcy, and Appeal Petitions.
Thursday	25	Appeal Motions.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at Westminster.

Tuesday Nov. 2	2	Motions.
Wednesday	3	Petitions in the General Paper.
Thursday	4	
Friday	5	
Saturday	6	} Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Monday	8	
Tuesday	9	
Wednesday	10	
Thursday	11	Motions.
Friday	12	
Saturday	13	} Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Monday	15	
Tuesday	16	
Wednesday	17	
Thursday	18	Motions.
Friday	19	
Saturday	20	} Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Monday	22	
Tuesday	23	
Wednesday	24	Petitions in General Paper.
Thursday	25	Motions.

Short Causes, Short Claims, Consent Causes, Unopposed Petitions, and Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before Vice-Chancellor Sir G. J. TURNER, at Westminster.

Tuesday Nov. 2	2	Motions and Claims.
Wednesday	3	} (Petition-day).—Cause Petitions (unopposed first) and Causes.
Thursday	4	
Friday	5	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Saturday	6	
Monday	8	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	9	
Wednesday	10	
Thursday	11	Motions.
Friday	12	} Unopposed Petitions, Short Causes, Short Claims, and Claims.
Saturday	13	
Monday	15	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	16	
Wednesday	17	
Thursday	18	Motions.
Friday	19	} Unopposed Petitions, Short Causes, Short Claims, and Claims.
Saturday	20	
Monday	22	} Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	23	
Wednesday	24	Cause Petitions (unopposed first).
Thursday	25	Motions.

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Westminster.

Tuesday Nov. 2	2	Motions.
Wednesday	3	} (Petition-day).—Cause Petitions (unopposed first).
Thursday	4	
Friday	5	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Saturday	6	
Monday	8	} Short Causes, Short Claims, & Causes.
Tuesday	9	
Wednesday	10	} Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Thursday	11	
Friday	12	Motions.
Saturday	13	} (Petition-day).—Cause Petitions (unopposed first).
Monday	15	
Tuesday	16	} Short Causes, Short Claims, & Causes.
Wednesday	17	
Thursday	18	Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Friday	19	Motions.
Saturday	20	} (Petition-day).—Cause Petitions (unopposed first).
Monday	22	
Tuesday	23	} Short Causes, Short Claims, & Causes.
Wednesday	24	
Thursday	25	Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.

Before Vice-Chancellor STUART, at Westminster.

Tuesday Nov. 2	2	Motions.
Wednesday	3	} Short Causes, Short Claims, Claims, Pleas, Demurrers, and Exceptions.
Thursday	4	
Friday	5	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	6	
Monday	8	} Cause Petitions (unopposed first).
Tuesday	9	
Wednesday	10	} Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Thursday	11	
Friday	12	} Short Causes, Short Claims, Claims, and Causes.
Saturday	13	
Monday	15	} Motions.
Tuesday	16	
Wednesday	17	} Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Thursday	18	
Friday	19	} Cause Petitions (unopposed first).
Saturday	20	
Monday	22	} Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Tuesday	23	
Wednesday	24	} Short Causes, Short Claims, Claims, and Causes.
Thursday	25	
Friday	26	} Motions.
Saturday	27	
Monday	29	} Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Tuesday	30	
Wednesday	31	} Cause Petitions (unopposed first).
Thursday	1	

Monday..... 22 } Pleas, Demurrers, Causes, Exceptions,
 Tuesday..... 23 } and Further Directions.
 Wednesday..... 24 } Short Causes, Short Claims, Claims,
 Thursday..... 25 } and Causes.
 Motions.

COMMON-LAW CAUSE LIST, MICHAELMAS TERM.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER TRINITY TERM, 1852.

FOR JUDGMENT.

Middlesex—Lord Canning v. Raper
 TRINITY TERM, 1852.
 London—Cobbett (a pauper) v. Hudson
 Middlesex—Nind v. Dixey
Tried during Trin. Term.
 Middlesex—Cook v. Gillard.

COUNTY COURT APPEALS.

Lincoln—Great Northern Railway Co. v. Rudgard
 Middlesex (Bow)—Pauing v. Pontifex & ors.
 Maidstone—Wildes v. Morris
 Doncaster—Fearnley v. Great Northern Railway Co.

SPECIAL CASES AND DEMURRERS

FOR MICHAELMAS TERM, 1852.

Those marked thus * are Special Cases—the rest are Demurrers.

Bryan v. Clay	Kernot v. Cattlin
*Kipling v. Ingram	Mayor, &c. of the Borough of
Walker v. Underhill	Berwick-upon-Tweed v.
Harwar & ors. v. Homidge	Oswald
Bibby & an. v. Larpent & an.	Same v. Renton
Henniker v. Henniker	Same v. Doble & an.
Castelli v. Boddington	Tallis v. Tallis
Kernot v. Pittis	Lowndes v. Earl of Stamford
Bolckow & an. v. Herne Bay	and Warrington
Pier Co.	Evans v. Pattison.

ENLARGED RULES

FOR MICHAELMAS TERM, 1852.

<i>First Day.</i>	Reg. v. Great Western Rail- way Co.
In re Smith	
Reg., on the Prosecution of	<i>Fifth Day.</i>
Trustees of Islington, v.	Reg. v. South Wales Railway
Churchwardens and Inha- bitants of Islington	Co.
<i>Fourth Day.</i>	<i>Last Day but one of Term.</i>
Hodge v. Commerell	Reg. v. Sheriff of Cheshire.

CROWN PAPER, MICHAELMAS TERM, 1852.

Northumberland	Reg. v. Morrison & an.
Derbyshire	} Same, on the Prosecution of the Proprietors of the Grantham Canal Navigation, v. Amber-gate, Nottingham, and Boston and Eastern Junction Railway Co.
Lincolnshire	
Nottingham-shire.....	
Yorkshire	Same, on the Prosecution of Sir W. Worsley, Bart., v. Commissioners of the Rye and Derwent Drainage.

Court of Common Pleas.

NEW TRIALS.

MICH. TERM, 1848.	TRINITY TERM, 1852.
Surr.—Hamilton v. Cochrane	Midd.—Leroux v. Brown
(Standing over for arrangement)	„ Same v. Same.

ENLARGED RULES.

<i>Generally.</i>	Dalby v. India and London
In re Sharp v. All (in prohib.)	Life Assurance Co.

DEMURRER PAPER.

Tuesday Nov. 2	} Motions in Arrest of Judgment.
Wednesday 3	
Thursday 4	
Friday 5	
Saturday 6	
Monday 8	Special Arguments.
Tuesday 9	
Wednesday 10	
Thursday 11	Special Arguments.
Friday 12	} Motions in Arrest of Judgment.
Saturday 13	
Monday 15	Special Arguments.
Tuesday 16	
Wednesday 17	
Thursday 18	Special Arguments.
Friday 19	
Saturday 20	
Monday 22	
Tuesday 23	
Wednesday 24	
Thursday 25	

Court of Exchequer.

SITTINGS—MICHAELMAS TERM, 1852.

<i>Days in Term.</i>	<i>Dem.</i>
Tuesday Nov. 2	Motions and Peremptory Paper.
Wednesday 3	Errors, Peremptory Paper, & Motions.
Thursday 4	.....
Friday 5	.....
Saturday 6	.....
Monday 8	Special Paper.
Tuesday 9	Lord Mayor sworn.
Wednesday 10	Special Paper.
Thursday 11	.....
Friday 12	Sheriffs nominated.
Saturday 13	Crown Cases.
Monday 15	Special Paper.
Tuesday 16	.....
Wednesday 17	Special Paper.
Thursday 18	.....
Friday 19	.....
Saturday 20	.....
Monday 22	.....
Tuesday 23	.....
Wednesday 24	.....
Thursday 25	.....

<i>Days in Term.</i>	<i>Nisi Prius.</i>
Wednesday .. Nov. 3	Middlesex first Sitting.
Thursday 11	London first Sitting.
Friday 12	Middlesex second Sitting.
Thursday 18	London second Sitting.
Friday 19	Middlesex third Sitting.

NEW TRIALS.

FOR JUDGMENT.	<i>Moved Easter Term, 1852.</i>
<i>Moved Easter Term, 1852.</i>	
Chester—Pearson v. Beck	Chelmsford—Gant v. Patrick
FOR ARGUMENT.	„ Gant v. Groom
<i>Moved Easter Term, 1851.</i>	Cardigan—Evans v. Atwood
Kingston—Griffin v. Hum- phery	Carmarthen—M'Kinnon v. Penson
<i>Moved Hilary Term, 1852.</i>	
London—Vincent v. Shropshire Union Railway and Canal Co.	<i>Moved Trin. Term, 1852.</i>
	London.—Poulter v. Cooper.

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before the Motions.

Martin v. Breary Powell v. Spitzer Davis v. Walton.

SPECIAL PAPER.

FOR ARGUMENT.	Dublin and Wicklow Railway
Caddy v. Roskings (D)	Co. v. Black (D)
Ripley v. Earl Talbot (D)	Taylor v. Lloft & ors. (Sp C).
Jackson v. Burnham (D)	

London Gazettes.

FRIDAY, OCTOBER 22.

BANKRUPTS.

THOMAS MEDLEY, Bermondsey-st., Bermondsey, Surrey, and Bristol, horse-hair manufacturer, and dealer in leather, dealer and chapman, Nov. 2 at half-past 11, and Dec. 2 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Jones, 9, Quality-court, Chancery-lane.—Petition filed Oct. 11.

JAMES OLIVER, Liverpool, linendraper, dealer and chapman, Nov. 5 and 26 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Sale & Co., Manchester.—Petition filed Oct. 19.

THOMAS CROOK, Preston, Lancashire, manufacturer, dealer and chapman, Nov. 1 and 25 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Withington & Co., Manchester; Faulkner, Manchester.—Petition filed Oct. 7.

THOMAS YOUNG, Hartlepool, Durham, grocer, dealer and chapman, Nov. 1 at 11, and Dec. 9 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Wheldon, North Shields; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed Oct. 13.

MEETINGS.

W. Hollamby, Hurstperpoint, Sussex, grocer, Nov. 3 at 1, Court of Bankruptcy, London, last ex.—*Wm. Richardson*, Lombard-st., London, merchant, Nov. 3 at 2, Court of Bankruptcy, London, last ex.—*George Blakey*, Lincoln, dealer in perfumery, Nov. 24 at 12, District Court of Bankruptcy, Kingston-upon-Hull, last ex.—*John Williams*, Plymouth, Devonshire, dealer in Berlin wools, Nov. 18 at 11, District Court of Bankruptcy, Plymouth, last ex.—*Joseph Newbold*, Barton-under-Needwood, Staffordshire, innkeeper, Nov. 8 at 11, District Court of Bankruptcy, Birmingham, last ex.—*Louis England*, Shepperton-st., New North-road, Islington, Middlesex, builder, Nov. 9 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Jon. Streeter*, Brighton, Sussex, corn merchant, Nov. 4 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Andrew Scott* and *W. Thompson*, Upper Ground-st., Blackfriars, Surrey, ironfounders, Nov. 4 at 12, Court of Bankruptcy, London, aud. ac.—*Edw. Mountcastle*, King William-street, London, and London-street, Greenwich, Kent, hatter, Nov. 4 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Rutland*, Luton, Bedfordshire, and Falcon-square, London, straw bonnet manufacturer, Nov. 4 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel Knight*, Fore-st., Cripplegate, London, cheesemonger, Nov. 4 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Henry Bridges*, Canterbury, Kent, licensed victualler, Nov. 4 at 11, Court of Bankruptcy, London, aud. ac.—*Sarah Carson* and *Geo. Carson*, Exeter, booksellers, Nov. 3 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 23 at 11, div.—*John Dacie Jeffery*, Sidmouth, Devonshire, apothecary, Nov. 3 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Charles Veasey Wills*, Exeter, dealer in lamps and camphine, Nov. 3 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Thomas Dalton*, Coventry, silk dyer, Nov. 16 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*John Webster* and *Joseph Harrison*, Liverpool, merchants, Nov. 4 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Rich. Fowke*, Wolverhampton, Staffordshire, chemist, Nov. 2 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Elizabeth Harris Ryder*, Birmingham, jeweller, Nov. 4 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 17 at half-past 11, fin. div.—*Philip Rufford*, *Francis Rufford*, and *Charles John Wragge*, Stourbridge, Worcestershire, bankers, Nov. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*James Ibbelton*, Bradford, Yorkshire, bookseller, Nov. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Theodore Dilger*, Bradford, Yorkshire, general dealer, Nov. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Child* and *Wm. Barker*, Wakefield, Yorkshire, railway contractors, Nov. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac. joint est. and sep. est.—*John Swift*, Stavely, Derbyshire, grocer, Nov. 6 at 12, District Court of Bankruptcy, Sheffield, aud. ac.; Nov. 13 at 12, div.—*James Holmes*, Regent-street, Westminster,

Middlesex, shawl warehouseman, Nov. 12 at half-past 11, Court of Bankruptcy, London, div.—*Spencer Ashlin*, Eastcheap, London, corn factor, Nov. 13 at 12, Court of Bankruptcy, London, div.—*Edward Bait*, Newcastle-place, Edgeware-road, Middlesex, laceman, Nov. 13 at 12, Court of Bankruptcy, London, div.—*James Baleman*, Southampton-buildings, Middlesex, agent, Nov. 15 at 12, Court of Bankruptcy, London, div.—*James Anthony Molleno*, Pall-mall, Middlesex, print seller, Nov. 15 at 1, Court of Bankruptcy, London, fin. div.—*Jas. Hunter*, King William-street, London, and Buckingham-street, Strand, Middlesex, merchant, Nov. 15 at 11, Court of Bankruptcy, London, div.—*William Boyce* the elder, Dover, Kent, hotel keeper, Nov. 16 at 12, Court of Bankruptcy, London, div.—*Samuel Blake Berry*, Groek-st., Soho, Middlesex, perfumer, Nov. 15 at 11, Court of Bankruptcy, London, div.—*Geo. Russell*, Birmingham, merchant, Nov. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Cyrus Gittins*, Stanley, Staffordshire, grocer, Nov. 20 at 10, District Court of Bankruptcy, Birmingham, div.—*John Thomas*, Shrewsbury, Shropshire, grocer, Nov. 20 at 10, District Court of Bankruptcy, Birmingham, div.—*J. Richards*, Merthyr Tydvil, Glamorganshire, woollendraper, Nov. 15 at 12, District Court of Bankruptcy, Bristol, div.—*William Williams*, *William Williams* the younger, and *Thomas Robert Williams*, Newport, Monmouthshire, bankers, Nov. 26 and 27 at 10, District Court of Bankruptcy, Bristol, pr. d.; Dec. 1 at 11, div.—*Joseph Birley*, Doncaster, Yorkshire, grocer, Nov. 13 at 12, District Court of Bankruptcy, Sheffield, div.—*Francis Ingham*, Doncaster, Yorkshire, grocer, Nov. 13 at 12, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Mercer, Wootton-under-Edge, Gloucestershire, provision dealer, Nov. 15 at 11, District Court of Bankruptcy, Bristol.—*Edward Jones*, Liverpool, linendraper, Nov. 12 at 12, District Court of Bankruptcy, Liverpool.—*Arthur Ford*, Stokefleming, Devonshire, miller, Nov. 23 at 11, District Court of Bankruptcy, Exeter.—*William Mole*, Birmingham, victualler, Nov. 16 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Robert Debenham, Edwards-street, Portman-square, Middlesex, draper.—*Joseph H. Stevenson*, Sunderland, Durham, miller.—*Wm. Jones Williams*, Wolverhampton, Staffordshire, hosier.—*Charles Belton*, Birmingham, chemist.—*Archibald Corken*, Oswestry, Shropshire, watchmaker.—*S. E. R. Jones*, Wrockwardine, Shropshire, apothecary.

SCOTCH SEQUESTRATIONS.

James Mathie, Kilmarnock, bookseller.—*John Rae*, Edinburgh, woollendraper.—*John Wardlaw*, Tillicoultry, manufacturer.—*Alexander Wilson & Co.*, Glasgow, hot pressers.

DECLARATION OF INSOLVENCY.

John James, St. Wolloe, Monmouthshire, grocer, Nov. 9 at 12, County Court of Monmouthshire, at Newport.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Walsh, Everton, near Liverpool, attorney's clerk, Oct. 25 at 10, County Court of Lancashire, at Liverpool.—*John O'Toole*, Liverpool, manager of a beerhouse, Oct. 25 at 10, County Court of Lancashire, at Liverpool.—*Robt. Moore*, Liverpool, fish salesman, Oct. 25 at 10, County Court of Lancashire, at Liverpool.—*John Gardner*, Birmingham, bricklayer, Oct. 30 at 10, County Court of Warwickshire, at Birmingham.—*Isaac John Balkin*, Birmingham, butcher, Oct. 30 at 10, County Court of Warwickshire, at Birmingham.—*Joseph Starkey*, Birmingham, out of business, Oct. 30 at 10, County Court of Warwickshire, at Birmingham.—*John Laft*, Borden-next-Sittingbourne, Kent, farmer, Nov. 13 at 10, County Court of Kent, at Sittingbourne.—*John Lord*, Gloucester, clerk to a contractor, Nov. 25 at 10, County Court of Gloucestershire, at Gloucester.—*Joseph Smith*, Leverton, near Boston, Lincolnshire, out of employment, Nov. 4 at 10, County Court of Lincolnshire, at Boston.—*George Robinson*, Wisbech St. Peter, Cambridgeshire, beerhouse keeper, Nov. 12 at 12, County Court of Cambridgeshire, at Wisbech.—*H. Matthews*, Burton-upon-Trent, Staffordshire, teacher of music, Nov. 8 at

11, County Court of Staffordshire, at Burton-upon-Trent.—*Elizabeth Line*, widow, Sedgley, Staffordshire, beerhouse keeper, Oct. 23 at 9, County Court of Staffordshire, at Walsall.—*Richard King*, Snenon, Nottinghamshire, lace maker, Nov. 11 at 9, County Court of Nottinghamshire, at Nottingham.—*Elizabeth Ibolson*, widow, Bradfield, Yorkshire, Nov. 3 at 12, County Court of Yorkshire, at Sheffield.—*Richard Barzey*, Fishguard, Pembrokeshire, innkeeper, Nov. 11 at 11, County Court of Pembrokeshire, at Fishguard.—*Thomas Blackman*, Milton-next-Gravesend, Kent, ginger-beer manufacturer, Nov. 6 at 10, County Court of Kent, at Gravesend.—*Isaac Wells*, Bowling, near Bradford, Yorkshire, provision dealer, Nov. 6 at 11, County Court of Yorkshire, at Bradford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 5 at 11, before the CHIEF COMMISSIONER.

Anna Robertson, Norfolk-crescent, Hyde-park, Middlesex, lodging-house keeper.—*John Lovell Lawton*, Bread-street, Cheapside, London, out of business.

Nov. 5 at 11, before Mr. Commissioner PHILLIPS.

Samuel Slater, Princes-st., Hanover-sq., Middlesex, tailor.—*Richard L. Harbert*, Belmont-row, Nine Elms, Vauxhall, Surrey, beer-shop keeper.—*Lewis Nathan*, Wardour-street, Soho, Middlesex, general dealer.—*James Nisbett*, Northumberland-park-road, Tottenham, Middlesex, carpenter.—*M. H. Jacobs*, Great Union-st., Borough-road, Surrey, general dealer.—*Eliza Cottrell*, Robert-st., Grosvenor-sq., Middlesex, chandler-shop keeper.

Nov. 8 at 10, before Mr. Commissioner LAW.

John Blain, Devereil-st., Dover-road, Surrey, draper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,
Nov. 6 at 11.

James E. Lister, Preston, chemist.—*Thomas Morris*, Manchester, out of business.—*Charles Marvis*, Hulme, Manchester, out of business.—*H. Clements*, Liverpool, mariner.—*Barnabas Pilkington*, Manchester, butcher.—*John Spratly*, Liverpool, stevedore.—*Robert Tennent*, Over Darwin, near Blackburn, butcher.—*John Beesley*, Manchester, out of business.—*Robert Goodwin*, Liverpool, butcher.—*E. Cuckson*, Salford, out of business.—*Mary Spencer*, Manchester, out of business.—*John Airey*, Blackburn, coachbuilder.—*William Ross*, Manchester, fishmonger.—*James Hayes*, Salford, out of business.—*Edward Fyson*, Manchester, out of business.—*Richard Kaye*, Liverpool, butcher.—*J. Chidlow*, Cheetham, Manchester, letter-press printer.—*James Warbrick*, Lancaster, stonemason.—*John Ibbotson*, Hulme, Manchester, cotton-waste dealer.

At the County Court of Devonshire, at EXETER, Nov. 6.

James T. Bignell, Devonport, passed clerk in her Majesty's Navy.

At the County Court of Kent, at DOVER, Nov. 10 at 10.

Francis C. Lawrence, Ramsgate, livery-stable keeper.—*Wm. Stower*, Dover, out of employment.

At the County Court of Gloucestershire, at BRISTOL, Nov. 10 at 11.

George H. Pritchard, Bristol, general broker.

MEETING.

John Thompson, Birthwaite, Windermere, Westmoreland, coal agent, Nov. 10 at 10, Wilson's, Kendal, sp. aff.

TUESDAY, OCTOBER 26.

BANKRUPTS.

CHARLES JOHN ASHTON, Fenchurch-street, London, merchant, Nov. 5 and Dec. 3 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Chidley, 19, Gresham-street, City.—Petition filed Sept. 1.

JESSE OLDFIELD, Bolt-court, Fleet-street, London, and Smitham Bottom, near Croydon, Surrey, licensed victualler, innkeeper, dealer and chapman, Nov. 3 at half-past 1, and Dec. 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Phillips & Voss, 4, Sise-lane, London.—Petition dated Oct. 15.

CHARLES CLARKE, Percy Cross Nursery, Walham-green, Fulham, Middlesex, market gardener, seedsman, nurseryman, dealer and chapman, Nov. 4 at half-past 12, and Dec. 9 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Chidley, 19, Gresham-street, London.—Petition dated Oct. 23.

CHRISTOPHER GREENFIELD, Brighton, Sussex, chemist and druggist, dealer and chapman, Nov. 4 and Dec. 9 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, 17, Sise-lane, London.—Petition dated Oct. 18.

JOHN BANKS NICKLIN, Wolverhampton, Staffordshire, ironmonger, dealer and chapman, (trading under the style or firm of Harris, Nicklin, & Co.), Nov. 10 and Dec. 1 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sol. Hodgson, Birmingham.—Petition dated Oct. 19.

JOHN KING, Ryeford, Stonehouse, Gloucestershire, mealman, Nov. 9 and Dec. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Winterbotham, Stroud, Gloucestershire; Abbot & Lucas, Bristol.—Petition filed Oct. 19.

WILLIAM BRIGGS, Filey, Yorkshire, hotel keeper, dealer and chapman, Nov. 5 and Dec. 3 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Caris & Cadworth, Leeds.—Petition dated Oct. 21.

WILLIAM HENRY STAFFORD, Sheffield, Yorkshire, painter and paperhanger, Nov. 6 and Dec. 11 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Fernel, Sheffield.—Petition dated Oct. 20.

WILLIAM JAMES PERRIN, Liverpool, merchant, dealer and chapman, (carrying on business there in partnership with Messrs. Morewood, Brothers, & Co.), Nov. 9 and 30 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Rogerson & Radcliffe, Liverpool.—Petition filed Oct. 15.

MEETINGS.

Frederick Ricketts and Trevenen James, Moorgate-street, London, merchants, Nov. 5 at half-past 11, Court of Bankruptcy, London, aud. ac. sep. est. of *F. Ricketts*, Nov. 6 at 11, and ac. sep. est. of *T. James*.—*Roderick Mackenzie*, Hunter-street, Brunswick-square, Middlesex, and Bond-court, Walbrook, London, commission agent, Nov. 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Clark*, Old-street, St. Luke's, Middlesex, draper, Nov. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Joseph Mitchell*, Camden-street, Camden-town, Middlesex, carpenter, Nov. 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Mackness Branson*, Stratford, Essex, stationer, Nov. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Thos. J. Edwards*, King-st., St. George's, Bloomsbury, Middlesex, dressing-case maker, Nov. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Whittaker*, Park-place, Mile-end-road, Middlesex, draper, Nov. 5 at 11, Court of Bankruptcy, London, aud. ac.—*Robert Wm. Street*, Oxford-st., Soho, Middlesex, victualler, Nov. 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Potter*, Finsico, Middlesex, and Wouldham and Burham, Kent, lime burner, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.—*S. B. Serjeant*, Callington, Cornwall, attorney-at-law, Nov. 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Wm. Thompson Lee*, Heath, near Wakefield, Yorkshire, merchant, Nov. 23 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, fin. div.—*Josiah J. Haich*, Friday-st., London, wholesale furrier, Nov. 18 at 12, Court of Bankruptcy, London, div.—*Isaac Boyd*, Spital-sq., Middlesex, silk manufacturer, Nov. 18 at 2, Court of Bankruptcy, London, div.—*Wm. F. Blackburn*, St. George's-place, Knightsbridge, and Motcombe-street, Belgrave-sq., St. George's, Hanover-sq., Middlesex, bookseller, Nov. 18 at half-past 12, Court of Bankruptcy, London, div.—*Philip Rufford* and *Francis Rufford*, Bromsgrove, Worcestershire, bankers, Nov. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 15 at 10, div.—*George Walsh*, Blackburn, Lancashire, pawnbroker, Nov. 16 at 12, District Court of Bankruptcy, Manchester, div.—*G. Pryde*, *D. Jones*, and *John Gibb*, Liverpool, sail makers, Nov. 17 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert C. Wilson*, Seaham Harbour, Durham, earthenware manufacturer, Nov. 18 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Potter, Pimlico, Middlesex, and Wouldham and Burham, Kent, lime burner, Nov. 17 at 11, Court of Bankruptcy, London.—Hugh Jones, Chester, grocer, Nov. 17 at 11, District Court of Bankruptcy, Liverpool.—Robert C. Wilson, Seaham Harbour, Durham, earthenware manufacturer, Nov. 18 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—Thomas M' Cree and Andrew M' Cree, Newcastle-upon-Tyne, grocers, Nov. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—Matthew Warren, Macclesfield, Cheshire, silk dyer, Nov. 18 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

George P. Hutchison, Crawford-st., Marylebone, Middlesex, grocer.—Joseph David Benjamin, Southampton-street, Bloomsbury-sq., Middlesex, dealer in cigars.—John Custance, Greenwich, Kent, miller.

FIAT ANNULLED.

Wm. Chancellor, Bath, Somersetshire, innkeeper.

SCOTCH SEQUESTRATIONS.

John M' Donald, Grahamston, near Falkirk, cow feeder.—James & Charles Stewart, Dundee, merchants.

DECLARATION OF INSOLVENCY.

Joseph Pickering, Liverpool, butcher, Nov. 8 at 11, County Court of Lancashire, at Liverpool.—James Samuel, Llanhilleth, Monmouthshire, labourer, Nov. 11 at 10, County Court of Monmouthshire, at Pontypool.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Robinson, Chesterfield, Derbyshire, surgeon, Nov. 17 at 10, County Court of Derbyshire, at Chesterfield.—George Radford, Manchester, out of business, Nov. 15 at 11, County Court of Lancashire, at Manchester.—Thomas James, Trostant, Trevethin, Monmouthshire, sawyer, Nov. 11 at 10, County Court of Monmouthshire, at Pontypool.—Edward Green, Dyserth, Flintshire, publican, Nov. 10 at 11, County Court of Flintshire, at St. Asaph.—Jos. Campion, Tynyfrith, Llanfairtalhaiarn, Denbighshire, farmer, Nov. 8 at 11, County Court of Denbighshire, at Denbigh.—Charles Eaton, Matlock, Derbyshire, licensed victualler, Nov. 10 at 10, County Court of Derbyshire, at Wirksworth.—Isaac Bowler, Fenny Bentley, Derbyshire, dealer in meal, Nov. 9 at 11, County Court of Derbyshire, at Ashbourn.—David Horton, Redditch, Worcestershire, needle manufacturer, Nov. 13 at 10, County Court of Worcestershire, at Redditch.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 9 at 10, before Mr. Commissioner LAW.

William Higginbottom Treacher, Silver-street, Golden-square, Middlesex, traveller.—Robert Frost, Lavender-road, Battersea, Surrey, card cutter.—Richard Odell Dene, Brompton-row, Brompton, Middlesex, clerk in the Legacy-office, Somerset-house.—James Dale, Southend, Hornchurch, near Romford, Essex, beer-shop keeper.—William Hazeldine, Priory-place, Priory-road, Wandsworth-road, Surrey, engineer.—Robert Wilkinson, Russell-terrace, Holland-road, Brixton, Surrey, clerk in her Majesty's Ordnance-office at the Tower of London.—Francis Tidman, Ryder's-court, Leicester-square, Middlesex, house decorator.

Saturday, Oct. 23.

An Assignee has been appointed in the following Case. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Absolon, Gadsden-hill, near Wallingford, Berkshire, baker, No. 75,386 C.; Owen Grimbley, assignee.

Saturday, Oct. 23.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Stanley, Hanover-st., Islington, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—Alfred Wm. Cleverly, Newton-road, Westbourne-grove, Bayswater, Middlesex, in no business: in the Queen's Prison.—Margaret Storey, Hedley Hill, near Durham, widow: in the Queen's Prison.—John Hill the younger, Prospect-place, Holloway, Middlesex, builder: in the Queen's Prison.—Adrien Jacques Gandois, Portland-terrace, Victoria-road, Dalston, fancy box maker: in the Debtors Prison for London and Middlesex.—Wm. Thomas Barth, Henry-st., Vauxhall-road, Lambeth, Surrey, clerk in the Secretaries' Department, General Post-office: in the Queen's Prison.—Alfred Frederik Eden, Marlborough-road, Old Kent-road, Surrey, shipping agent: in the Gaol of Surrey.—John Putney, Sidney-square, Commercial-road East, Middlesex, dealer in timber: in the Debtors Prison for London and Middlesex.—John Parkes Cooper, Wolverhampton, Staffordshire, auctioneer: in the Gaol of Stafford.—George Henry Pritchard, Bristol, out of business: in the Gaol of Bristol.—John Chidlow, Cheetham, Manchester, keeper of Ducie Chapel: in the Gaol of Lancaster.—James Ebenezer Lister, Walton-le-Dale, near Preston, Lancashire, chemist: in the Gaol of Lancaster.—John Lord, Rochdale, Lancashire, commission agent: in the Gaol of Lancaster.—John Beesley, Manchester, grocer: in the Gaol of Lancaster.—Harold Clements, Liverpool, mariner: in the Gaol of Lancaster.—Robert Tennent, Blackburn, Lancashire, butcher: in the Gaol of Lancaster.—Barnabas Pilkington, Manchester, butcher: in the Gaol of Lancaster.—J. Glynn, Chorlton-upon-Medlock, Manchester, warehouseman: in the Gaol of Lancaster.—Thos. Morris, Manchester, corn dealer: in the Gaol of Lancaster.—James Warbrick, Lancaster, stonemason: in the Gaol of Lancaster.—Charles Marvin, Hulme, Manchester, baker: in the Gaol of Lancaster.—J. Spratley, Tranmere, Cheshire, stevedore: in the Gaol of Lancaster.—John Birch, Kingston-upon-Hull, tailor: in the Gaol of Kingston-upon-Hull.—Nicholas Gent, Coxhoe, Durham, innkeeper: in the Gaol of Durham.—Jas. Richards, Penygader, Aberguilly, Carmarthenshire, farmer: in the Gaol of Carmarthen.—Thomas Squire Rowe, Abergavenny, Monmouthshire, licensed victualler: in the Gaol of Monmouth.—Robert Steggall, Old Buckenham, Norfolk, baker: in the Gaol of Norwich.—Richard West, North Collingham, near Newark, Nottinghamshire, tailor: in the Gaol of Nottingham.—F. Holroyd, Leeds, Yorkshire, twine spinner: in the Gaol of York.—John Laycock, Leeds, Yorkshire, cloth fuller: in the Gaol of York.—John Brook, Huddersfield, Yorkshire, tap-room keeper: in the Gaol of York.—Chas. Stead, Cowcliffe, near Huddersfield, Yorkshire, small farmer: in the Gaol of York.—Richard Howes, Ensham, Oxfordshire, licensed victualler: in the Gaol of Oxford.—Jas. Marsden, Worcester, bookseller: in the Gaol of Worcester.—Moritz Philippthal, Kingston-upon-Hull, ship broker: in the Gaol of Kingston-upon-Hull.—Wm. Trundle, Sporre, Norfolk, miller: in the Gaol of Norwich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 9 at 10, before Mr. Commissioner LAW.

Adjourned Case.

John Bath, Strand, Middlesex, out of business.

Nov. 11 at 10, before Mr. Commissioner LAW.

George Borer the elder, High Holborn, Middlesex, travelling on commission.—John Everitt Balls, Earl-st., Borough-road, Surrey, mill sawyer.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, Nov. 10 at 10.

James Marsden, Worcester, bookseller.

UNIVERSITY COLLEGE, LONDON.—CLASSES OF ENGLISH LAW AND JURISPRUDENCE.

LAW.—Professor RUSSELL will commence an Elementary Course, consisting of about twelve Lectures, on the Laws of Real and Personal Property, on Monday, the 8th November, at seven o'clock p.m. The subsequent Lectures will be once a week, on Mondays. Payment, including College fee, 2l. 7s.

JURISPRUDENCE.—Professor FOSTER will commence his Courses on Tuesday, the 9th November, at half-past seven p.m. They will consist of about twelve Lectures each. Subjects—First Course: Law, its Sources, Limits, and Relations. Second Course, (to commence after Easter): Roman Law. Lectures on Tuesdays, from half-past seven to half-past eight o'clock p.m. Payments, including College fee, for the First Course, 2l. 5s.; for the Second Course, 2l. 15s.; for the two Courses, 4l. 5s. These Courses of Lectures are opened to Gentlemen who are not Members of the College, as well as to those who are.

JOHN HOPPUS, Ph. D., Dean of the Faculty of Arts and Laws.
CHAS. C. ATKINSON, Secretary to the Council.

Oct. 27, 1852.

BILLS and CLAIMS in CHANCERY.—PRINTING in accordance with the order issued by the Lord High Chancellor.—Extensive amounts of **PICA TYPE**, (the type specified in the General Order), already cast at a foundry of the first repute, together with the facilities attached to a large established business, offer the greatest expedition and accuracy for the performance of all orders.

VARTY, Law and General Printer, 15 and 27, Camomile-street, Bishopsgate, London.

Very shortly will be published,

THE NEW CHANCERY ACTS and ORDERS.—The Acts to amend the Practice and Course of Proceeding; for the Relief of Suitors; to Abolish the Office of Master in Ordinary; and the General Orders made in pursuance of those Acts; with Notes and References to the last Edition of Daniell's Practice of the Court of Chancery. By T. E. HEADLAM, Esq., M.P., one of Her Majesty's Counsel.

Stevens & Norton, Bell-yard, Lincoln's-inn.

In the press, and shortly will be published,

THE NEW SYSTEM of COMMON-LAW PROCEDURE, according to the Common-law Procedure Act, 1852. By J. B. QUAIN, of the Middle Temple, Barrister at Law, and H. HOLROYD, of the Middle Temple, Special Pleader.

London: Butterworths, Law Booksellers and Publishers, 7, Fleet-street.

GREENING'S FORMS of DECLARATIONS and PLEAS, 1852.

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FORMS of DECLARATIONS, PLEADINGS, and other PROCEEDINGS in the Superior Courts of Common Law, applicable also to the Court of Common Pleas at Lancaster, and the Court of Pleas at Durham. For the use of Attorneys, &c. With Notes. By HENRY GREENING, Esq., Special Pleader. Second Edition, with the Common-law Procedure Act, 1852, and an Index.

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THE LAW MAGAZINE, or QUARTERLY REVIEW of JURISPRUDENCE, (No. 97 Old Series, and No. 33 New Series), is this day published. Price 6s.

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2. The Law of Rating Literary Institutions.
3. The Peculiarities of Maritime Liens.
4. The Position of the Advocate.
5. Marine Insurance.
6. The Law of Tolls, and Exemptions to Disenters.
7. Mortgages by Executors under a Power or Trust for Sale in a Will.
8. The Metropolitan and Provincial Law Society.
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Notes of Leading Cases.—Events of the Quarter.—List of New Publications.—Index of Public General Statutes passed in the late Session. Digest of Cases, &c.

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FORMS of PRACTICAL PROCEEDINGS in the Courts of Queen's Bench, Common Pleas, and Exchequer of Pleas, Framed to meet the Alterations in the Practice effected by the Common-law Procedure Act; with copious Notes. By THOMAS CHITTY, Esq., of the Inner Temple.

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A SUPPLEMENT to the BANKRUPT LAW CONSOLIDATION ACT, 1849, containing the subsequent Statutes and Notes of Decisions, with the New General Rules and Orders made in pursuance of that Act. By LEONARD SHELFORD, Esq., Barrister at Law.

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NOVEMBER 6, 1852.

PRICE 1s.

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LONDON, NOVEMBER 6, 1852.

BEFORE we continue our review of the Common-law Procedure Act, we think it may be useful to notice a question which has been already mooted in practice, namely, how far its provisions apply to actions commenced before the act came into force, namely, the 24th October? It appears to us that the act will apply to such actions, so far as its provisions can be rendered applicable, upon a fair and reasonable construction of them. Many of the sections can be applied; several are rendered expressly applicable, (see sect. 12); others are inapplicable. Suppose, for instance, a writ of summons, issued before the act came into operation; time for appearance expires afterwards, but the defendant does not appear, although personally served; we think the plaintiff should enter an appearance sec. stat., according to the old practice, and not proceed under sect. 28 of the new act; because the section repealing so much of the 12 Geo. 1, c. 29, and 2 Will. 4, c. 39, as relates to entering an appearance by the plaintiff for the defendant, expressly states, "except so far as may be necessary to support proceedings heretofore taken," and also because the writ which was served informed the defendant, that if he did not appear, the plaintiff would appear for him. But, after appearance, we think that in this case the provisions of the new act will apply as to the form of declaration, filing the same, giving eight days to plead, &c. In such a case, however, the cause of action mentioned in the declaration should probably correspond with the form of action mentioned in the writ*.

The sum mentioned at the end of the declaration should, in all cases, cover the whole claim, whether debt or damages.

The Nisi Prius record is no longer to be sealed or passed under the Common-law Procedure Act, but it will be sufficient simply to deliver it to the proper officer, who will enter it as at present. (Sect. 102). Resealing the record is, of course, also at an end.

The jury process is much simplified by the abolition of the writs of venire facias juratores, distringas juratores, and habeas corpora juratorum, together with the entry jurata ponitur in respectu. (Sect. 104).

The precept from the judges of assize to the sheriff is to direct that the jurors be summoned for the trial of all issues, whether civil or criminal. (Sect. 105).

The next ten sections relate to juries, common and special.

With regard to the admission of documents, a mere notice to admit (without summons) is to be sufficient. (Sect. 117). No time is mentioned for the giving of such notice. By rule 6, H. T., 2 Will. 4, relating to public documents only, the notice was to be given a reasonable time before trial; and by rule 20, H. T., 4 Will. 4, either party, after plea pleaded, and a reasonable time before trial, might give notice for this purpose to the other party, and unless he consented, by indorsement on the notice, within forty-eight hours, to make the admission, it was necessary to take out a summons. In conformity with these rules, which are not repealed, except as to the summons, the time for giving

notice of ejectment brought before the act came into operation must be proceeded with according to the old forms. The application was for judgment as in case of a nonsuit.

* The Court of Exchequer held, on Tuesday last, that an
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the notice will now probably be a reasonable time before trial, and the time for consenting to admit will probably be forty-eight hours after service of the notice. An affidavit of the attorney or his clerk, of the due signature of admissions annexed to the affidavit, will be sufficient evidence thereof; also an affidavit of the attorney or his clerk of the service of a notice to produce, *in respect of which notice to admit shall have been given*, and of the time when it was served, with a copy of such notice to produce annexed, will be sufficient evidence of the service, and of the time of service. (Sects. 118, 119). Why should not the affidavit be sufficient evidence as to the notice to produce, without any notice to admit having been given?

Execution may, in all cases tried out of term, be issued in fourteen days, unless otherwise ordered. (Sect. 120). In cases tried in term, it will be at the expiration of four days, as at present. Applications, therefore, henceforth will in general be made, not for speedy execution, but for the purpose of deferring it beyond the fourteen days.

Nothing is said in the act as to signing judgment in cases tried out of term; but it is presumed that it must be signed before execution, and therefore within the fourteen days, without waiting, as formerly, until the first four days of the next term had elapsed. Ground writs are abolished. (Sect. 121). Poundage fees and expenses of execution may be levied in all cases, (sect. 122), instead of, as formerly, only upon a fieri facias against the goods of the defendant. (See Arch. Prac. 562). It appears, however, that the sheriff will not even now be justified in levying poundage on a *capias ad satisfaciendum*. (See stat. 5 & 6 Vict. c. 28, s. 31).

Writs of execution formerly might be executed at any time before they were returnable, even after the expiration of a year from their date; but now they cannot be executed after a year unless they are renewed, and they may be renewed before their expiration, for a year, from time to time. (Sect. 124).

A written order under the hand of the attorney who issued a *ca. sa.* will justify the person in whose custody the debtor may be, in discharging him, unless the creditor shall have given written notice to the contrary; but such discharge shall not operate as a satisfaction of the debt, unless made by the authority of the creditor. (Sect. 126). Formerly, in such a case, the sheriff would have been liable for an escape, unless the attorney had the authority of his client, or had received in money from the debtor the full amount for which execution issued. (See *Connop v. Challis*, 17 L. J., Ex., 319). The power now vested in the attorney will be liable to much abuse: and it will be prudent in some cases for the creditor, upon the arrest of his debtor, to give notice to the sheriff not to discharge him, except by the authority of the creditor himself.

A person already "in the prison of the court" may be charged in execution without a *habeas corpus ad satisfaciendum*, and simply by a judge's order obtained on affidavit. (Sect. 127).

Proceedings in *scire facias* for the enforcement of judgments are abolished, and the result hitherto attained by them will be produced by a writ of *revivor*, or by a suggestion, for which leave must be obtained;

(sect. 129); the latter proceeding will be the more speedy and simple remedy; and as, although leave for a suggestion be refused, the writ of *revivor* may still issue, it will be advisable to apply for leave for the suggestion in the first instance. (See sect. 130). The writ of *revivor* is to be directed to the party, (instead of to the sheriff), and, after reciting the reason why the writ has become necessary, is to call upon him to appear in eight days, and may be proceeded upon as on a writ of summons. (Sect. 132). The form of writ given in the schedule does not, however, recite any reason for issuing the writ, and should be altered, it seems, so as to be in accordance with the section. Writs of *scire facias* against bail, &c. are to be proceeded upon in like manner as writs of *revivor*. (Sect. 132). Notice in writing is to be sufficient appearance to a writ of *revivor*. (Sect. 133). During the lives of parties to a judgment, or those of them during whose lives execution may at present issue within a year and a day without a *scire facias*, execution may now issue without any revival, if it issue within *six* years from the judgment; (sect. 128); a writ of *revivor* to revive a judgment less than ten years old may issue without leave; if more than ten years old, there must be a rule or order for its issuing; if more than fifteen, the rule must be to shew cause. (Sect. 134).

The object of the New Chancery Act, 15 & 16 Vict. c. 86, seems to be, by sect. 20, to supersede the necessity of filing a cross bill in cases where a defendant is desirous of obtaining from a plaintiff discovery of documents in his possession or power relating to the matters in question in the suit. The terms of the section are, "It shall be lawful for the Court, upon the application of any defendant in any suit, whether commenced by bill or by claim, but as to suits commenced by bill, where the defendant is required to answer the plaintiff's bill, not until after he has put in a full and sufficient answer to the bill, unless the Court shall make any order to the contrary, to make an order for the production by the plaintiff in such suit, on oath, of such of the documents in his possession or power relating to the matters in question in the suit as the Court shall think right; and the Court may deal with such documents, when produced, in such manner as shall appear just."

Vice-Chancellor Stuart has decided that the plaintiff must specify, in his notice of motion under this section, what are the documents of which he requires production. (*Fiott v. Mullins*, 16 Jur., part 1, p. 946). But the main object of the cross bill under the former practice was to discover what documents the plaintiff then or ever before had in his possession or power relating to the matters in question. This was, for this purpose, the very end and aim of filing the bill—it was the principal matter of discovery required, and the motion for production depended upon it entirely.

It is obvious, that of his own knowledge a defendant cannot possibly be aware what documents the plaintiff has; and it is the peculiar province of equitable jurisdiction to help him to obtain this knowledge. It is impossible to suppose that a statute, professing to substitute a simpler mode of enabling a defendant to obtain

an inspection of documents in the plaintiff's possession, should, except by a gross error of the framers of it, omit to provide some means by which the most important part of this discovery can be obtained. The supposition that such discovery was no longer to be allowed is equally impossible. Therefore, unless there be a great blunder in the act, Vice-Chancellor Stuart's construction of it must be wrong.

Upon reference to the section in question, it will be seen that the order is to be, that the plaintiff must produce upon oath such documents as the Court shall think right. Our impression certainly was, that the notice of motion should be in terms to produce *all* the documents in the plaintiff's possession or power relating to the matters in question in the suit; and that, upon the hearing of such motion, the onus would rest on the plaintiff to shew by affidavit, precisely as though he were answering a cross bill for such discovery, what documents he then or ever had of the kind mentioned in the notice, and by the same means to protect any of them, if he could, by claiming privilege for them. Such an affidavit is necessary on other occasions, when production upon oath is required; and the only question is, at what time this statute intends that it should be made—at the hearing of the motion, or at the time of production. If at the time of production, the order should surely be for the production of all the documents, except such, if any, as the plaintiff can shew to be privileged. But as the Court is to exercise a discretion, by the terms of the 20th section, it must be intended that such affidavit should be made to be read at the hearing of the motion, and that the Court should thus be furnished, by the proper person to give such information, with all the facts requisite to enable it to exercise the discrimination implied by the terms of this section.

This question of construction is most important, not only because, if Vice-Chancellor Stuart's view be correct, it will still be necessary to file a cross bill or interrogatories, under sect. 19, in order to obtain this discovery from a plaintiff; but also because the very same difficulty arises upon the meaning of the 18th section, which, in suits commenced by claim or by bill, *which the defendant is not required to answer, and where he is not interrogated as to the possession of documents*, prescribes in the same words, *mutatis mutandis*, a similar course of proceeding by which a plaintiff is to obtain production of documents *from a defendant*. Therefore, if Vice-Chancellor Stuart's decision is the true construction of the 20th section, it seems equally to apply to the 18th; and it would follow, that a plaintiff, seeking production from a defendant, must also specify in his notice of motion the documents required.

This section puts the matter in a more striking light; and it also proves that it was not the intention of the statute, that, to obtain production from a plaintiff, a cross bill or interrogatories, under the 19th section, should previously have been filed to discover what documents are in his possession; for by the 18th section, in the converse case, a defendant is to be compelled to produce documents, though he has not answered. Indeed, it appears pretty clearly, from the terms of the 20th section, that a previous cross bill or interrogatories are not contemplated. If they had been, the

20th section would not have prescribed that the application should not be made until after the defendant has put in a full and sufficient answer; because, until he has done so, he cannot file a cross bill or interrogatories, under the 19th section. Nor, again, would it be necessary to require production *upon oath*, as that would be superseded by the answer.

The question therefore seems to be, has there been a very grave error in the statute, or is Vice-Chancellor Stuart's construction of it erroneous?

THE question which we argued in a paper in THE JURIST, (vol. 15, part 2, p. 390), on the liability of railway companies to pay damages for breach of contract in not arriving at the hours fixed by the time-tables, has received decision in two county courts, one in Scotland, and the other in England, in Yorkshire. Of the decision in the Scotch court the following account is given, from which, if correct, it seems that the company had on its time-tables the very notice to which we referred in discussing the question, viz. that it would not be answerable for delays:—

"In the Sheriff's Small Debt Court, Glasgow, a case was brought before Mr. Sheriff Bell, in which Mr. Robert Dunlop, writer, Glasgow, sued the Edinburgh and Glasgow Railway Company for damages, the plaintiff having been detained from business on Saturday, the 27th September ult., in consequence of the train in which he was travelling being an hour and a half after its time.

"The defence set up was, first, that the delay in question had arisen from the breaking down of the engine on the line; secondly, that the company's time-bills expressly stipulate that the company do not guarantee the hours of arrival and departure of the trains being kept under all circumstances, and do not hold themselves responsible for delays.

"After the evidence had been heard, the sheriff disposed of the first plea by saying there was proof that the engine which broke down was not in a proper state of repair, and the company must, therefore, be held responsible for the accident; and as to the second plea, that it was quite true the stipulation urged was expressed in the time-bills, but no such stipulation could shelter the company, in all circumstances, from their responsibility as public carriers, and it certainly could not be given effect to in the present case, where the cause of the delay, and of their contract with the public not being implemented, was the deficiency of their own engine. The sheriff therefore decreed against the railway company for the damages claimed, and the whole expenses."

The decision of a county court is, of course, we are well aware, not very binding; still it is something, in the absence of decisions to the contrary, and probably would be followed by another county court; and as these are the courts in which such questions are most likely to be tried, the rule laid down by Mr. Sheriff Bell and the judge of the Yorkshire County Court will probably be acted upon.

Indeed, to say nothing of natural equity, with which, of course, legal tribunals have nothing to do, and railway companies apparently less than nothing, it does

seem a most monstrous proposition to assert, that when a carrier takes your money for carrying you from A. to B., and says, by his written contract, on the faith of which you pay, that he starts at eight and arrives at ten, that portion of the contract is to have no meaning and effect at all, because he adds that he will not be answerable for delays. If the contract were, that the carrier means to start at eight if he can, and means to arrive at ten if he can, but that he will not be answerable for delays, whether caused by his own default or not, no doubt the construction attempted to be put on time-tables of the kind now so general, by the railway companies, would be correct; just as, if a condition of sale stipulates that the purchaser shall take such title as the vendor has, the purchaser must take a bad title, if bad title it be; or if a condition of sale is, that if the purchase is not completed at a given time, whether by the vendor's default or otherwise, the purchaser is to pay interest, he must pay interest, although the purchase may be delayed by the vendor's own laches. But the opposite construction of conditions of sale is well known to be adopted, where their terms do not explicitly warn the purchaser that the vendor reserves to himself the right to profit by his own defect or default. So, when a carrier puts on the face of his contract an undertaking to do a journey in a given time, and a condition that he will not be answerable for delays, what man, not expressly apprised, could suppose he meant that the carrier should be at liberty to give the passenger a broken-down horse, or a carriage without wheels, and if in such plight the journey was not accomplished in the time fixed, the passenger should be without remedy?

The primary and principal contract of a carrier is to give a complete conveyance. The obvious meaning of a contract to start at one fixed hour, and arrive at another, is, that it is a contract to complete the transit in that time. A condition not to be responsible for delay, if it extends to every cause of delay, is inconsistent with the principal contract; but is not inconsistent with it, if read with the limitation that it applies only to unavoidable causes of delay—delays which no reasonable care could have prevented. It is an additional reason for inferring that railway companies so understand their own time-tables, that if they meant to include their own default among the causes of delay, for which they will not be responsible, it would be the simplest and easiest thing in the world to insert such a condition in terms; but the companies well know that such a clause would scare away passengers, and therefore is it that the contract is worded as it is, vaguely.

It is the policy of the English law to discountenance illegitimate children, by denying them, among other privileges, the natural right of succession to property. For this reason bastards at their birth have no relations—they are *fili nullius*, and can claim no kindred in any degree; and that this law has its origin in motives of public policy is partly proved by the old maxim which Lord Coke has recognised, (*Co. Litt. 3. b.*), "*Qui ex damnato coitu nascuntur inter liberos non computantur*"—where the use of the word "*damnatus*" points to the criminal intercourse of the parents as the reason for the rule.

It follows that a gift to children is construed *prima facie* to include legitimate children only, and it is but as an exception to this strict rule, and in rare cases, that bastards can take any benefit by such a description.

The question in each case is not, are illegitimate children intended, but are they clearly described, by the instrument—are they pointed out with so much certainty that legitimate children actually in esse, or that may come into existence, would by no means satisfy the description given? When there is any reference to the father, as in a gift "to the children of John Styles," there is the difficulty that the presumption of law is against a bastard being the child of a particular father; and of course it is impossible to permit evidence of the parentage on that side. Accordingly the first rule in determining whether the designation is sufficient is, that illegitimate children can only take by a description which they have gained by reputation; and therefore unborn illegitimate children cannot have any description whatever, and cannot be made the objects of a gift by deed or will. (*Dover v. Alexander*, 2 Hare, 275; *In re Connor*, 2 Jo. & Lat. 456). A child in ventre sa mere by our law is considered to have an individual existence for some purposes, and for this, among others, that such a child, though illegitimate, may be described with sufficient accuracy to be the object of a gift; but the description must be by reference to the mother only, and no allusion must be made to any person as the father. Thus, a gift "to the child of whom A. is enciente" would be valid, but not a gift "to the child of whom A. is enciente by B.," for that addition would not be a simple case of *falsa descriptio*, which does not render uncertain the previous words; but it may be that the supposed paternity of the child was the inducement for the gift; and the fact of paternity, being incapable of proof, does not exist in the contemplation of the law, and therefore the gift is void.

Then suppose the children are born at the date of the will or deed. The strict result of the rule is, that a gift to the children of a particular woman does not entitle illegitimate children to take, even though the woman has no other children, because she may have legitimate children born afterwards. A fortiori they take nothing under a gift to the children of a particular woman by "A. B.;" for, as we have shewn, mentioning the supposed father but adds to the uncertainty produced by the rule of law. The case is stronger against the children where the description is chiefly by reference to the father, as "to the children of John Styles by A. B." Even though John Styles be at the time married to some one else, he may survive his wife, marry A. B., and have legitimate children by her, who would satisfy the words; and in such a case Lord Eldon accordingly said, "It would be very difficult to make out" that the illegitimate children could take with the after-born legitimate offspring. (See *Wilkinson v. Adam*, 1 V. & B. 484). Indeed, there can hardly occur a case in which legitimate and illegitimate children can take together under the same gift, unless the latter are distinctly mentioned by their names of reputation and baptism; as in a gift "to my children, Anne, George, and John Styles," of whom one is illegitimate; or a gift to the children of the late Mary G., who is dead at the date of the gift, leaving two children only, one of whom is illegitimate. See *Gill v. Shelley*, (2 Russ. & M. 336), where the reason given for the decision was, that the words must be read of necessity as though they had been "to the two children of Mary G.;" and therefore, if Mary G. had left three or more children, two or more of whom were legitimate, they alone would have been entitled.

So, the description is sufficient to entitle legitimate and illegitimate children in esse to take together, where in a will A., B., C., and D., some of whom are bastards, are alluded to as the testator's children, and there fol-

lows immediately a gift "to my said children," for this is simply a repetition of the names A., B., C., and D., and not a gift to an indefinite class of children; and such a bequest as this would not include legitimate children of the testator born after the date of the will. This is the case of *Dover v. Alexander*, (2 Hare, 275).

It seems to us to be in strict logical sequence, that if a gift to children of A. B. be in such terms as may include his or her legitimate children born after the date of the instrument, then in nowise can illegitimate children of A. B., although they may be children by reputation at that date, be allowed to participate in the benefit of the gift; for, whatever may be the probable intention, words referring to children as an indefinite class cannot, by the strict rule of law, be applicable to illegitimate children. But if this conclusion be right, two cases in the books must be wrongly decided. (See *Meredith v. Farr*, 2 Y. & C. C. 525; and the recent case before the Lords Justices, of *Owen v. Bryant*, 16 Jur., part 1, p. 377). In the former of these cases there was a bequest of 300*l.*, after the death of E., "to be equally divided between and amongst the children of my daughters," M. and C. Then followed another bequest, "in trust for all and every the children and child of my said daughter C., namely, W., J., A., and S." And a third bequest, "in trust for all and every the children and child lawfully to be begotten of my said daughter M., and including her daughter E., aged about fourteen." M. and C. were both living at the date of the will, and both had legitimate and illegitimate children. M. had then five legitimate children, and two illegitimate, of whom the said E. was one; the other was called R.: C. had one legitimate child, the said W., and three illegitimate, viz. the said J., A., and S. Sir J. L. Knight Bruce, late Vice-Chancellor, decided, that under the first gift to the children of M. and C., the four illegitimate children, J., A., S., and E., "whose names were given," took interests; but he excluded R. We submit that the gift to the children of M. and C. would have been perfectly satisfied by including their legitimate children only, and that it is impossible to doubt that after-born legitimate children would have taken under it, and that therefore the illegitimate children ought not to have been included. Indeed, this case was doubtful even upon the question of intention; for where the testator wished to include the illegitimate children, he had named them expressly in the will; so that the probable intention was not to include them in the first gift, where they were not named. In *Owen v. Bryant* the testator most likely did mean, by the word "children," to refer to illegitimate children; but we submit that no sufficient description of them could be gathered from the language he employed. The will contained, first, a recital that the testator had nine children by his present wife, "viz. Eliza," &c., (naming them all). After some provisions concerning his said daughters, the testator gave certain property to be divided "between all and every my children by my said present wife;" and added a direction, that "during the life of each of my said children by my present wife" her share should be for her separate use. The testator died, having had only the nine children named in his will, and of these the eldest, Eliza, was illegitimate. The Lords Justices decided that she participated in the gift to children. Sir J. L. Knight Bruce, L. J., came to this conclusion on the ground that the intention of the testator was plain. But to that we answer, so thought Lord Eldon, without "the least doubt," in the case of *Harris v. Lloyd*, (Turn. & R. 310); but he said that there was "not enough upon the face of the will to authorise him to carry that intention into effect." The question is, not of the testator's intention, but of the sufficiency of description in the will. Lord Cranworth, L. J., said that if the will had stopped at the end of the gift to the children, he "should have thought that

legitimate children, and legitimate children only, were intended;" but he considered that the subsequent use of the words "my said children by my present wife" shewed that by the intermediate words, "my children by my said present wife," the testator must be taken to have meant those named, including Eliza. This, as a grammatical criticism, we submit, with great deference, cannot possibly be admitted. The words "my said children by my present wife" can only relate to the last antecedent, which is, "my children by my said present wife," and, referring to these in such a manner, cannot connect the words "my children by my said present wife" any more closely with the children before named. His Lordship saw the difficulty distinctly. Unless the words "my children" could be read "my said children," the illegitimate child was not to be included; and we must think his decision would have been that this child could not take, if he had tried it by the test—do these words "my children" mean the persons before named only, or will they include after-born children? To which we cannot doubt the answer must have been—they cannot mean the before-named persons only, for it is impossible to deny that they would include after-born children; and therefore, the gift being to an indefinite class, the illegitimate child is necessarily excluded.

REGULA GENERALIS.

ORDER OF COURT.—Oct. 23, 1852.

The Right Hon. EDWARD BURTENSHAW Lord St. LEONARD's, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. Sir JOHN ROMILLY, Master of the Rolls, the Right Hon. the Vice-Chancellor Sir GEORGE JAMES TURNER, and the Hon. the Vice-Chancellor Sir RICHARD TORIN KINDERSLEY, doth hereby, in pursuance of an act of Parliament passed in the fifth and sixteenth years of her present Majesty, intituled "An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Dispatch of Business in the said Court," and in pursuance and execution of all other powers enabling him in that behalf, order and direct as follows, videlicet:—

I. The chief clerks of the Master of the Rolls and Vice-Chancellors respectively are directed to take the following fees:—

1. For every original summons for the purpose of proceedings originating in chambers	£0	5	0
2. For every duplicate thereof	0	5	0
3. For every other summons	0	3	0
4. For every advertisement	1	0	0
5. For every certificate or report	1	0	0
6. For every certificate upon the passing of a receiver's or consignee's account, a further fee, in respect of each 100 <i>l.</i> received, of	0	10	0
7. For every order drawn up by the chief clerk made upon applications for time to plead, answer, or demur, for leave to amend bills or claims, or for enlarging publication or the period for closing evidence, or for the production of documents, or applications relating to the conduct of suits or matters	0	5	0
8. For every other order drawn up by the chief clerk	1	0	0

II. The registrars are directed to take the following fees:—

For orders made by a judge in chambers, drawn up by the registrar, the like fees as before directed to be taken by the chief clerk for orders drawn up by him.

III. The record and writ clerks are directed to take the following fees:—

For office copies of original depositions, and examinations, per folio	£0	0	4
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For entering appearances to judge's summons, same charge as for appearing to a bill.	
For stamping every copy of a bill or claim for service	0 5 0
For stamping every copy of a judge's summons for service	0 5 0
For examining every copy or part of a copy of a set of interrogatories, and marking same as an office copy	0 5 0

IV. All fees received by officers of the court, under the preceding Orders, are to be accounted for and paid by them respectively, once in every month, into the Bank of England, in the name of the Accountant-General, to be placed to the account there intitled "The Sutors' Fee Fund Account;" the amount so received and paid by such officers respectively to be verified by the affidavit of the accounting party.

V. Solicitors are entitled to charge and be allowed the following fees:—

For instructions to commence proceedings originating in chambers, or to defend the same.....	£0 13 4
For preparing an original summons for the purpose of proceedings originating in chambers, and the duplicate thereof	0 13 4
For attending at chambers to get such summons and duplicate examined and sealed.....	0 6 8
For attending at the Record and Writ Office to file duplicate and examine copies, and get same stamped.....	0 6 8
For indorsing a summons and the copies under Order VI of the 16th October, 1852, and attending to get same sealed	0 6 8
For entering the appearance for one or more defendants, if not exceeding three	0 6 8
If exceeding three, for every additional number not exceeding three an additional sum of	0 6 8
In cases of proceedings originating in chambers, the same term fee as in a suit.	
For preparing every other summons, and attending to get same filled up and sealed at chambers	0 6 8
For each copy of a summons to serve or leave at chambers	0 2 0
For attending on a summons or other appointment, each day, a fee of 6s. 8d., 13s. 4d., or 1l. 1s., according to circumstances; but the fee is to be 6s. 8d. unless a larger fee is allowed by the judge or his chief clerk.	
Where, from the length of the attendance, or from the difficulty of the case, the judge shall think the highest of the above fees an insufficient remuneration for the services performed, or where the preparation of the case to lay it before the judge shall have required skill and labour for which no fee has been allowed, the judge may allow such further fee, not exceeding 1l. 1s., as in his discretion he may think fit.	
For preparing every advertisement	0 6 8
For attending to get same approved and signed	0 6 8
For attending for every order drawn up by the chief clerk, and at the Registrar's Office to get the same entered	0 6 8
For attending to enter claim under Order XXXVI of the 16th October, 1852, and to file affidavit ..	0 6 8
For perusing the affidavits of claimants coming in under Order XXXVI of the 16th October, 1852, and attending in chambers at the time appointed by the advertisement, where the number of claims does not exceed five	1 1 0
Where the number exceeds five, for every additional number not exceeding five an additional sum of ..	1 1 0
For attending to bespeak and procure office copy of certificate or report	0 6 8

For all other business performed, such fees as by the practice of the Court they are entitled to for similar business.

(Signed) ST. LEONARD'S, C.
JOHN ROMILLY, M. R.
G. J. TURNER, V. C.
RICH. T. KINDERSLEY, V. C.

ORDER OF COURT.—Oct. 25, 1852.

The Right Hon. EDWARD BURTENSHAW Lord St. LEONARD'S, Lord High Chancellor of Great Britain, doth hereby, in pursuance of an act of Parliament passed in the fifteenth and sixteenth years of the reign of her present Majesty, intituled "An Act for the Relief of the Sutors of the High Court of Chancery," and in pursuance and execution of all other powers enabling him in that behalf, order and direct that all and every the orders, rules, and directions hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, General Orders and Rules of the High Court of Chancery, viz.:—

1. In lieu of copies of pleadings and other proceedings in the Court of Chancery, and of the documents relating thereto, being made and delivered by officers of the court at the office in which they are filed or left, copies of such pleadings, proceedings, and documents (save as hereinafter excepted) are to be made, delivered, charged, and paid for according to the following regulations:—

1. The following copies are exempted from this Order—that is to say, office copies of proceedings filed in the Report-office; office copies of answers, pleas, and demurrers; office copies of depositions of witnesses and examinations of parties to be made for and taken by the party on whose behalf such depositions and examinations have been taken; office copies of affidavits to be made for and taken by the party filing the same; and office copies of affidavits to be taken under Order XXXVII of the 16th October, 1852.

2. The party or his solicitor requiring any copy, save as hereinbefore excepted, is to make a written application, to be delivered to the party by whom the copy is to be furnished, or his solicitor, with an undertaking to pay the proper charges.

3. Upon such requisition being made, with such undertaking as aforesaid, copies of such pleadings, proceedings, or documents are to be made by the party or his solicitor filing or leaving the same, or who under the first rule may have taken office copies thereof.

4. The copies are to be ready to be delivered at the expiration of forty-eight hours after the delivery of such request and undertaking, or within such other time as the Court may in any case direct, and are to be delivered accordingly upon demand and payment of the proper charges.

5. The charges for all such copies are to be at the rate of 4d. per folio.

6. Copies of bills of costs are to be made side for side, so as to correspond with the bills of costs left in the office.

7. The folios of all copies are to be numbered consecutively in the margin thereof, and the name and address of the party or solicitor by whom the same is made is to be indorsed thereon, in like manner as upon the proceedings in the court; and such party or solicitor is to be answerable for the same being true copies of the original, or of an office copy of the original pleadings, proceeding, or document of which it purports to be a copy, as the case may be.

8. In cases of ex parte applications for injunctions or writs of ne exeat regno, the party making such application is to deliver copies of the affidavits upon which it is granted, upon payment of the proper charges, immediately upon the receipt of such written request and undertaking as aforesaid, or within such time as may be specified in such request, or may have been directed by the Court.

9. Any party or solicitor who has taken any office copy, mentioned in Rule 2, is to produce the same in court, or at the judge's chambers, when required for the purpose of the proceedings to which the same relate.

II. That all office copies, and copies to be furnished

by parties or their solicitors, shall be written on paper of a convenient size, with a sufficient margin, and in a neat and legible manner, similar to that which is usually adopted by law stationers; and in the case of copies to be furnished by parties or their solicitors, unless so written, the parties or solicitors furnishing them shall not be entitled to be paid for the same.

III. That in case any solicitor who shall be required to furnish any such copy as aforesaid shall either refuse, or for two clear days from the time when the application for such copy shall have been made shall neglect, to furnish the same, the person by whom such application shall be made shall be at liberty to procure a copy from the office in which the original shall have been filed, in the same way as if no such application had been made to the solicitor, and in such case no costs shall be due or payable to the solicitor so making default in respect of the copy or copies so applied for.

IV. That in case any solicitor by whom any such copy ought to be furnished shall neglect to do so for such two clear days as aforesaid, or for one clear day, an addition of two clear days or one clear day, as the case may be, shall be made to the period within which any proceeding which may have to be taken after obtaining such copy ought to be so taken, so that the person requiring such copy may be as little prejudiced as possible by such neglect as aforesaid.

V. That the Taxing Master shall not allow any costs in respect of any copy so taken as aforesaid, unless the same shall appear to him to have been requisite, and to have been made with due care, both as regards the contents and the writing thereof.

VI. That from and after the first day of November next all the fees now payable in relation to such proceedings in the said court as are mentioned in the first part of the first schedule, hereinafter contained, shall be abolished; and the fees specified in the second part of such schedule shall be payable, and the same (save as provided by the 7th of these Orders) shall be collected, not in money, but by means of stamps denoting the amount of such fees, stamped or affixed, at the expense of the parties liable to pay the fees, on or to the vellum, parchment, or paper on which the proceedings in respect whereof such fees are payable are written or printed, or which may be otherwise used in reference to such proceeding.

And where any of the fees specified in the second part of the said first schedule shall be payable in respect of any matter or thing to be done by any officer or in any office of the court, and it shall not have been customary to use any written or printed document or paper in reference to such matter or thing whereon the stamp could be affixed, the party, or his solicitor, requiring such matter or thing to be so done shall make application for the same by a short note or memorandum in writing, and a stamp, denoting the amount of the fee so payable, shall be stamped on or affixed to such note or memorandum.

VII. That in all cases where the costs are directed to be paid out of a fund in court, the fees of taxation shall not be payable by means of stamps, but shall be carried over by the Accountant-General to the credit of the Suitors' Fee Fund; and, to that intent, the Taxing Master shall in such cases certify the amount of such fees.

VIII. That from and after the 28th October, 1852, the brokerage which shall or may from time to time be received by the Accountant-General of the Court of Chancery shall be paid by him, on the first day of every month, or as soon after as conveniently may be, into the Bank of England, to be there placed to his credit as such Accountant-General, to the account intitled "The Suitors' Fee Fund Account."

IX. That, subject to the superintendence and direction of the Accountant-General of the Court of Chan-

cery, with the approbation of the Lord Chancellor, the first, second, and third clerks in each division of the Accountant-General's office shall, from and after the said 28th day of October, 1852, and until other order or provision shall be made in that behalf, continue to perform the acts or duties hitherto performed by such clerks, and which are mentioned in the said second schedule, in addition to the duties prescribed by act of Parliament as heretofore; and such fees as are specified in the second schedule hereto shall be paid for such acts as aforesaid, to be accounted for in like manner as the other fees now received in the office of the said Accountant-General, and to be collected by means of stamps in like manner as provided by Order VI; and from and after the said 28th day of October, 1852, no other person shall perform such acts or duties.

And in order to enable the Lord Chancellor, with the consent of the Commissioners of her Majesty's Treasury, from time to time to fix the amount of the yearly salaries to be paid to such clerks, the Accountant-General shall every six months make a return to the Lord Chancellor of the amount received during the preceding six months in respect of such fees.

THE FIRST SCHEDULE TO WHICH THE FOREGOING ORDERS REFER.

Part I.—FEES NOW PAYABLE WHICH ARE TO BE ABOLISHED.

Master's Office.

For drawing every report, exclusive of schedules of accounts of parties accounting before the Masters, and exclusive of the fee on signing, per folio	£0	1	0
For drawing schedules of accounts of parties accounting before the Master, per folio	0	0	6
For taking the acknowledgment of any deed	0	6	0
For searching for papers in a cause or matter not in immediate progress before the Master	0	6	8
For entering accounts of receivers, consignees, and committees, per folio, in each book	0	0	4
For entering accounts of parties accounting before the Master in a book, if required, per folio	0	0	4
For every exhibit	0	2	6
When a Master shall be required to attend a party to administer on oath, there shall be paid a further fee of 10s. over and besides the coach-hire or reasonable travelling expenses of the Master.	0	10	0
And for copies of every document or writing made in the Master's office, and also for the transcript of every report, pursuant to the act of Parliament, the 3 & 4 Will. 4, c. 94, and the General Orders of the 26th October, 1842, per folio	0	0	4

Registrars' Office.

1. For every decree or order on the original hearing of the cause, and on further directions	3	10	0
2. For every office copy thereof	2	0	0
3. For every order on petition or motion of course, not exceeding one side	0	3	0
4. For every additional side of such order	0	1	0
5. For every order on other petitions, where the reference is directed, but the decision of the Master is not to be final, and also where the petition is dismissed	0	10	0
6. For every office copy thereof	0	10	0
7. For every order for a special injunction, or for the appointment of a receiver.	2	10	0
8. For every office copy	1	0	0
9. For every order for payment of money out of court, and for no other purpose, where the sum or sums thereby specifically directed to be paid shall not exceed in the whole 100l.	0	10	0
10. For every office copy thereof	0	5	0
11. For every order of transfer out of court, or sale of any sum or sums of Government stock or South Sea Annuities, (excepting Long Annuities and annuities for terms of years), and for no other purpose, where the sum or sums thereby specifically directed to be transferred or sold shall not exceed in the whole 100l. stock or annuities	0	10	0

12. For every office copy thereof	0 5 0	For searching for, and taking an original affidavit off the file, in order to attend the Lord Chancellor or Master of the Rolls therewith, or to be made use of in any court	0 6 8
13. For every order for payment out of court of any annuity or annuities, not exceeding in the whole 5 <i>l.</i> per annum, or of any interest or dividends upon stock or annuities, not exceeding in the whole 5 <i>l.</i> per annum, and for no other purpose	0 10 0	For attending therewith at the Lord Chancellor's, or at any of the courts at Westminster or in London, each time	0 6 8
14. For every office copy thereof	0 5 0	For examining the copy of every affidavit with the original, in order to make use of such copy as evidence in any other court than the Court of Chancery	0 1 0
14 <i>a.</i> For every office copy of every other order for payment or transfer out of court	1 0 0	Taking affidavits for distringas	0 1 0
15. For every other order on special motions	1 0 0	For carrying an original affidavit by the registrar, or his deputy, to any assizes, for each day, including horse-hire and expenses	1 1 0
16. For every office copy thereof	0 10 0	For trouble, attendance, and taking security to return an original affidavit to the office, when, by an order of the Court, such original affidavit is directed to be delivered to an associate or clerk of assize, to be made use of at the assizes	0 6 8
17. For every order on arguing exceptions	2 0 0	For every exhibit	0 2 6
18. For every office copy thereof	1 0 0	<i>Examiners.</i>	
19. For every order on arguing pleas and demurrers	1 0 0	Every witness sworn, including oath	0 2 6
20. For every office copy thereof	0 10 0	Ditto sworn, and not examined, including oath ..	0 5 0
21. For every order on petition of appeal or rehearing	2 0 0	Every witness examined on close holidays	1 7 8
22. For every office copy thereof	1 0 0	Examining copy depositions, with record to prove on trial at law, if more than forty sheets, for each sheet	0 0 2
23. For every order on petitions not herein otherwise specified	2 0 0	<i>Record and Writ Clerks.</i>	
24. For every office copy thereof	1 0 0	Sealing special injunction	1 10 0
25. For every order in any matter of lunacy	0 10 0	Re-sealing any writ, or any alteration thereof	0 3 0
26. For every office copy thereof	0 5 0	Every exemplification, per skin, exclusive of parchment and duty	1 14 0
27. For every order in any matter of bankruptcy ..	0 10 0	Amending every office copy, if more than ten folios, for every folio over	0 0 4
28. For every office copy thereof	0 5 0	Search for records when in record room, or for any person not being a party in the cause, for each year after the first year	0 1 0
29. For every copy of a petition of appeal on the rehearing, per side	0 0 6	Every exhibit to an affidavit, &c.	0 2 6
30. For every order on the hearing of a claim on further directions	2 0 0	<i>Taxing Masters.</i>	
31. For every office copy thereof	0 10 0	For copies of bills of costs, and other documents, per folio	0 0 4
32. For every order on arguing exceptions (on claim)	1 0 0	For drawing every report, per folio	0 1 0
33. For every office copy thereof	0 5 0	Per-centage on amount of every bill of costs as taxed	2 10 0
34. For every order (on a claim) for transfer out of court or sale of any Government stock, &c., exceeding 100 <i>l.</i> stock or annuities; and for every order for payment out of court of any annuity or annuities, or of any interest or dividends upon stock or annuities, exceeding in the whole 5 <i>l.</i> per annum	1 10 0	For every exhibit	0 2 6
35. For every office copy thereof	0 10 0	<i>Door-keeper of the Court of Chancery.</i>	
36. For every order for payment of money out of court where the sum or sums thereby directed to be paid shall exceed 100 <i>l.</i> , and shall not exceed in the whole 500 <i>l.</i> ; and for transfer out of court or sale of any sum or sums of Government stock or South Sea Annuities, (excepting Long Annuities or annuities for terms of years), when the sum or sums thereby directed to be transferred or sold shall exceed 100 <i>l.</i> , and shall not exceed in the whole 500 <i>l.</i> ; and for payment out of court of any annuity or annuities exceeding 5 <i>l.</i> , and not exceeding in the whole 25 <i>l.</i> per annum, or of any interest or dividends upon stock or annuities exceeding 5 <i>l.</i> , and not exceeding in the whole 25 <i>l.</i> per annum, and for no other purpose	1 0 0	For every cause heard on each side	0 13 0
37. For every office copy thereof	0 10 0	In every further directions, ditto	0 13 0
38. For every other order for payment or transfer out of court	2 0 0	In every exceptions, each set	0 13 0
<i>Report Office.</i>		Every appeal or rehearing, one side	0 13 0
Searches, 6 <i>d.</i> per year	0 0 6	Every plea or demurrer, one side	0 13 0
Examination of office copies for evidence, per folio of ninety words	0 0 1½	Every guardian assigned	0 13 0
<i>Entering Seats.</i>		Out of 1 <i>l.</i> paid on setting down every petition ..	0 3 0
For every order or decree left for entry, containing 168 words on a side	0 0 6	Every lunatic petition	0 3 0
For every certificate on Master's report	0 1 0	Every witness examined vivá voce	0 1 6
Entering every attachment	0 0 2	Every prisoner by habeas corpus	0 2 6
<i>Affidavit Office.</i>		Setting down causes to be heard	1 0 0
For filing every affidavit, with or without schedules or other papers thereto annexed	0 0 4	Setting down cause at Rolls	1 0 0
For the registrar's or his deputy's hand to every copy of an affidavit, with or without schedules or other papers thereto annexed	0 1 0	Term fee from Attorney-General	1 10 0
For every search for an affidavit for each term 6 <i>d.</i> , with the liberty of reading it over, if found	0 0 6	Term fee from Solicitor-General	1 0 0
		Upon swearing into offices before the Lord Chancellor	2 12 6
		From each Queen's counsel, per term	1 12 0
		<i>Rolls Court—Secretaries.</i>	
		For drawing and copying every order of course ..	0 5 6
		For entering every order of course	0 0 6
		For entering every order for setting down further directions, exceptions, pleas, and demurrers ..	0 0 6
		For filing every petition for an order of course ..	0 1 0
		For answering and setting down every petition for hearing	0 6 6
		For setting down every cause for hearing	1 0 0
		For setting down every cause on further directions ..	0 12 6
		For setting down every set of exceptions	0 10 0
		Ditto demurrer	0 10 0
		Ditto plea	0 10 0
		Ditto rehearing	1 0 0

For advancing every cause	0 10 0
For entering every caveat against the inrolment of a decree or order	0 5 0
For every docket of decree or order signed by the Master of the Rolls	0 2 6
For every office copy of an order	0 0 6
For every fiat of inrolment	0 5 6
On hearing out of term of every cause, further directions, pleas, demurrers, and where decree is made, each party	0 13 0
On hearing of every petition in which an order is made, the petitioner pays	0 7 0
From each party, on the hearing of a cause in term time	0 2 6
From each party on the hearing of a cause in Michaelmas and Hilary Terms only	0 1 0
For papers left at the secretary's office for the Master of the Rolls on further directions, exceptions, &c.	0 5 0
For every recognisance vacated	0 6 0
On the appointment of every guardian in court for infants out of term	0 7 0
For silk gowns.—A fee payable by each of her Majesty's counsel attending at the Rolls Court, for each term	0 12 6

In the Office of the Accountant-General.

Certificate of payment in under order	0 2 0
Ditto under act of Parliament..	0 4 0
Certificate of transfers into court under order	0 2 0
Ditto under act	0 4 0
Certificate of investment of principal money	0 3 6
Ditto of interest money	0 2 0
Certificate of sale of stock	0 2 6
Certificate of transfer of stock out of court	0 1 6
Carried over	0 2 6
Deposit of Exchequer bills	0 5 0
Delivery out of ditto	0 5 0
Investment of principal money in Exchequer bills..	0 5 6
Ditto of interest money in ditto	0 4 0
Sale of Exchequer bills	0 5 0
Exchange of Exchequer bills	0 5 0

Chancery Subpoena Office.

For every subpoena	0 5 6
For sealing every distringas	0 5 6
For filing affidavit	0 1 0

In the Office of the Secretary of Decrees and Injunctions.

Inrolling Lord Chancellor's and Vice-Chancellor's decree	0 10 6
The like, Master of the Rolls	0 10 6
Petition to inrol, nunc pro tunc	0 1 0
Answering same	0 10 0
If private seal inrolling decree, extra	0 3 9
Searching if decree inrolled or caveats entered	0 1 0

In the Judge's Chambers.

For every original summons for the purpose of proceedings originating in chambers	0 5 0
For every duplicate thereof	0 5 0
For every other summons	0 3 0
For every order drawn up by the chief clerk, made upon applications for time to plead, answer, or demur, for leave to amend bills or claims, or for enlarging publication, or the period for closing evidence, or for production of documents, or applications relating to the conduct of suits or matters	0 5 0
For every other order drawn up by the chief clerk ..	1 0 0
For every advertisement	1 0 0
For every certificate or report	1 0 0
For every certificate upon the passing of a receiver's and consignee's account, a further fee, in respect of each 100 <i>l.</i> received, of	0 10 0

In the Masters' Offices.

For every warrant or summons	0 3 0
For every certificate or report	1 0 0

For taking the acknowledgment of every married woman	1 6 8
For attending any court, per day, by the clerk	0 14 0
For every oath	0 1 6
For every certificate upon the passing of a receiver's and consignee's account, a further fee, in respect of each 100 <i>l.</i> received, of	0 10 0

In the Registrars' Office.

For every decree or decretal order on the hearing of a cause, or on further directions; and on the hearing of a special case, including the court fee and the charge for entry	4 0 0
For every order for transfer or payment out of court of an amount not exceeding 200 <i>l.</i> stock or cash, or interest on stock not exceeding 10 <i>l.</i> per annum, and for every order on petition where the petition is dismissed	0 10 0
For every order for transfer or payment out of court of an amount exceeding 200 <i>l.</i> , but not exceeding 500 <i>l.</i> , stock or cash, or interest on stock exceeding 10 <i>l.</i> per annum, and not exceeding 25 <i>l.</i> per annum, and for every order on special motion not herein otherwise specified	1 0 0
For every order on the hearing of claims, pleas, demurrers, exceptions, or on petitions not herein otherwise specified, or on petitions of appeal, rehearing for injunctions, receivers, and for writs of ne exeat regno	2 0 0
For every office copy of a petition of appeal or rehearing	1 0 0
For every order on petition or motion of course, including the entry thereof	0 5 0
For every office copy of a decree or order	1 0 0

In the Report Office.

Upon every application for a search	0 0 6
For all office copies, at per folio	0 0 4

Affidavits.

For filing every affidavit, with or without schedules or other papers thereto annexed, including exhibits, if any	0 2 6
For the copy of every affidavit, for each folio	0 0 4
Upon every application to inspect an affidavit	0 0 6
Upon every application for the officer to attend with an affidavit or affidavits at the Lord Chancellor's, or at any of the courts at Westminster or in London, each day	0 10 0
Upon every application for the officer to carry an original affidavit to any assizes, for each day, besides reasonable expenses of officer	1 0 0
For every deponent, affirmant, or declarant to an affidavit, affirmation, or declaration, sworn, affirmed, or declared in London, or within ten miles of Lincoln's-inn Hall	0 1 6
Upon any application for the officer to attend an invalid, including the attendance	0 10 0

In the Examiners' Office.

For filing interrogatories	0 7 0
For all office copies, per folio	0 0 4
For every witness sworn and examined, including oath, for each hour	0 5 0
For every witness sworn and examined abroad (besides coach-hire and reasonable expenses)	1 7 0
If more than five miles from the Examiners' office, for the first day	2 15 0
For every other day	2 2 0
For attending the Lord Chancellor or the Master of the Rolls with record, per day	0 10 0
For attending any Master at his office	0 10 0
For attending with record in any other court or place in London or Westminster, per day	1 0 0
If in the country, per day, besides reasonable expenses	2 0 0
Upon every application to inspect depositions, including the inspection	0 3 0
Upon every application to examine copies of depositions with record, to prove on trial at law	0 5 0
Upon every application to search book for causes, including search	0 1 0

Upon every application to search book for depositions, including search 0 1 0
 N. B.—These fees will shortly cease to be payable, when the new system comes into operation.

In the Record and Writ Clerks' Office.

For all office copies, per folio 0 0 4
 Filing every bill or information 1 0 0
 For filing every claim 0 5 0
 For filing every special case 1 0 0
 Upon entering every appearance, if not more than three defendants 0 7 0
 If more than three and not exceeding six defendants And the same proportion for every number of defendants.

For sealing an attachment or distringas, for not appearing or answering 0 8 0
 For every certificate 0 4 0
 For every copy of a bill or claim to be served 0 5 0
 For every writ of summons, distringas, or subpoena 0 5 0
 For filing and entering duplicate of every judge's summons 0 5 0
 For stamping every copy thereof 0 5 0
 For sealing every other writ 1 0 0
 For every oath, affirmation, declaration, or attestation upon honour 0 1 6
 For examining every copy, or part of a copy, of a set of interrogatories, and marking same as an office copy 0 5 0
 Upon every application for a search for a record, and for searching 0 2 0
 Upon every application to inspect a record, and for inspecting the same 0 5 0
 Upon every application to inspect exhibits, if occupied not more than one hour 0 5 0
 If more than one hour, per diem 0 10 0
 Upon every application for the officer's attendance in courts of law per diem, and for his attendance, besides reasonable expenses of the officer 1 0 0
 Upon every application for the officer's attendance in a court of equity, per diem 0 10 0
 For examining and signing inrolments of decrees and orders 3 0 0
 For filing caveat against claim to revive, or against decree or order or inrolment 0 5 0
 For filing supplemental statement, or statement for revival 0 10 0
 For office copies of depositions taken before Examiner, at per folio 0 0 4

In the Taxing Masters' Office.

For every warrant or summons, but not more than one order or summons is to be issued on one bill or set of bills, unless the Taxing Master shall think it necessary to issue a new warrant or summons 0 3 0
 On signing every report and certificate 1 0 0
 Upon the Master's certificate of every bill of costs, as taxed, where the amount shall not exceed 20l. 0 10 0
 Upon every additional 20l., or fractional part thereof, a further fee of 0 10 0
 For every oath, affirmation, or attestation upon honour 0 1 6

In the Lord Chancellor's Principal Secretary's Office.

On all attendable petitions, appeals, rehearings, and letters missive 1 0 0
 On all non-attendable petitions 0 10 0
 On a matter of course order, on a petition of right 0 10 0
 On an order for a commission on a petition of right 1 0 0

In the Office of the Secretary at the Rolls.

On every petition set down for hearing, to include the fee on hearing 1 0 0
 On the petition for every order of course 0 7 0
 On the admission of every solicitor 1 17 0

THE SECOND SCHEDULE TO WHICH THE FOREGOING ORDERS REFER.

In the Office of the Accountant-General.

1. For preparing English power of attorney with affidavit, exclusive of stamp duty £0 3 6

2. For preparing foreign power of attorney without affidavit 0 3 0
 3. For special power of attorney 0 5 0
 4. For copies of accounts, debtor and creditor's side, per folio, as to be explained by General Order 0 0 3
 5. Upon every application for a search 0 5 0

(Signed) St. LEONARD'S, C.

Court Papers.

EQUITY CAUSE LISTS, MICHAELMAS TERM, 1852.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl. Plea*—*Pts.* Petition—*R.* Rehearing—*S. O.* Stand Over—*SA.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

APPEALS.

Kekewick v. Marker (Ap on Cl)	} (Ap)	Hawkes v. Eastern Counties Railway Co. (Ap)
Hickling v. Boyer (Ap)		Same v. Same (F D)
Cherrington v. Hickling (M)		Harrison v. Round (Ap).

Before the LORDS JUSTICES, at Westminster.

Martin v. Pycroft (Ap, pt. hd.)	} (Ap)	Ward v. Homfray
Bodenham v. Hoskins		Spackman v. Same
Same v. Hamp		Maxwell v. Maxwell (Ap).

Before Vice-Chancellor Sir G. J. TURNER, at Westminster.

Macbride v. Lindsay (2 Ds)	Robinson v. Governors of the London Hospital After H. Term
<i>Last day of demurrer in T.</i>	Houchen v. Porter (Cl)
Chadwick v. Chadwick (E for insufficiency)	Graham v. Akroyd
Williams v. Roper (Cl)	Gay v. Gay (Cl) SA
Crosse v. Logan (Cl)	Wollaston v. Osborne (Cl)
Greenway v. Bromfield (3 ca., F D, C)	Haynes v. Forshaw
Thornbery v. Great Northern Railway Co. (Cl)	Lewis v. South Wales Railway Co. (Special case)
Murray v. Jones (Cl)	Gaunt v. Gaylor
Watson v. Watson (Cl)	Wilkinson v. Stringer (Cl)
Wing v. Diggle (Cl)	Holloway v. Clare (Cl)
Busher v. Needell (Cl)	Barham v. Earl of Clarendon (Special case)
Searle v. Quinlan (Cl)	Osborn v. Gooday (Cl)
Gilbard v. Gill (Cl)	Edgworth v. Jones (Cl)
Williamson v. Jefferys (4 cau.)	Carter v. Mawbey (Cl)
Harvey v. Brooke (Cause and Ptn)	Fitzwilliams v. Kelly (Sp. ca.)
Moore v. Collis (Cl)	Sims v. Wilde (Cl)
Grevile v. Spooner (Cl)	King v. Phillips
Midland Railway Co. v. Brown (Cause, M)	Seymour v. Seymour (Sp. ca.)
Waterhouse v. Stansfield (E, F D)	Pearson v. Rutter (F D, C)
Parsons v. Elworthy (P C)	Shackland v. Anstey
Thompson v. Daniel	Warman v. Wright (Cl)
Harman v. Richards (Pt. hd.)	Saunders v. Walter (F D) SA
Young v. Hodges	De Balenhard v. Bullock (Cl)
Same v. Maitland	Craib v. Clark
Same v. Young	Fordham v. Wright
Whittington v. Corder (Cl)	Hallmark v. Mann the elder (Cl)
Obbard v. Cohen (Cl)	Hills v. Pennell (Cl) SA
	Cowman v. Harrison.

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Westminster.

London Assurance of Houses v. Martinez (E for insuffi.)	Robson v. Lord Brougham and Vaux
Goodale v. Goodale	Pinkerton v. Andrew (3 cau.)
Petre v. Petre	Barnard v. Roberts (F D, C)

Vigurs v. Vigurs (E)
 Colyer v. Colyer (Cl)
 Hanson v. Hartley (Cl)
 Taylor v. Nixon (Cl)
 Turner v. Nicholls (F D, C)
 Same v. Same (2 causes)
 Evans v. Saunders (Sp. case)
 Moorley v. Jenkins
 Barratt v. M'Dermot (Can.)
 M'Dermot v. Kealy (Ptn)
 Wood v. Sutcliffe
 Ford v. Dolphin (At def. req.)
 Ord v. Partington (Cl)
 Knowles v. Oliver
 Attorney-Gen. v. Blackburn
 Patrick v. Walker (F C)
 Ellison v. Hector (3 causes)
 Widdicombe v. Müller (Cl)
 Menlove v. Carter (E)
 Raby v. Body (Cl)
 Crouch v. Bonney
 Trevillian v. Mayor, &c. of Exeter
 Freeth v. Hoskins
 Same v. Marshall
 Attorney-Gen. v. Overton
 Willetts v. Hutchins (Cl)
 Jenkins v. Robertson (F D, C)
 Lane v. Horlock
 Whitbread v. Smith
 London and South-western Railway Co. v. Warwick (Cl)
 Harford v. Rees
 Roberts v. Jones (Cl)
 Butchart v. Dresser
 Same v. Tempest
 Unwin v. Unwin (F D, C)
 Hacks v. Sallitt
 Torbock v. Hewitson (Sp. ca.)
 Green v. Barrow (F D, C)
 Langton v. Langton (E, F D, C)

Forbes v. Richardson
 Todd v. Beames (F D, C)
 Taylor v. Taylor (F D, C)
 Charlton v. Allen (Cl)
 Boyd v. Rouse (3 causes)
 Blyth v. Carpenter (E)
 Scaping v. Chatham (F D, C)
 Holloway v. Collier (F D, C)
 Same v. Alborough (Cause)
 Langworthy v. Church (E, F D)
 Evans v. Heath (F D, C)
 Johnson v. Marshall
 Ashby v. Blenkinsopp (F D, C)
 Pattenden v. Hobson (F D, C)
 Evans v. Evans (F D, C)
 Fry v. Watson (Cl)
 Watson v. Goring (F D, C)
 Wilkinson v. Balch
 Smith v. Taylor
 Falk v. Gibson
 Williams v. Williams (F D, C)
 Staines v. Rudlin (Cl)
 Lewes v. Lewes
 Baldwyn v. Rogers (F D, C)
 Rochester v. Taylor (F D, C)
 Mackinnon v. Stewart (F D, C)
 Moore v. Same (F D, C)
 Brown v. Brown (F D, C)
 Blagrove v. Fane Ss
 Brown v. Robertson (F D, C)
 Gould v. Gould
 Morrilt v. Walton (F D, C) Ss
 Church Building Society v. Barlow (F D, C)
 Worsley v. Woodford (F D, C)
 Macbean v. Babington (F D, C)
 Haynes v. Haynes (Sp. case)
 Warren v. Abbott
 Scorey v. Thomson (F D, C)

Domville v. Lamb (Sp. case)
 Att.-Gen. v. Lucas (F D, C)
 Rees v. Rees (Cl)
 Shaw v. Thackray
 Heyne v. Tyler (E)
 Lucas v. Cutts
 Cator v. Reeves (Cl)
 Thomas v. Butter (3 causes)
 Smith v. Wyley (Cl)
 Harris v. Cowdall
 Lassence v. Tierney (F D, C)
 Heath v. Weston (Sp. case)
 Cameron v. Cameron (F D, C)
 France v. Crooke (Cl)
 Chase v. Morris (F D, C)
 Neathway v. Reed (Cl)
 Stent v. Wickens (Cause, M)
 Osborn v. Gerard
 Orlebar v. Nicholay (E)
 Denshire v. Gee (Cl)
 Girdlestone v. Creed (E)
 Bates v. Toller (Cl)
 Smith v. Newbould (5 causes, F D, C)
 Stedman v. Stedman (Cl)

Wilson v. Hope
 Vere v. Wilson (F D, C)
 Dale v. Hamilton (F D, C)
 Higgin v. Lane
 Cator v. Barnecott (Cl)
 Reynolds v. Brown (Cl)
 Cunliffe v. Lawrence (F D, C)
 Crabtree v. Moxey
 Watson v. Cook (Cl)
 Vincent v. Fane
 Brown v. Vernon (Cl)
 Oppenheim v. Henry (F D, C)
 Burrowes v. Drummond
 Powell v. Morrill (F D, C)
 Wildes v. Davies (F D, C)
 Black v. Donner (Special case)
 Harries v. Thomas (Cl)
 Peak v. Peak (F D, C)
 Stuart v. Pollard (Cl)
 Morier v. Budd (E)
 Parkin v. Rooke (F D, C)
 Oppenheim v. Henry (F D, C)
 Fowler v. Reynal (F D, C)
 Stevens v. Goodluck (Cl)

Rolls Court.

JUDGMENTS RESERVED.

Brown v. Gordon (Cause)
 Crouch v. Hooper (E)
 Plenty v. West (4 tit., F D, C)
 Anderson v. Kemshead (Can.)
 Bridge v. Bridge (Cause)
 Brassey v. Chalmers (Sp. ca.)

CAUSES.

Bull v. Brooke (Cause)
 Burgess v. Sturgis (Cl) *Last claim day in Terms*
 Stansfield v. Hobson (Cl)
 Shrewsbury and Birmingham Railway Co. v. London and North-western Railway Co. (Cause, M)
 Hitchcock v. Beauclerk (Cl)
 Jodrell v. Turner (Cause)
 Att.-Gen. v. Chaplains, &c. of Eveline Almshouses } (In-formation)
 Att.-Gen. v. Napier }
 Hayley v. Maddocks (Cl)
 Attorney-Gen. v. Mayor, &c. of Rochester (Cause)
 Broomhead v. Vause (Cause)
 Foligno v. Martin (Cause)
 Morrell v. Wootton } (Cause)
 Morrell v. Luard }
 Harington v. Moffatt (Special case)
 Knight v. Knight (Cl)
 Inglis v. Campbell (Cause)
 Perkins v. Eds (3 titles, E)
 Duncan v. Ross } (E)
 Same v. Burnside }
 Gaubert v. Watson (Cause)
 Lewellin v. Pace } (Cause)
 Same v. Same }
 Clark v. May (Cause)
 Hiorns v. Holtom (Cause)
 Beale v. Symonds (5 titles, E)
 Pegg v. Wisden (Cause)
 Sellick v. Badman (Cause)
 Fortnam v. Holtom (Cause)
 Loader v. Loader (Cause)
 Frail v. Ellis (Cause)
 Oxenham v. Ellis (Cause)
 Bell v. Carter } (Cause)
 Same v. Same }
 Tippins v. Coates } (F D, C)
 Tippins v. Colbatch } E, Ptn

Jodrell v. Beekwith (Cause)
 Lake v. Brutton (Cause)
 Walker v. Mower } (Cause)
 Same v. Small }
 Lady Sparrow v. Hilton (E)
 Dashwood v. Lowder (Cause)
 Eaton v. Hazel (Cause)
 Briant v. Mann (Cause)
 Cremer v. Costerton (Cause)
 Congreve v. Palmer (Cause)
 Le Blanc v. Oliver } (Cause)
 Same v. Same }
 Gray v. Austin (Cause)
 Jones v. Abbott (Cl)
 Watts v. Williams (Cause)
 Foakes v. Bordenave (Cause)
 Baxter v. Wales (Cause)
 Norris v. Stuart (Cause)
 Midland Railway Co. v. Brown (Cause)
 Ford v. Batley (Cause)
 Rochdale Canal Co. v. King (Cause)
 James v. James (Cause)
 Hurst v. Hurst (6 tit., Cause)
 Bateman v. Margerson (3 tit., E)
 Att.-Gen. v. Hall (Informat.)
 Meadows v. Meadows (Cause)
 Bourne v. Kenyon (Cause)
 Baker v. Read } (Cause)
 Same v. Clements }
 Williams v. Salter (Cause)
 Williams v. Mostyn (Cl)
 Philipott v. Kerr (Cause)
 Osborn v. Milford (Cause)
 Cust v. Southes (Cause)
 Chichester v. Thistlethwayte (Cl)
 Chamberlain v. Chamberlain (Special case)
 Strickland v. Wood (Cause)
 Bird v. Pilkington (Cl)
 Banks v. Banks (Cause) Ss
 Bailey v. Driding (Cause)
 Cockell v. Bacon } (Cause)
 Cockell v. Faris }
 Stephenson v. Jones (Cause)
 Brown v. Lee (F D, C)
 Gooding v. Collard (Cl)
 Cooke v. Pearce (Cause)
 Joyce v. Joyce (Cl)
 Moffatt v. Wylie (Cause)

Before Vice-Chancellor STUART, at Westminster.

Frith v. Frith (E)
 M'Intosh v. Great Western Railway Co. (E for insuff.)
 Same v. Same (E to fur. ans.)
 Cheesman v. May (E to ans.)
 Ostell v. Lepage (E for insufficiency and M by order)
 Brown v. Harrison (D)
 Hartley v. Barrowclough (Want parties)
 Hopkin v. Brownlow (E to joint answer)
 Arnold v. Coape (D)
 Att.-Gen. v. Barker (F D, C)
 Law v. Law (F D, C)
 Same v. Horsfall (Cause)
 Raper v. Taylor (E, F D)
 Smith v. Edwards
 Colombine v. Penhall (2 causes)
 Playford v. Playford
 Tomsett v. Wickens (E, 2 acts, F D)
 James v. Lord Wynford (F D, C)
 Penhall v. Miller (3 causes)
 Foster v. Parke (F D, Equity reserved, Ptn)
 Lynn v. Tapsell (Cl)
 Same v. Cheesman (Ptn)
 Toulmin v. Coupland
 Stanhouse v. Gaskell (Sp. ca.)
 Fiott v. Mullins
 Fowler v. Swaffer (E, F D)
 Sutton v. Burchell (Cl)
 Shipton v. Rawlins (F D, C)
 Same v. Same (Supp. bill)

Beeston v. Beeston (F D, C)
 Graham v. Wilkin (Cl)
 Robinson v. Briggs } (2 causes)
 Same v. Robinson }
 Hudson v. Dungworth } (F D, C)
 Same v. Wilson }
 Harrison v. Mayor, &c. of Southampton (E)
 Ostell v. Ostell (F D, C)
 Freer v. Hease (F D, C)
 Longhurst v. Meaden (Cl)
 Sadler v. French (F D, C)
 King v. Isaacson (4 causes, F D, C)
 Walls v. Sturgis (Cl)
 Swainson v. Brayshaw (Cl)
 Evans v. Evans (Cl)
 Smith v. Gale (Cl)
 May v. James
 Douglas v. Baxter
 Watson v. Masters (E)
 Goodwin v. Beer (Cl)
 Rendall v. Thomas (Cl)
 Lewellin v. Cobbold
 Minchell v. Lee (Cl)
 Mayor, &c. of Rochester v. Owlett
 Lewis v. Homan
 Watson v. Marston
 Lucas v. Beale
 Simpson v. Chapman
 Howells v. Jones (Cl)
 Chapman v. Orme (Sp. case)
 Boulding v. Boulding (Cl)
 Griffiths v. Griffiths } (F D, C)
 Buchanan v. Buchanan } C)

Minton v. Wilmot (F D, C)
 Overbury v. Teale (Cl)
 Kenrick v. Shaw (Cl)
 York and North Midland Rail-
 way Co. v. Hudson (Cause)
 York and North Midland Rail-
 way Co. v. Hudson (Cause)
 Ford v. Harvey (6 tit., Cause)
 Furnivall v. Bleaden (Cl) SA
 Cable v. Cable (F D, C)
 Gaunt v. Flint (Cl) SA
 Hewson v. Ackrill (F D, C)
 Haire v. Lovitt (5 tit., F D, C)
 Young v. Bliss (Cl)
 Powell v. Bowstead (Cl)
 Kingsford v. Poole (Cl)
 Hensman v. Wier (E)
 Temple v. Temple (Cause).

London Gazettes.

FRIDAY, OCTOBER 29.

BANKRUPTS.

JAMES KEELEY and EDWIN WILLIAMS, Strand, Middlesex, and Fleet-st., London, tailors, Nov. 3 at 2, and Dec. 11 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Glynes, 8, Crescent, Minorities.—Petition dated Oct. 27.

STOPFORD THOMAS JONES, late of King William-st., London, and Old Jamaica Wharf, Upper Ground-street, Lambeth, Surrey, coal agent and merchant, dealer and chapman, but now a prisoner in the Debtors Prison for London and Middlesex, Nov. 10 and Dec. 10 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Scarmann, 21, Coleman-st., City.—Petition filed Oct. 27.

ALFRED NEWBOLD and EDWARD NEWBOLD, Birmingham, drapers, dealers and chapmen, (trading under the style or firm of A. & E. Newbold), Nov. 10 and Dec. 1 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hodgson, Birmingham; Sole & Co., Aldermanbury.—Petition dated Oct. 21.

EDWARD NICHOLLS, Stourbridge, Oldawinford, Worcestershire, licensed victualler and builder, dealer and chapman, Nov. 8 and Dec. 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated Oct. 22.

EDMUND HINDLE, Denholme, Bradford, Yorkshire, manufacturer, dealer and chapman, Nov. 15 at 11, and Dec. 6 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Stocks, Halifax; Courtenay & Compton, Leeds.—Petition dated Oct. 26.

JOHN SPENCER and JOSEPH PULLAN, Thornton, Bradford, Yorkshire, top makers, dealers and chapmen, Nov. 12 and Dec. 3 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Terry & Watson, Bradford; Bond & Barwick, Leeds.—Petition dated and filed Oct. 15.

THOMAS WOODWARD, Liverpool, butcher, Nov. 10 and 30 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Hove, Liverpool.—Petition filed Oct. 20.

JOSEPH NANSON the younger, Seaham Harbour, Durham, ship broker and merchant, Nov. 11 at 11, and Dec. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Petition filed Oct. 27.

MEETINGS.

Wm. Cross, Chester, lead merchant, Nov. 9 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*Ann Crawford*, Warden, Northumberland, paper manufacturer, Nov. 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thomas Hutchinson and James Hutchinson*, Sunderland, Durham, grocers and tea dealers, Nov. 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Alexander B. Fraser and Charles Lightfoot*, Lime-st., London, merchants, Nov. 22 at 12, Court of Bankruptcy, London, aud. ac.—*James Bluck*, Bucklersbury, London, wine merchant, Nov. 17 at 12, Court of Bankruptcy, London, aud. ac.; Nov. 22 at 12, div.—*J. Holmes*, Regent-st., Westminster, Middlesex, shawl warehouseman, Nov. 10 at 11, Court of Bankruptcy, London, aud. ac.—*J. Gouderbrough*, Manchester, manufacturer, Nov. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 20 at 12, div.—*G. Walsh*, Blackburn, Lancashire, pawnbroker, Nov. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thomas Burnip*, Newcastle-upon-Tyne, draper, Nov. 18 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*R. C. Wilson*, Seaham Harbour, Dur-

ham, earthenware manufacturer, Nov. 26 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*S. Beniams* the younger, Hereford, grocer, Nov. 17 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 30 at half-past 11, div.—*Thomas Fowkes*, Redditch, Worcestershire, innkeeper, Nov. 30 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*R. P. Weston*, Wellington, Shropshire, surgeon, Nov. 23 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 21 at half-past 11, div.—*John Frampton*, Cerne Abbas, Dorsetshire, money scrivener, Nov. 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*James Tuckett*, Exeter, herbalist, Nov. 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Ralph Bartle*, Helston, Cornwall, grocer, Nov. 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 23 at 11, div.—*John Jackson*, Scarborough, Yorkshire, silversmith, Nov. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 30 at 11, div.—*Martin Marshall*, Sheffield, Yorkshire, cut nail manufacturer, Nov. 20 at 11, District Court of Bankruptcy, Sheffield, aud. ac.; at 12, div.—*John Binney and Thomas Binney*, Sheffield, Yorkshire, merchants, Nov. 20 at 11, District Court of Bankruptcy, Sheffield, aud. ac.; at 12, div.—*John Eyre Pearson*, Sheffield, Yorkshire, wine merchant, Nov. 20 at 11, District Court of Bankruptcy, Sheffield, aud. ac.; at 12, div.—*William Lake*, Fleet-street, London, printer, Nov. 19 at 12, Court of Bankruptcy, London, div.—*George Baker and George Baker* the younger, Threadneedle-street, London, stockbrokers, Nov. 22 at 2, Court of Bankruptcy, London, div. sep. est. of *G. Baker* the elder.—*G. W. Atwood*, America-square, London, merchant, Nov. 19 at half-past 12, Court of Bankruptcy, London, div.—*Charles Joseph Carttar*, Thornton-row, Greenwich, and Shooter's-hill, Kent, solicitor, Nov. 22 at 2, Court of Bankruptcy, London, div.—*James W. Cooper*, Park-road, Notting-hill, Bayswater, Middlesex, clerk in the Commissariat Department, Whitehall, Nov. 22 at 2, Court of Bankruptcy, London, div.—*William James Pasman and Catherine Pasman*, Hare-street, Bethnal-green, Middlesex, silk dyers, Nov. 20 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Patient*, Saffron Walden, Essex, cooper, Nov. 20 at 11, Court of Bankruptcy, London, div.—*Wm. Marshman*, Charlotte-street, Portland-place, Middlesex, carpenter, Nov. 20 at 12, Court of Bankruptcy, London, div.—*Samuel B. Serjeant*, Callington, Cornwall, attorney-at-law, Nov. 23 at 11, District Court of Bankruptcy, Exeter, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Jonathan Streeter, Brighton, Sussex, corn merchant, Nov. 20 at 1, Court of Bankruptcy, London.—*Benjamin Balls*, Birmingham, perfumer, Nov. 22 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Bentley, Smithfield-bars, London, cheesemonger.—*Robert Seymour*, Sunderland, Durham, linendraper.—*Patrick Hayes*, Widnes, Lancashire, oil manufacturer.

PETITIONS ANNULLED.

Henry Jackaman, Birmingham, builder.—*Wm. Prosser*, Shoreditch, Middlesex, draper.

SCOTCH SEQUESTRATIONS.

John Gallie, Edinburgh, type founder.—*William M'Alpine & Co.*, Aberdeen, drapers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Samuel, Biggleswade, Bedfordshire, patten maker, Nov. 26 at 2, County Court of Bedfordshire, at Biggleswade.—*George Dring*, Woodhurst, Huntingdonshire, tailor, Nov. 16 at 12, County Court of Huntingdonshire, at Huntingdon.—*Walter Chester*, Kenilworth, Warwickshire, painter, Nov. 15 at 2, County Court of Warwickshire, at Warwick.—*Joseph Greenway*, Coventry, Warwickshire, out of business, Nov. 17 at 12, County Court of Warwickshire, at Coventry.—*Edward Day*, Coventry, Warwickshire, attorney's clerk, Nov. 17 at 12, County Court of Warwickshire, at Coventry.—*William Lucas*, Coventry, Warwickshire, ribbon manufacturer, Nov. 17 at 12, County Court of Warwickshire, at Coventry.—

Thomas Edwards, Merthyr Tydvil, Glamorganshire, dealer in hay, Nov. 9 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Robert Jenkins*, Merthyr, Glamorganshire, haulier, Nov. 9 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*William Jones*, Pontypridd, Glamorganshire, stationer, Nov. 9 at 10, County Court of Glamorganshire, at Merthyr Tydvil.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 12 at 11, before Mr. Commissioner LAW.

Arthur Chalmers, Pakenham-street, Gray's-inn-road, Middlesex, shopman to a grocer.—*Alfred Alexander Harris*, St. George's-place, Dulwich-road, Brixton, Surrey, plumber.

Nov. 13 at 11, before Mr. Commissioner PHILLIPS.

John Arthur, Kensington-place, High-street, Kensington, Middlesex, carpenter.—*Wm. Dyer*, Quickset-row, New-road, Middlesex, iron bedstead maker.

Nov. 15 at 10, before Mr. Commissioner LAW.

Charles Tuppree, Park-street, Dorset-square, St. Mary-lebone, Middlesex, carpenter.—*Henry Roots*, Melton-street, Euston-square, Middlesex, railway guard.—*Thos. Bicknell*, Horton Kirby, near Dartford, Kent, grocer.—*Saul Yates*, Camomile-street, Bishopsgate-st., London, attorney-at-law.

Nov. 15 at 11, before Mr. Commissioner PHILLIPS.

Jos. Jacobs, Petticoat-square, Aldgate, London, clothier.—*Robert White*, Brigstock-cottage, Brixton-hill, Surrey, carpenter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 12 at 11, before the CHIEF COMMISSIONER.

John Moss, John-st.-mews, Harper-st., New Kent-road, Surrey, horse dealer.

Nov. 12 at 10, before Mr. Commissioner LAW.

Edward Nightingale Hardy, Chichester-place, King's-cross, Middlesex, in no business.

Nov. 15 at 10, before Mr. Commissioner LAW.

Harry Haggard Hale, St. James's-terrace, Back-road, St. George's-in-the-East, Middlesex, coal weigher.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, Nov. 12.

Jas. Birrell, Gatehead, travelling draper.—*James Martyn*, Hartlepool, joiner.—*Michael Hudson*, Sunderland-near-the-Sea, greengrocer.—*Nicholas Gent*, Coxhoe, innkeeper.—*A. Elliott*, Sunderland-near-the-Sea, publican.—*W. M'Pherson*, Bishopwearmouth, plumber.—*Geo. Pringle*, Sunderland-near-the-Sea, waiter.—*George Venus*, Bishopwearmouth, out of business.

At the County Court of Warwickshire, at WARWICK, Nov. 15 at 10.

Wm. Hen. Chas. Salmon, Leamington-priors, commission agent.—*John Smith* the younger, Coventry, assistant to a butcher.

At the County Court of Carmarthenshire, at CARMARTHEN, Nov. 16 at 2.

Samuel Thomas, Blewyd, labourer.—*J. Thomas*, Llwyn-cellyn, Llanginning, farmer.

At the County Court of Warwickshire, at COVENTRY, Nov. 17 at 12.

Geo. Wm. Elliott, Birmingham, professor of music.

At the County Court of Leicestershire, at LEICESTER, Nov. 17 at 10.

Richard Place, Hinckley, bookkeeper.

At the County Court of Monmouthshire, at MONMOUTH, Nov. 19 at 2.

Thomas Squire Rowe, Abergavenny, watchmaker.—*John Thomas*, Llanbaddock, near Usk, stonemason.

TUESDAY, NOVEMBER 2.

BANKRUPTS.

EDWARD FYFFE the younger, Calcutta, East Indies, merchant, (and having carried on business with Edward Cowper Fyffe and Ebenezer Wathen Fyffe, at Howford-buildings, Fenchurch-street, London, and at Calcutta), Nov. 10 at 12, and Dec. 17 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Baker & Co., 34, Lime-street, City.—Petition dated Oct. 22.

CHARLES OLLIVIER, New Bond-st., Middlesex, music seller and publisher, Nov. 10 and Dec. 17 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Randall, 56, Welbeck-street, Cavendish-square, Middlesex.—Petition dated Nov. 1.

RICHARD WARREN, Nelson-place, Remington-street, City-road, Middlesex, coachmaker, dealer and chapman, Nov. 11 at 2, and Dec. 16 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Hopgood, 14, King William-street, Strand.—Petition filed Oct. 23.

BETHEL WARE, Tottenham-court-road, Middlesex, straw bonnet manufacturer, dealer and chapman, Nov. 11 at 1, and Dec. 16 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Hoppe & Boyle, Sun-court, Cornhill.—Petition filed Oct. 28.

FREDERICK LOADER, Berkhamstead, Hertfordshire, tailor and draper, dealer and chapman, Nov. 11 at 12, and Dec. 9 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Overbury, 4, Frederick's-place, Old Jewry.—Petition filed Oct. 29.

JAMES BICKFORD, Brighton, Sussex, silversmith and jeweller, Nov. 10 at 1, and Dec. 18 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Taylor & Collison, 20, Great James-street, Bedford-row.—Petition dated Oct. 22.

ROBERT ATMORE, Gaywood, Norfolk, miller, Nov. 10 at half-past 12, and Dec. 18 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Aldham & Son, King's Lynn, Norfolk; Trinder & Eyre, 1, John-street, Bedford-row.—Petition dated Oct. 16.

JOHN GRANT MENON, Birmingham, stationer and wholesale paper dealer, Nov. 13 and Dec. 4 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Tyndall & Son, Birmingham.—Petition dated Oct. 30.

CHARLES WHITE CROSS, Birmingham, surgeon and apothecary, Nov. 17 and Dec. 7 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sol. Harding, Birmingham.—Petition dated Oct. 29.

ALEXANDER MITCHELL, Cardiff, Glamorganhire, draper, dealer and chapman, Nov. 15 and Dec. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Prideaux & Son, Bristol; Cattlin, Ely-place, London.—Petition filed Oct. 23.

JOSEPH M'LINTOCK, Barnaley, Yorkshire, linen manufacturer, dealer and chapman, Nov. 12 and Dec. 10 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Peacock, Barnsley; Bond & Barwick, Leeds.—Petition dated and filed Oct. 28.

JOHN BEDFORD, Wakefield, Yorkshire, cloth merchant, Nov. 12 and Dec. 10 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Barratt & Brown, Wakefield; Cariss & Cudworth, Leeds.—Petition dated and filed Oct. 15.

ROGER RICHARDS, Wrexham, Denbighshire, chemist and druggist, Nov. 10 and Dec. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Evans & Son, Liverpool.—Petition filed Oct. 29.

MEETINGS.

Wm. Blozam, Abingdon-street, Westminster, Middlesex, merchant, Nov. 13 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Noel Humphreys*, Dorchester-place, Blandford-square, Middlesex, bookseller, Nov. 13 at 12, Court of Bankruptcy, London, aud. ac.—*Josiah Brockwell*, Old Broad-st., London, merchant, Nov. 13 at 11, Court of Bankruptcy, London, aud. ac.—*Robert F. Long* and *Robert W. Long*, Gray's-inn-place, and Warwick-street, Regent-street, Middlesex, builders, Nov. 13 at 11, Court of Bankruptcy, London, aud. ac.—*Robert Harland Whiteman*, High-street, Putney, Surrey, apothecary, Nov. 13 at 11, Court of Bankruptcy, London, aud. ac.—*James Dormer*, Charles-street, St. John's-wood, Portland-town, Middlesex, grocer, Nov. 13 at 11, Court of Bank-

ruptcy, London, aud. ac.—*David Gibson*, Newcastle-upon-Tyne, grocer, Nov. 26 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Burnip*, Newcastle-upon-Tyne, draper, Nov. 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. and div.—*Thomas Hutchinson* and *James Hutchinson*, Sunderland, Durham, grocers, Nov. 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Nathaniel Barnsdall*, Nottingham, timber merchant, Nov. 12 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Cullen*, Nottingham, grocer, Nov. 12 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Meads*, Nottingham, grocer, Nov. 12 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Reid*, Huddersfield, Yorkshire, merchant, Nov. 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 23 at 12, div.—*William Threlfall*, Addingham, Yorkshire, cotton spinner, Nov. 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 23 at 12, div.—*Joseph Winterbottom*, Huddersfield, Yorkshire, spinner, Nov. 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*David Hatfield Leggott*, Brigg, Lincolnshire, joiner, Nov. 17 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Thomas Lamplugh*, Great Driffield, Yorkshire, draper, Nov. 24 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Dec. 1 at 12, div.—*James Luxford*, Market Rasen, Lincolnshire, tailor, Nov. 17 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Nov. 24 at 12, div.—*William Hewitt*, Great Driffield, Yorkshire, brewer, Nov. 24 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Dec. 1 at 12, div.—*Alexander McKerrow*, Kingston-upon-Hull, Yorkshire, draper, Nov. 17 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Nov. 24 at 12, div.—*Edwin Bliss*, Barbican, London, brushmaker, Nov. 23 at 11, Court of Bankruptcy, London, div.—*Leon Joseph Nerincks*, Great Portland-street, Marylebone, Middlesex, laceman, Nov. 25 at 1, Court of Bankruptcy, London, div.—*William Nash*, Noble-street, London, woollen warehouseman, Nov. 24 at 2, Court of Bankruptcy, London, div.—*Philip Flood Page* and *Philip Norris Page*, King's-road, Gray's-inn, Middlesex, builders, Nov. 24 at 2, Court of Bankruptcy, London, div. sep. est. of *Philip Norris Page*.—*Thomas Long*, Belgrave-street South, Pimlico, Middlesex, picture dealer, Nov. 24 at 2, Court of Bankruptcy, London, div.—*Sarah Pattison*, Winchester, Hampshire, glazier, Nov. 24 at 1, Court of Bankruptcy, London, fin. div.—*Wm. Hodge*, Great Marlborough-street, Westminster, Middlesex, wholesale manufacturing stationer, Nov. 23 at 2, Court of Bankruptcy, London, div.—*John Clarke Sanford*, Paternoster-row, London, stationer, Nov. 24 at 1, Court of Bankruptcy, London, div.—*John Woodhouse*, Darlington, Durham, butcher, Nov. 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*William Peverley* and *John Ayrey Charlton*, Sunderland-near-the-Sea, Durham, shipbuilders, Nov. 25 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div. sep. est. of *John Ayrey Charlton*.—*James Reid*, Newcastle-upon-Tyne, shipbroker, Nov. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John Warburton*, Liverpool, tailor, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Raphael*, Liverpool, jeweller, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, div.—*John Yates*, Prescott, Lancashire, builder, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, div.—*John Davies*, Abergale, Denbighshire, grocer, Nov. 25 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Hornby*, Kirkdale, Lancashire, joiner, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, div.—*Edward Jones*, Liverpool, linendraper, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Charles Davey, Brixton, Surrey, linendraper, Nov. 23 at 11, Court of Bankruptcy, London.—*John Bell*, Ladgate-hill, London, tailor, Nov. 25 at 12, Court of Bankruptcy, London.—*Thomas Spurgin*, Road-side, Mile-end-road, Middlesex, victualler, Nov. 23 at 1, Court of Bankruptcy, London.—*Richard James Dangerfield*, Dunstable, Bedfordshire, printer, Nov. 23 at 12, Court of Bankruptcy, London.—*Benjamin Fisher*, Gloucester, carrier, Nov. 29 at 11, District Court of Bankruptcy, Bristol.—*Robert Chrissop Wilson*, Seaham Harbour, Durham, earthenware manufacturer, Nov. 26 at half-past

12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Rymer*, Gateshead, Durham, paper manufacturer, Nov. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas Luke*, New Accrington, Lancashire, grocer, Nov. 25 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

James Colquhoun, Parson's-hill, Woolwich, Kent, money scrivener.—*John Passman*, Stockton-upon-Tees, Durham, carrier.—*Thos. Moore* the younger, South Hylton, Durham, merchant.—*J. Wheelley*, Kennington-cross, Lambeth, Surrey, stablekeeper.—*Wm. Burman*, Birmingham, brickmaker.

SCOTCH SEQUESTERS.

Alexander Shireff, Leith, merchant.—*John Crickin*, Dundee, baker.—*James Bell*, Glasgow, bootmaker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Brownbill, Liverpool, trimming dealer, Nov. 8 at 11, County Court of Lancashire, at Liverpool.—*Samuel H. Cobell*, Liverpool, wine merchant, Nov. 8 at 11, County Court of Lancashire, at Liverpool.—*Joseph Gibbs*, Birmingham, grocer, Nov. 13 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Butler*, Birmingham, last maker, Nov. 13 at 10, County Court of Warwickshire, at Birmingham.—*James Spearman* the younger, Ipswich, Suffolk, grocer, Nov. 12 at 10, County Court of Suffolk, at Ipswich.—*James Adams*, Ipswich, Suffolk, licensed publican, Nov. 12 at 10, County Court of Suffolk, at Ipswich.—*Robert Stoper*, Debenham, Suffolk, general smith, Nov. 12 at 10, County Court of Suffolk, at Ipswich.—*Nathan Owles*, Debenham, Suffolk, shoemaker, Nov. 12 at 10, County Court of Suffolk, at Ipswich.—*Joseph Clarke*, Ipswich, Suffolk, butcher, Nov. 12 at 10, County Court of Suffolk, at Ipswich.—*Edward Jones*, Portmadoc, Carnarvonshire, druggist, Nov. 15 at 11, County Court of Carnarvonshire, at Portmadoc.—*Thos. Dadd*, Margate, Kent, carpenter, Nov. 8 at 12, County Court of Kent, at Margate.—*Wm. Tensom*, Charlton, Tuddington, Bedfordshire, farmer, Nov. 18 at 12, County Court of Bedfordshire, at Leighton Buzzard.—*George Heslop*, Tyne-mouth, Northumberland, tailor, Nov. 19 at half-past 10, County Court of Northumberland, at North Shields.—*William Stranghan*, Hartley, Earsdon, Northumberland, grocer, Nov. 19 at half-past 10, County Court of Northumberland, at North Shields.—*John White*, Dover, Kent, publican, Nov. 10 at 10, County Court of Kent, at Dover.—*James Riley*, Northorram, Halifax, Yorkshire, clog maker, Nov. 26 at 10, County Court of Yorkshire, at Halifax.—*Edward Topham*, Halifax, Yorkshire, confectioner, Nov. 10 at 10, County Court of Yorkshire, at Halifax.—*George Pack*, Doddington, Kent, bootmaker, Nov. 12 at 12, County Court of Kent, at Faversham.—*Thos. Rees*, Cwmaman, Bettws, Carmarthenshire, carpenter, Nov. 19 at 11, County Court of Carmarthenshire, at Llandilo.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 17 at 10, before Mr. Commissioner LAW.

Edward Harrison the younger, Archer-st., Camden-town, Middlesex, grocer.—*Charles Hunt*, Spring-st., Paddington, Middlesex, painter.

Nov. 19 at 10, before Mr. Commissioner LAW.

John W. Buckingham, Artillery-place West, Bunhill-row, St. Luke's, Middlesex, tailor.

Nov. 20 at 11, before Mr. Commissioner PHILLIPS.

William Walker, Charles-st., Commercial-road, Peckham, Surrey, chandler-shop keeper.—*John Hall*, Britton-street, Chelsea, Middlesex, launderer.—*John H. Hunt*, Brunswick-terrace, Park-road, New Peckham, Surrey, commercial traveller.—*Thomas Johnson*, Winchester-place, Summer-street, Commercial-road, Peckham, Surrey, bricklayer.—*J. Tipper*, Sun-st., North-end, Fulham, Middlesex, butcher.

Nov. 22 at 11, before Mr. Commissioner PHILLIPS.

George French, Cheahire Cheese-yard, Mount Pleasant, Clerkenwell, Middlesex, cabriolet owner.—*William Mullins*,

Grease-st., Rathbone-place, Oxford-street, Middlesex, out of business.—*Robert Lockwood*, Spring-place, Wandsworth-road, Lambeth, Surrey, manager of a tap.—*Joseph A. Messenger*, Brighton, Sussex, shopman to a jeweller.—*Thomas Rawlins*, Deptford, Kent, baker.

Nov. 26 at 11, before the CHIEF COMMISSIONER.

Thomas W. Branton, East-lane, Walworth, Surrey, night watchman at Newgate.—*Edward A. Sanderson*, Dorchester-street, Middlesex, cabinet maker.

Nov. 27 at 11, before Mr. Commissioner PHILLIPS.

David I. Noad, Charlotte-street, Fitzroy-sq., Middlesex, commission agent.—*Henry Baldock*, Harrow-road, Paddington, Middlesex, watchmaker.—*Robert Parish*, Nottingham-street, New-road, Middlesex, horse dealer.—*John Butler*, Queen-st., Southwark-bridge-road, Surrey, fruit salesman.—*Abraham Hawkes*, Commercial-place, York-road, Middlesex, baker.—*Ralph Atkinson*, Berwick-street, Soho, Middlesex, cabinet maker.

Nov. 29 at 11, before Mr. Commissioner PHILLIPS.

Donald Mcintosh, Frederick-st., Regent's-park, Middlesex, baker.—*Robert Rawcliffe*, Charlotte-street, Fitzroy-square, Middlesex, artists' colourman.

Saturday, Oct. 30.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Robert Wortley, Norwich, Norfolk, attorney-at-law, No. 75,646 C.; *Wm. Neave*, assignee.—*John Thomas*, Pontypidd, Glamorganshire, mineral surveyor, No. 75,395 C.; *Philip Woodruff*, assignee.—*Thos. Harwood*, Swansea, Glamorganshire, attorney, No. 75,240 C.; *Cornelius Bowe Palmer*, assignee.

Saturday, Oct. 30.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Chas. Gundry White, Besborough-gardens, Pimlico, Middlesex, paper stainer: in the Debtors Prison for London and Middlesex.—*Wm. Skinner Lacy*, Curtain-road, Shoreditch, Middlesex, working upholsterer: in the Debtors Prison for London and Middlesex.—*Jas. Payne*, Lambton-terrace, Westbourne-grove West, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Thomas Serrell*, Bolton-row, Piccadilly, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*John Matthews*, Hounslow, Middlesex, dealer in salt: in the Debtors Prison for London and Middlesex.—*Henry Baker*, Judd-st., New-road, Middlesex, confectioner: in the Debtors Prison for London and Middlesex.—*Wm. Hearn*, Seymour-st., Euston-square, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*Henry Kelly*, Coal-yard, Drury-lane, Holborn, Middlesex, builder: in the Queen's Prison.—*Henry Booth* the younger, Great Turner-st., Mile-end-road, Middlesex, shopman to a corn dealer: in the Gaol of Surrey.

(On Creditor's Petition).

Wm. Connelly, New-st., Golden-square, Middlesex, green-grocer: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Thomas Lister, Birmingham, japanner: in the Gaol of Coventry.—*Jas. Clarke*, Bradford, Yorkshire, cigar dealer: in the Gaol of York.—*Philip Barratt*, Manchester, provision-shop keeper: in the Gaol of Lancaster.—*John Jackson*, Whingate, West Houghton, Lancashire, butcher: in the Gaol of Lancaster.—*Jas. Alexander*, Scarborough, Yorkshire, physician: in the Gaol of York.—*Peter Hammond*, Micklegate, Yorkshire, baker: in the Gaol of York.—*Eli Priest*, Buffery, near Dudley, Worcestershire, nail ironmonger: in the Gaol of Coventry.—*Benj. Wright*, Gravesend, Kent, out of business: in the Gaol of Maidstone.—*Sarah Taylor*, Rochdale, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Williams Abel*, Kirkgate, Wakefield, Yorkshire, ironmonger: in the Gaol of York.—*Jos. Beverley*, Skircoat-green, near Halifax, Yorkshire, stone delver: in the Gaol of York.—*William Hodgson*, Leeds, Yorkshire, beer-shop keeper: in the Gaol of York.—*Richard Bliss*, Eastcombs, near Stroud, Gloucestershire, in no business: in the Gaol of Gloucester.—*William Biddick*, Cirencester, Gloucestershire, farmer: in the Gaol of

Gloucester.—*Geo. Agnew*, Rock Ferry, near Liverpool, out of business: in the Gaol of Lancaster.—*John Mark Little*, Manchester, out of business: in the Gaol of Lancaster.—*Stephen Neal*, Manchester, out of business: in the Gaol of Lancaster.—*Jas. Ogden*, Oldham, Lancashire, butcher: in the Gaol of Lancaster.—*Susy Sutcliffe*, Pasture Shaw Head, near Colne, Lancashire, widow: in the Gaol of Lancaster.—*Wm. Iredale*, Woodhouse, near Leeds, Yorkshire, mason: in the Gaol of York.—*Geo. Wilkinson*, Wakefield, near Bradford, Yorkshire, grocer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 16 at 11, before the CHIEF COMMISSIONER.

John Hill, Prospect-place, Holloway, Middlesex, builder.—*John Putney*, Sydney-st., Commercial-road East, Middlesex, dealer in timber.—*Harriet Maria Baker*, widow, Camden-st. North, Middlesex, in no trade.—*Langley Brackenbury*, Russell-street, King's-road, Chelsea, Middlesex, retired deputy assistant commissary-general in her Majesty's army.

Nov. 17 at 11, before Mr. Commissioner PHILLIPS.

Wm. Thos. Barth, Henry-st., Vauxhall-road, Lambeth, Surrey, clerk in the Secretary's Department of the General Post-office.—*Robert Parpyworth*, Craven-buildings, Drury-lane, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Nov. 17 at 10.

Thomas Lister, Birmingham, out of business.—*Eli Priest*, Buffery, near Dudley, Worcestershire, nail ironmonger.

At the County Court of Herefordshire, at HEREFORD, Nov. 18 at 10.

Hervey Bowling Noble, Oakland House Academy, near Ledbury, teacher of French and drawing.

MASTER IN CHANCERY.—The Lord Chancellor has appointed David Mustard, Gent., of Mistley and Manningtree, Essex, to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir John Jervia, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed John Vinal Selby, Gent., of Sittingbourne, in the county of Kent, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Kent.

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The Jurist

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NOVEMBER 13, 1852.

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LONDON, NOVEMBER 13, 1852.

THE new Chancery practice is beginning to be carried into effect, and as the judges have adopted the most satisfactory course of conferring together upon any new application to either branch of the Court, before a decision is given, the points of practice, as they successively arise, will be at once definitively settled, instead of remaining, as used to be the case when new Orders came out, incessantly fluctuating, by reason of differences of opinion in the several branches of the Court.

On the point decided by Vice-Chancellor Stuart under the 20th section of the Chancery Practice Act—that a defendant, moving for production of documents against a plaintiff, must shew to the Court some materials on which to assume that the plaintiff has documents, and what documents he has—observations by two different writers have already appeared in our columns. We will only here add, in support of the construction put on the act by the Vice-Chancellor, that it by no means follows from that construction that the 18th and 20th sections are useless. What was intended, we conceive, by the act, was this—that when a plaintiff or a defendant has knowledge or belief that his opponent possesses par-

ticular documents relating to the matters in issue, he shall be able, on making out that case *prima facie* to the Court, to have immediate production of them, without being put first to file interrogatories—a facility of itself very considerable: and assuming that, and that only, to be the operation of the act, it would be by no means useless. But to support the contrary construction of the act, we must suppose that it intended to dispense in every case with the necessity of interrogating as to books and papers—a practice so settled, at least as regards a defendant, that it can hardly be supposed the act intended to abolish it, not having expressly said so.

On this subject it will be useful to refer to the practice at law under the 14 & 15 Vict. c. 99, s. 6.

That section is as follows:—"Whenever any action or other legal proceeding shall henceforth be pending in any of the superior courts of common law at Westminster or Dublin, or the Court of Common Pleas for the county palatine of Lancaster, or the Court of Pleas for the county of Durham, such court, and each of the judges thereof, may respectively, on application made for such purpose by either of the litigants, compel the opposite party to allow the party making the application to inspect all documents in the custody or under

the control of such opposite party relating to such action or other legal proceeding, and, if necessary, to take examined copies of the same, or to procure the same to be duly stamped, in all cases in which previous to the passing of this act a discovery might have been obtained by filing a bill, or by any other proceeding in a court of equity, at the instance of the party so making application as aforesaid to the said court or judge."

And on this the Court of Exchequer said, in *Hurst v. Hewitt*, (16 Jur., part 1, p. 503)—"Under the recent act of Parliament, where an inspection is litigated, an affidavit will no doubt be necessary as to all the disputed facts; and if all are disputed, the affidavit ought to state a sufficient case in all respects to entitle the applicant to inspect, as would have been necessary to obtain an inspection which the Court had before, and still has, the power to grant at common law. The affidavit, therefore, ought not only to shew that an action or other proceeding is pending, but also to state, not a mere suggestion, but circumstances sufficient to satisfy the court or judge that there are in the possession or under the control of the opposite party certain documents, and that those relate to such action or other legal proceeding: a *prima facie* case calling for an answer must at least be stated in this respect, as it must in the old proceeding to obtain inspection of documents held by a trustee. Further, the affidavit must shew that the applicant would, by a bill for a discovery or other proceeding, be able to obtain a discovery and inspection of those documents."

And the following rules were laid down on the subject of inspection:—

"First, what is the nature of the suit, and of the question to be tried in it; and it seems also that he should depose in his affidavit to his having just grounds to maintain or defend it.

"Secondly, the affidavit ought to state, with sufficient distinctness, the reason of the application, and the nature of the documents, in order that it may appear to the court or judge that the documents are asked in order to enable the party applying to support his case, not to find a flaw in the case of the opponent, and also that the opponent may admit or deny the possession of them.

"To this affidavit the opponent may answer, by swearing that he has no such documents, or that they relate exclusively to his own case, or that he is for any sufficient reason privileged from producing them; or he may submit to shew facts, covering the remainder, on affidavit that the part concealed does not in any way relate to the plaintiff's case. The same course would be pursued in equity.

"Although the recent act of Parliament has not given the Courts of law the direct power of compelling a discovery of documents, and in that respect they are not so effective as Courts of equity, they have in truth nearly as great power given by the section in question; for it will rarely happen, where documents material to the issue are really in the hands of the opposite party, that there will not be sufficient circumstances known to the applicant to constitute a *prima facie* case for him, and to justify the interference of the court or a judge if no answer is given to them by affidavit.

The new measure will therefore, in practice, be nearly as effective as if the power of compelling a discovery were expressly given to the common-law courts."

Another important decision has been made in Vice-Chancellor Kindersley's branch of the Court, under the 42nd section of the act, in *Mildmay v. Methuen*, (reported in the present number of THE JURIST, part 1, p. 965), in which it was held; that in a case in which a general reference had been made to the Master, before the Masters Abolition Act, the Court had no power, in making a further reference to the Master, to delegate to him authority to call in the aid of a scientific person, that power being confined by the act to the judges of the Court; but it was held that the Court could take the matter out of the hands of the Master, and direct it to be transacted in chambers; and accordingly, in that case, on a question whether a testator's estate was indebted to a builder, on a complicated bill, requiring the investigation of an architect, and which, if tried at law, would necessarily have gone to arbitration, the Court ordered the inquiry to be taken before the judge in chambers, intimating that any question of law, not requiring material argument, the judge would himself decide at once in chambers, and that if any question of substantial difficulty arose, he would order it to be argued in court.

From this, as well as from other indirect intimations and rumours which have been floating about, and from the very significant Order relating to the allowance of the costs of attending by counsel in chambers, (the 56th Order of the 16th October), it would seem to be the intention of the judges that counsel shall attend as little as possible, if at all, before them in chambers, and that matters requiring the assistance of counsel shall be debated in open court.

With respect to the mode of working out Orders in chambers, all is at present still dark, and very much is left to the discretion of the judges. For instance, in the very outset, the 23rd Order of the 16th October, relating to the mode of carrying in materials for an inquiry, is too vague to give the practitioner much assistance. He is not to carry in a state of facts, but short and concise statements, and extracts from documents, if need be; that is, he is not to carry in a state of facts, yet he is to take in that which in effect is a state of facts. If the chief clerks in the first instance, and the judges in overlooking them, are not on the alert, this Order will very soon be forgotten, and states of facts, in all their old luxuriance, only under a new name, will soon be revived.

Correspondence.

TO THE EDITOR OF "THE JURIST."

SIR,—In your observations upon the Common-law Procedure Bill, 1852, and upon the consequent statute, you have not yet noticed that the chief source of expense of a trial at law, which every experienced attorney knows is in the payment of witnesses' necessary expenses, is untouched. I venture to offer a few remarks and suggestions upon this subject, with reference to country trials.

You may probably be aware, that at some of the smaller assize towns, we can, during the assizes, only

get a bed for 1*l.* 1*s.*, whether for the night or for a week, at others for 10*s.* 6*d.* a night, and sometimes 8*s.* a head will be charged for the most ordinary dinner, (I am speaking of charges that I have paid, after being satisfied that it was useless to resist them); and these charges are defended on the ground of the great influx of people, for a few days only, at long intervals, and the want of accommodation for them in the smaller towns.

One of the improvements you advocate, with a view to the more speedy administration of justice, (quarterly assizes), would tend to diminish these expenses; but a much greater reduction might be effected.

Take the large, populous, and wealthy county of York. Why should its inhabitants have all to go to York to try their causes? True, the electric telegraph (which has saved more expense in contested trials than the Common-law Procedure Act will do) may, at some risk, save them many days useless attendance; but perhaps, without any great inconvenience, either to the judges or the bar, a system might be adopted which would save much travelling from home.

I would propose to appoint assize towns throughout the country, without regard to their being county towns or not, or to the present division of counties, and to have, when necessary, several assize towns in one county, selecting, as far as possible, large populous commercial towns having the best railway accommodation; and I would propose to have quarterly assizes, and empower a judge at chambers, on either party's application, to direct or change the place of trial.

It seems to me unnecessary to point out the great saving of time, trouble, annoyance, and expense these changes would cause; and I can see no material difficulty in the way of their adoption.

I am, &c.,
AN ATTORNEY.

* * * The letter from "Observer" shall appear in our next number.

London Gazette.

FRIDAY, NOVEMBER 5.

BANKRUPTS.

NATHANIEL COBB, Colchester, Essex, auctioneer, dealer and chapman, Nov. 11 at 11, and Dec. 16 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Abell, Colchester, and Romney-terrace, Horseferry-road, Westminster.—Petition filed Nov. 2.

WILLIAM GREEN, Harrow-road, Middlesex, builder, dealer and chapman, Nov. 12 at half-past 12, and Dec. 17 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Bicknell & Bicknell, 79, Connaught-terrace, Edgware-road.—Petition dated Nov. 5.

JOHN ROBERTSON, St. Mary-street, Woolwich, Kent, publican, Nov. 17 and Dec. 17 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Emmett & Knight, Bloomsbury-square.—Petition filed Nov. 3.

GEORGE PRENTICE, Artillery-lane, Bishopsgate-street, London, licensed victualler, Nov. 17 and Dec. 17 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Martineau & Reid, 2, Raymond-buildings, Gray's-inn.—Petition filed Nov. 3.

WILLIAM NOBLE, Charles-street, St. George's East, Middlesex, wholesale stay manufacturer, Nov. 17 at 2, and Dec. 18 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Wilson, Manchester; Sole & Co., 68, Aldermanbury.—Petition filed Oct. 30.

WILLIAM THOMAS HANNAM, Brighton, Sussex, wine and spirit merchant, dealer and chapman, Nov. 10 at 12, and Dec. 18 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Dimmock & Barbey, 2, Suffolk-lane, City; Messrs. Linklater, 17, Sise-lane, City.—Petition dated Oct. 30.

WILLIAM WOOD the younger, Aston, Birmingham, builder, dealer and chapman, Nov. 24 and Dec. 15 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sol. Hodgson, Birmingham.—Petition dated Nov. 4.

THOMAS FORSHAW, Birkenhead, Cheshire, master mariner and commission agent, Nov. 10 and Dec. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Owen, Liverpool.—Petition filed Nov. 3.

WILLIAM LONGSON, Heaton Norris, Lancashire, joiner and builder, dealer and chapman, Nov. 19 and Dec. 10 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Price & Stuart, Wolverhampton.—Petition filed Nov. 1.

JOHN DOOTSON, Wigan, Lancashire, cotton spinner, Nov. 18 and Dec. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Janion, Manchester.—Petition filed Oct. 26.

JOHN BELL ARMSTRONG, Manchester, tailor and draper, dealer and chapman, Nov. 19 and Dec. 10 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Cooper & Son, Manchester.—Petition filed Oct. 29.

MEETINGS.

Josef Alphonse Thomas, Thavies-inn, Holborn, London, flour merchant, Nov. 18 at 11, Court of Bankruptcy, London, pr. d.—*Geo. Barton* and *J. Barton*, Manchester, copper roller manufacturers, Nov. 15 at 12, District Court of Bankruptcy, Manchester, pr. d.—*S. Mitchell*, Stepney-gate, Commercial-road East, Middlesex, shoemaker, Nov. 25 at 2, Court of Bankruptcy, London, last ex.—*Ralph Darlington*, Wigan, Lancashire, money scrivener, Nov. 17 at 12, District Court of Bankruptcy, Manchester, last ex.—*Richd. Hadland*, St. Helen's, Lancashire, glass manufacturer, Nov. 15 at 11, District Court of Bankruptcy, Liverpool, last ex.—*William Rolph*, Billericay, Essex, brewer, Nov. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Bolton*, Albany-street, Regent's-park, Middlesex, coachmaker, Nov. 18 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Insell*, Shipston-on-Stour, Worcestershire, auctioneer, Nov. 17 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 30 at half-past 11, div.—*Francis Joule Smith*, Eccleshall, Staffordshire, carrier, Nov. 23 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Pearson*, Hollies, Kingswinford, Staffordshire, maltster, Nov. 17 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Burman*, Birmingham, brickmaker, Nov. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Francis Braithwaite*, Hereford, apothecary, Nov. 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Chas. F. Bailey*, Burslem, Staffordshire, bootmaker, Nov. 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Josiah Perry* and *W. Knight Broadhurst*, Fenton, Stoke-upon-Trent, Staffordshire, earthenware manufacturers, Nov. 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Davies*, Abergale, Denbighshire, grocer, Nov. 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*D. Little*, Liverpool, merchant, Nov. 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*G. Pryde*, *D. Jones*, and *J. Gibb*, Liverpool, sailmakers, Nov. 15 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jos. Armitage*, *Jas. Armitage*, *W. H. Armitage*, and *C. Armitage*, Marsden, Almondbury, Yorkshire, woollen-cloth manufacturers, Nov. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 30 at 11, fin. div.—*Michael Lees*, Halifax, Yorkshire, woollen manufacturer, Nov. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 30 at 11, div.—*Henry Armstrong*, Norwich, linen-draper, Nov. 29 at 12, Court of Bankruptcy, London, div.—*Geo. Baker* and *Geo. Baker* the younger, Threadneedle-street, London, stock-brokers, Nov. 26 at 1, Court of Bankruptcy, London, div.—*Henry Mopsey*, Union-st. East, Bishopsgate, Middlesex, ironmonger, Nov. 26 at half-past 12, Court of Bankruptcy, London, div.—*Wm. Wymark*, Mistley, near Manningtree, Essex, wharfinger, Nov. 26 at half-past 1, Court of Bankruptcy, London, div.—*John Robinson*, Nassau-place, Commercial-road East, and Cannon-street-road, Middlesex, wholesale clothier and general outfitter, Nov. 26 at half-past 11, Court of Bankruptcy, London, div.—*Edwin Gates*, Aylesford, Kent, grocer, Nov. 26 at 12, Court of Bankruptcy, London, fin. div.—*Samuel Boyle*, Fenton, Stoke-upon-Trent, Staffordshire, manufacturer of china, Nov. 27 at 10, District

Court of Bankruptcy, Birmingham, aud. ac.; Nov. 29 at 10, div.—*William Ward Evans*, Ludlow, Shropshire, butcher, Nov. 30 at half-past 11, District Court of Bankruptcy, Birmingham, div.—*Robert Barr*, Glasgow, Scotland, and *John Sykes*, Huddersfield, Yorkshire, Huddersfield Spinning Company, Nov. 26 at 11, District Court of Bankruptcy, Leeds, div. joint est., and sep. est. of *Robert Barr*.—*Hodgson Lewis* and *James Hervey*, Halifax, Yorkshire, spirit merchants, Nov. 26 at 11, District Court of Bankruptcy, Leeds, div.—*John Watson*, Shipton, Yorkshire, linendraper, Nov. 26 at 11, District Court of Bankruptcy, Leeds, div.—*Robert Squire James*, Leeds, Yorkshire, wholesale ironmonger, Nov. 26 at 11, District Court of Bankruptcy, Leeds, div.—*Geo. Moon*, Borrowby, near Thirsk, Yorkshire, corn miller, Nov. 26 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Samuel Warner, Felix Cottage, Tranquil-vale, Blackheath, Kent, plasterer, Nov. 26 at 11, Court of Bankruptcy, London.—*Thomas Townsend*, Bath, hat manufacturer, Nov. 29 at 11, District Court of Bankruptcy, Bristol.—*John Hall* and *Henry Hall*, Wooden Box, Hartshorne, Derbyshire, earthenware manufacturers, Dec. 3 at 10, District Court of Bankruptcy, Birmingham.—*Samuel Boyle*, Fenton, Stoke-upon-Trent, Staffordshire, manufacturer of china, Nov. 29 at 10, District Court of Bankruptcy, Birmingham.—*Henry George Quilter*, Birmingham, grocer, Dec. 2 at 11, District Court of Bankruptcy, Birmingham.—*M. Richards*, Birmingham, grocer, Dec. 2 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Bailey Capper, Montpelier-vale, Blackheath, Kent, chemist.—*Henry Plummer* the younger, Golden-lane, St. Luke's, Middlesex, wood turner.—*John Powlesland*, South Tawton, Devonshire, dealer in seeds.

PARTNERSHIPS DISSOLVED.

Richard B. Barron and *Joseph Phipps Townsend*, Southwell, Nottinghamshire, attorneys-at-law and solicitors.—*Thos. Walcot* and *Wm. Carr*, St. Swithin's-lane, London, solicitors and attorneys, (under the firm of Walcot & Carr).

SCOTCH SEQUESTRATIONS.

Todd Brothers & Co., Glasgow, commission merchants.—*J. & D. Sloan* and *James Sloan*, Thornhill, near Johnstone, Renfrewshire, cotton spinners.—*Goodall & Sanderson*, Edinburgh, wrights.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Fensom, (and not *Tensom*, as before advertised), Charlton, Toddington, Bedfordshire, out of business, Nov. 18 at 12, County Court of Bedfordshire, at Leighton Buzzard.—*Wm. Morgan*, Swansea, Glamorganshire, sugar boiler, Nov. 17 at 10, County Court of Glamorganshire, at Swansea.—*Jane Thomas*, widow, Dowlais, Glamorganshire, grocer, Nov. 9 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*Henry Griffiths*, Neath, Glamorganshire, out of business, Nov. 15 at 10, County Court of Glamorganshire, at Neath.—*Robert Mark*, Southsea, Portsea, Hampshire, draper's assistant, Nov. 16 at 11, County Court of Hampshire, at Portsmouth.—*John Fey*, Exeter, carver and gilder, Nov. 20 at 10, County Court of Devonshire, at Exeter.—*Abraham Seaman*, East Town, Lympham, Somersetshire, farmer, Nov. 20 at 9, County Court of Somersetshire, at Weston-super-Mare.—*Timothy Smith Milford*, Dudley, Worcestershire, iron roller, Nov. 18 at 9, County Court of Worcestershire, at Dudley.—*Charles Lukin*, Bristol, in no business, Nov. 10 at 11, County Court of Gloucestershire, at Bristol.—*T. P. Thomas*, Bristol, pastrycook, Nov. 10 at 11, County Court of Gloucestershire, at Bristol.—*John Westmoreland*, East Jarrow, near South Shields, Durham, butcher, Nov. 22 at 10, County Court of Durham, at South Shields.—*Wm. Henry Cooke*, Shrewsbury, Shropshire, hatter, Nov. 23 at 10, County Court of Shropshire, at Shrewsbury.—*Edwin Grimshaw*, Carlton, near Snaith, Yorkshire, veterinary surgeon, Nov. 11 at 10, County Court of Yorkshire, at Selby.—*Thomas Hardy*, Coatham, Yorkshire, butcher, Nov. 19 at 10, County Court of Yorkshire, at Stokesley.—*Thomas Bayley*, Nantwich, Cheshire,

out of business, Nov. 25 at 11, County Court of Cheshire, at Nantwich.—*Thomas P. Raggell*, Kingsholm, Gloucestershire, out of business, Nov. 25 at 10, County Court of Gloucestershire, at Gloucester.—*William Johnson*, West Derby, Lancashire, land steward, Nov. 8 at 11, County Court of Lancashire, at Liverpool.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 22 at 11, before Mr. Commissioner PHILLIPS.

Charles Gundry White, Beesborough-gardens, Vauxhall-bridge-road, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Richard Johnson, Southport, Lancashire, attorney-at-law, No. 75,581; *William Welsby*, assignee.—*Samuel Campbell*, Kirkdale, Liverpool, shipowner, No. 75,624; *John Meek*, assignee.—*Peter Johnson* the younger, Egremont, near Liverpool, general commission agent, No. 75,631; *George Codrington Nicholls*, assignee.—*William Scrutton*, Liverpool, out of business, No. 75,564; *Matthew Vickers*, assignee.—*Thomas Dick*, Manchester, grocer, No. 75,608; *Joseph Ramsden*, assignee.—*Samuel Andrew*, Lees, near Oldham, Lancashire, out of business, No. 75,574; *John Haworth*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Nov. 19 at 11.

John Lord, Rochdale, commission agent.—*John Mark Little*, Manchester, out of business.—*Stephen Neal*, Manchester, out of business.—*Joel Dean*, Liverpool, out of business.—*Susy Sutcliffe*, widow, Pasture Shaw-head, near Colne, in no business.—*James Ogden*, Oldham, butcher.—*Philip Barratt*, Manchester, provision-shop keeper.—*Daniel Coe*, Ardwick, Manchester, provision-shop keeper.—*Wm. Knowles*, Kendal, butcher.—*Charles Blackburn*, Liverpool, shoemaker.—*Benjamin Walker*, Blackburn, out of business.—*Miles Reynolds*, Manchester, licensed victualler.—*George Agnew*, Rock-ferry, near Liverpool, out of business.

At the County Court of Norfolk, at NORWICH, Nov. 22.

Robert Stegall, Old Buckenham, out of business.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Nov. 22.

William Trundle, Strode, out of business.

At the County Court of Staffordshire, at STAFFORD, Nov. 22 at 10.

Edward Boden, Parkfields, near Wolverhampton, shoemaker.—*John Faulkner Bebington*, Liverpool, watchmaker.

At the County Court of Yorkshire, at YORK, Nov. 22.

William Abel, Wakefield, ironmonger.—*John Laycock*, Leeds, cloth fuller.—*James Clarke*, Bradford, cigar dealer.—*Frederick Holroyd*, Leeds, out of business.—*John Brook*, Huddersfield, stonemason.—*Charles Stead*, Cowcliffe, near Huddersfield, small farmer.—*Joseph Beverley*, Skircoat-green, near Halifax, stone delver.—*William Hodgson*, Leeds, beer-shop keeper.—*William Iredale*, Woodhouse, near Leeds, mason.—*James Alexander*, Scarborough, physician.—*Peter Hammond*, York, baker.

INSOLVENT DEBTORS' DIVIDENDS.

John Oliver, Writtle, Essex, beer-shop keeper, Nov. 6, Gepp's, Chelmsford: 5½d. in the pound.—*John Henry Liens Meure*, Feering, Essex, jeweller, Nov. 6, Gepp's, Chelmsford: 3½d. in the pound.—*Theodorus Harrison*, Witham, Essex, bricklayer, Nov. 6, Gepp's, Chelmsford: 1s. 4½d. in the pound.

TUESDAY, NOVEMBER 9.

BANKRUPTS.

HENRY EVERETT, Colchester, Essex, builder, dealer and chapman, Nov. 19 and Dec. 18 at half-past 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Abel, 8, Romney-terrace, Horseferry-road, Westminster, and Colchester, Essex.—Petition filed Nov. 8.

THOMAS FULLER, Braintree, Essex, victualler, dealer and chapman, Nov. 23 and Dec. 20 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Aldridge & Bromley, Gray's-inn.—Petition filed Nov. 5.

JOHN LABRON, Leeds, Yorkshire, cloth merchant, dealer and chapman, Nov. 25 and Dec. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Atkinson & Co., Leeds.—Petition dated and filed Nov. 5.

MATTHIAS HYTCH JACOBS, late of Hatton-yard, Hatton-garden; Liquorpond-st., Gray's-inn-lane; Skinner-st., Somers-town; and Dorset-street, Spitalfields, Middlesex; but now of Great Union-st., Borough-road, Surrey, glass, china, and general dealer, and coal merchant, Nov. 23 at 1, and Dec. 16 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Empson, 61, Moorgate-street, London.—Petition filed Nov. 2.

JOHN BENNINGTON BLYTHE, late of Minerva-place, New Cross, Surrey, formerly of Northumberland-grove, Northumberland-park, Tottenham, Middlesex, builder, dealer and chapman, Nov. 17 at half-past 1, and Dec. 18 at 2, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Wright, 126, Chancery-lane.—Petition dated Nov. 6.

MEETINGS.

Jos. Barber, Alfreton, Derbyshire, innkeeper, Nov. 20 at 12, District Court of Bankruptcy, Sheffield, ch. ass.—*Daniel Merewether Ford*, Lawrence-lane, Cheapside, London, carrier, Nov. 3 at 11, Court of Bankruptcy, London, last ex.—*Wm. Richardson*, Lombard-st., London, merchant, Nov. 24 at 12, Court of Bankruptcy, London, aud. ac.—*Chas. Johnson*, Northumberland-place, Commercial-road East, Middlesex, ironmonger, Nov. 24 at 12, Court of Bankruptcy, London, aud. ac.; Dec. 1 at 1, div.—*Wm. Ogilvie Cameron* and *Wm. Bruce*, Mintern-street, New North-road, Hoxton, Middlesex, pickle merchants, Nov. 24 at 12, Court of Bankruptcy, London, aud. ac.; Dec. 1 at 1, div.—*Wm. Buchanan*, Gerard-st., Soho, Middlesex, picture dealer, Nov. 20 at 1, Court of Bankruptcy, London, aud. ac.—*Jas. Colquhoun*, Woolwich, Kent, money scrivener, Nov. 19 at 12, Court of Bankruptcy, London, aud. ac.; Nov. 26 at 1, div.—*Joseph Loader*, Pavement, Finsbury, London, upholsterer, Nov. 20 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 26 at 11, div.—*John Carruthers*, Shepperton, Middlesex, gentleman, Dec. 7 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Alas. Forfar*, Donstable, Bedfordshire, straw-bonnet manufacturer, Nov. 23 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Rich. Jas. Dangerfield*, Dunstable, Bedfordshire, printer, Nov. 23 at 12, Court of Bankruptcy, London, aud. ac.—*C. Davey*, Brixton, Surrey, linendraper, Nov. 23 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 30 at 11, div.—*Herbert Ashton* and *Steward Stevenson Spriggs*, Aldermanbury, London, warehousemen, Nov. 25 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 30 at 12, div.—*Robert Fulkes*, Park-street, Camden-town, Middlesex, ironmonger, Nov. 23 at 2, Court of Bankruptcy, London, aud. ac.—*George Johnson*, Poplar, Middlesex, coal merchant, Nov. 25 at 11, Court of Bankruptcy, London, aud. ac.—*Jos. Cole*, Limehouse, Middlesex, victualler, Nov. 23 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Tainsh*, Hatton-garden, Middlesex, dealer in bibles, Nov. 23 at half-past 1, Court of Bankruptcy, London, aud. ac.—*George Standerwick*, *Charles Standerwick*, and *Thos. Barnes*, Bristol, auctioneers, Dec. 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Dec. 9 at 11, div.—*Wm. Wheeler*, Cleobury Mortimer, Shropshire, miller, Dec. 7 at 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Jane Parker*, Goosnargh-with-Newsham, Lancashire, innkeeper, Nov. 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 3 at 12, div.—*Samuel Padget*, Preston, Lancashire, draper, Nov. 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 2 at 12, div.—*Edward Jones*, Liverpool, linendraper, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Horrocks*, Liverpool, stone merchant, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Sophia Burton* and *J. Burton*, Kingston-upon-Hull, chemists, Dec. 8 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Dec. 15 at 12, div.—*Arnold Francis Wille* and *George Henry Wilson*, Kingston-upon-Hull, merchants, Dec. 8 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. joint est., and sep. est. of *G. H. Wilson*; Dec. 15 at 12, first and fin. div. sep. est. of *G. H. Wilson*.—*Wm.*

Henry Wilson and *Richard Vause*, Kingston-upon-Hull, merchants, Dec. 1 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. sep. est. of *R. Vause*.—*R. Wells*, Brigg, Lincolnshire, draper, Dec. 1 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Francis Dawson*, Great Yarmouth, Norfolk, draper, Dec. 2 at half-past 12, Court of Bankruptcy, London, div.—*Henry Goring*, Hanwell, Middlesex, butcher, Dec. 2 at 2, Court of Bankruptcy, London, div.—*Thos. Collingwood*, Abingdon, Berkshire, butcher, Dec. 7 at 1, Court of Bankruptcy, London, div.—*Austin R. Stace*, Strood, Kent, ironmonger, Nov. 26 at half-past 12, Court of Bankruptcy, London, div.—*Henry Calvert*, Petersfield, Southampton, woollendraper, Nov. 26 at 12, Court of Bankruptcy, London, div.—*Rowland Mitchell*, Lime-street, London, merchant, Nov. 27 at half-past 1, Court of Bankruptcy, London, div.—*John James King Boots*, Branton's-wharf, Commercial-road, Middlesex, manufacturing chemist, Nov. 27 at 1, Court of Bankruptcy, London, div.—*Henry E. Ford* and *Wm. Reeves*, Leadenhall-st., London, ship agents, Nov. 27 at 2, Court of Bankruptcy, London, div.—*Edward Winstanley* and *Henry George Winstanley*, Poultry, London, chemists, Dec. 1 at 11, Court of Bankruptcy, London, div.—*Anthony Edward Corvan*, Hampstead-road, and Lisson-grove, Middlesex, baker, Nov. 27 at half-past 2, Court of Bankruptcy, London, div.—*Charles Henry Whits*, Southampton, dealer in china, Dec. 1 at 12, Court of Bankruptcy, London, div.—*Henry Pinkhorn* and *Robert Pinkhorn*, Southampton, tailors, Dec. 1 at 1, Court of Bankruptcy, London, div.—*A. Moore*, South-wharf-road, Paddington, Middlesex, marble merchant, Dec. 1 at half-past 1, Court of Bankruptcy, London, fin. div.—*Thomas Allen*, Great Suffolk-street, Southwark, Surrey, Birmingham warehouseman, Nov. 30 at 12, Court of Bankruptcy, London, fin. div.—*Samuel Lovick Coleman*, Norwich, draper, Dec. 3 at 1, Court of Bankruptcy, London, div.—*John Stafford*, West Smithfield, London, tailor, Nov. 30 at 1, Court of Bankruptcy, London, div.—*Benjamin John Benton*, White Horse-street, Stepney, Middlesex, corn merchant, Dec. 3 at 12, Court of Bankruptcy, London, div.—*Robert Miller Forbes*, Great St. Helen's, London, provision merchant, Nov. 30 at 2, Court of Bankruptcy, London, div.—*George Rougemont*, Broad-street-buildings, London, merchant, Dec. 10 at 2, Court of Bankruptcy, London, div.—*Elizabeth Russ*, Fouchers, Good Easter, Essex, brickmaker, Dec. 10 at 1, Court of Bankruptcy, London, div.—*Thomas Tuffield*, Hoxton Old-town, Middlesex, tallow chandler, Dec. 17 at 11, Court of Bankruptcy, London, div.—*John Oliver*, Queen's-road, Bayswater, Middlesex, plumber, Dec. 10 at 12, Court of Bankruptcy, London, div.—*Robert Heath*, Manchester, *Wm. Welch*, and *John H. Barber*, Burslem, Staffordshire, ironmasters, Nov. 29 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 4 at 10, div. sep. est. of *R. Heath*.—*John Hollingworth*, Kingston-upon-Hull, shipowner, Dec. 1 at 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Joshua Micalfe*, New Malton, Yorkshire, corn merchant, Nov. 30 at 11, District Court of Bankruptcy, Leeds, aud. ac. and second fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Gilbert, Nottingham, builder, Dec. 3 at 10, District Court of Bankruptcy, Nottingham.—*Howard James*, Rushall, Staffordshire, miller, Dec. 7 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Beanland, Birkenhaw Bottoms, Birstal, and Bradford, Yorkshire, woolstapler.—*W. Thompson*, Upper Ground-street, Blackfriars-road, Surrey, ironfounder.—*W. O. Cameron*, Mintern-street, New North-road, Hoxton, Middlesex, pickle merchant.—*J. B. Dauphin*, Wharf-road, City-road, Middlesex, colour merchant.—*George Ball*, Fenchurch-street, London, wine merchant.—*Henry Gurney*, Pitfield-street, Hoxton, Middlesex, victualler.—*Charles Johnson*, Northumberland-place, Commercial-road East, Middlesex, ironmonger.—*Chas. Edward Bingham*, Mount-street, Grosvenor-square, Middlesex, printer.—*Wm. Harding*, Crawford-street, St. Marylebone, Middlesex, corn dealer.—*Richard Pegg*, Brighton, Sussex, wine merchant.—*Francis D. Wilson*, Old Broad-st., London, Russia broker.—*John Dodgson*, Liverpool.—*Holt Taylor*, Waterfoot, near Newchurch, Lancashire, coal dealer.—*John Richardson*, Leeds, Yorkshire, wool merchant.

SCOTCH SEQUESTRATIONS.

Ewen Macintosh, Moybeg, Inverness-shire, innkeeper.—*A. Webster & Co.*, Edinburgh, hat merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Cowburn, Hunslet, near Leeds, Yorkshire, beer-house keeper, Nov. 24 at 10, County Court of Yorkshire, at Leeds.—*James Spencer*, Warburton, Cheshire, farmer, Nov. 15 at 11, County Court of Cheshire, at Altrincham.—*Wm. Farr*, Brighton, Sussex, carpenter, Dec. 4 at 10, County Court of Sussex, at Brighton.—*John Oliver*, Bodmin, Cornwall, carpenter, Dec. 8 at 10, County Court of Cornwall, at Bodmin.—*Wm. Stapley*, Brighton, Sussex, booth keeper, Nov. 20 at 10, County Court of Sussex, at Brighton.—*Charles Lewis Robinson*, Mildenhall, Suffolk, butcher, Nov. 27 at 11, County Court of Suffolk, at Mildenhall.—*Thomas R. E. Bannock*, Norton, Suffolk, shopkeeper, Nov. 22 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Benjamin Chenery*, Thetford, Norfolk, grocer, Nov. 25 at 11, County Court of Norfolk, at Thetford.—*Thomas Mowson* the elder, Campsey Ash, near Wickham Market, Suffolk, grocer, Nov. 20 at 10, County Court of Suffolk, at Woodbridge.—*Samuel Nobbs*, Kirtley, Suffolk, butcher, Nov. 17 at 10, County Court of Suffolk, at Lowestoft.—*William Lomeryan*, Manchester, commercial traveller, Nov. 29 at 11, County Court of Lancashire, at Manchester.—*Peter Laws*, East Heddou, Northumberland, farm steward, Nov. 25 at 10, County Court of Northumberland, at Newcastle.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 24 at 10, before Mr. Commissioner PHILLIPS.

Thomas S. Barling, Stockwell-st., Manor-st., Old Kent-road, Surrey, bricklayer.

Saturday, Nov. 6.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Wm. H. Hinds, Chorlton-upon-Medlock, Manchester, out of business, No. 75,461 C.; *Thomas Vickers*, assignee.—*George Bassall*, Shirland, Derbyshire, farming servant, No. 75,659 C.; *Francis Bird*, assignee.—*Alexander J. Howell*, Darlington, Durham, clerk, No. 75,649 C.; *Thomas Dobson*, assignee.—*Samuel Campbell*, Kirkdale, Liverpool, shipowner, No. 75,624 C.—*John W. Baines*, Holt, Norfolk, innkeeper, No. 75,650 C.; *Wm. J. J. Bolding*, assignee.

Saturday, Nov. 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Buckingham, Newport-court, Newport-market, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*James T. Mason*, Arthur-st., New Oxford-st., Middlesex, chemist: in the Debtors Prison for London and Middlesex.—*John S. Chadwell*, Great Suffolk-st., Southwark, Surrey, oil and colour man: in the Gaol of Surrey.—*John G. Craddock*, Holywell-street, Strand, Middlesex, commercial traveller: in the Debtors Prison for London and Middlesex.—*Wm. T. Norris*, Marshall-st., Golden-sq., Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*James Harris*, Perry-hill, Sydenham, Kent, oil and colour man: in the Queen's Prison.—*William Poole* the younger, Crown-place, Mile-end-road, Middlesex, clothier's salesman: in the Debtors Prison for London and Middlesex.—*Susan Jackson*, Sussex-place, Rotherfield-st., Islington, Middlesex, dressmaker: in the Debtors Prison for London and Middlesex.—*Wm. Aston*, Bacon-st., Brick-lane, Spitalfields, Middlesex, dealer in horses on commission: in the Debtors Prison for London and Middlesex.—*Henry Holmes*, Boyle-street, Old Burlington-st., St. James's, Middlesex, clerk: in the Queen's

Prison.—*George Cleare*, President-street East, King-square, Middlesex, milkman: in the Debtors Prison for London and Middlesex.—*John Cramsie*, Strand, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Anthony Vachée*, North-street, Whitechapel-road, Bethnal-green, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*John S. Benifield*, Upper Thames-street, London, tutor: in the Debtors Prison for London and Middlesex.—*William Garratt May*, Chapel-terrace, Johnson-street, High-street, Notting-hill, Middlesex, undertaker: in the Queen's Prison.—*John Parker*, Thornhill-square, Islington, Middlesex, secretary to the College of Preceptors: in the Debtors Prison for London and Middlesex.—*Daniel Coe*, Ardwick, Manchester, provision-shop keeper: in the Gaol of Lancaster.—*Joel Dean*, West Derby, Liverpool, cart owner: in the Gaol of Lancaster.—*Joseph Roots Beard*, Findon, Sussex, mealman: in the Gaol of Petworth.—*Wm. Morrison*, Everton, Liverpool, draper: in the Gaol of Lancaster.—*Charles Blackburn*, Liverpool, shoemaker: in the Gaol of Lancaster.—*Miles Reynolds*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Urban Feaks*, Swaffham Prior, Cambridgeshire, butcher: in the Gaol of Cambridge.—*Sarah Warner*, Ely, Cambridgeshire, publican: in the Gaol of Cambridge.—*Edw. Boden*, Packfields, near Wolverhampton, Staffordshire, shoemaker: in the Gaol of Stafford.—*John Faulkner Bebbington*, Liverpool, clockmaker: in the Gaol of Stafford.—*Robert Woods* the younger, Ipswich, Suffolk, shipowner: in the Gaol of Ipswich.—*Jas. Barnes*, Great Yarmouth, Norfolk, licensed victualler: in the Gaol of Norwich.—*Lawrence Downey*, Cheltenham, Gloucestershire, woollendrapery: in the Gaol of Gloucester.—*Mary Rawle*, widow, Linton, near Ilfracombe, Devonshire, washerwoman: in the Gaol of St. Thomas-the-Apostle.—*Matthew Taylor*, Hutton, near Preston, Lancashire, farmer: in the Gaol of Lancaster.—*Daniel Courtney*, Aahburton, Devonshire, clothier: in the Gaol of St. Thomas-the-Apostle.—*Frederick Reeves*, Birmingham, coal dealer: in the Gaol of Coventry.—*Anne Jane de Ridder*, widow, Everton, Liverpool, in no business: in the Gaol of Lancaster.—*Mary Jackson*, Sussex-place, Rotherfield-street, Islington, Middlesex, dressmaker: in the Debtors Prison for London and Middlesex.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 23 at 11, before the CHIEF COMMISSIONER.

Thos. Serrell, Bolton-row, Piccadilly, Middlesex, surgeon.—*Henry Baker*, Judd-street, Middlesex, confectioner.

Nov. 24 at 11, before the CHIEF COMMISSIONER.

Wm. Skinner Lacy, Curtain-road, Shoreditch, Middlesex, working upholsterer.—*Alexander Evan Lloyd*, Eagle-cottage, Thistle-grove, Brompton, Middlesex, attorney-at-law.

Nov. 25 at 11, before Mr. Commissioner PHILLIPS.

Henry John Preston, Maida-vale, Maida-hill, Paddington, Middlesex, attorney.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, Nov. 24.

George Lock, Southsea, Southampton, grocer.

At the County Court of Gloucestershire, at GLOUCESTER, Nov. 25 at 10.

Richard Bliss, Eastcombs, near Stroud, in no business.—*Lawrence Downey*, Cheltenham, travelling linendrapery.—*William Riddick*, Cirencester, tea dealer.

At the County Court of Sussex, at PETWORTH, Nov. 26.

Joseph Roots Beard, Findon, mealman.

INSOLVENT DEBTORS' DIVIDENDS.

Frederick Fox Cooper, Garden-row, London-road, Surrey, author: 1s. 9d. in the pound.—*William Duskby*, Great Cumberland-street, Marylebone, Middlesex, Esq.: 1d. in the pound.—*Hugh Doherty*, Wimpole-street, Cavendish-square, Middlesex, cornet on half-pay of the late 23rd Light Dragoons: 20s. in the pound.—*George Tillet*, Hanway-street, Oxford-street, Middlesex, toyman: 2s. 1d. in the pound.—*Edward Reginald Williamson*, Providence-row, Hackney, Middlesex, traveller to a Manchester warehouseman: 6s. 4d. in the pound.

—John Herring Foster, Upper-terrace, Islington, Middlesex, agent for the sale of linens: 1s. 1½d. in the pound.

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LONDON, NOVEMBER 20, 1852*.

The question which was raised in *Fiott v. Mullins*, (16 *Jur.*, part 1, p. 946), upon the construction of sect. 20 of the 15 & 16 *Vict.* c. 86, has again been considered in *M'Intosh v. The Great Western Railway Company*, (reported in the present number of THE JURIST, part 1, p. 989); and the Vice-Chancellor, having carefully reviewed the subject, appears to have modified considerably his original opinion. With reference to the former decision, his Honor observes, "that some of those who framed the act of Parliament intended that it should have been so framed as to entitle a defendant to compel a plaintiff to state upon oath, under the order of the Court, what documents he had in his possession or power relating to the matters in question in the suit." This, as we before intimated, (ante, p. 406), we believe to have been the general impression produced by the terms of the statute itself. His Honor, however, goes on to say, that, "upon the best construction that can be given to the words of the statute, it has been feared, that if that were the intention of the Legislature, the words of the act have entirely failed to be sufficient to effectuate that intention." The consequence must, therefore, be, that a mere motion to produce all the relevant documents in the possession of the opposite party, without some description of the documents required, and some constat of the fact of possession, will be refused,

* For this paper the Editor is indebted to a frequent and able contributor.

as asking what the act has not empowered the Court to grant under its provisions. The respondent to such a motion has only to forbear to file any affidavit, and to instruct his counsel to require the party moving to give some description of the documents, and to shew that they are in the possession of the person from whom production is sought; and if these requisitions cannot be satisfied, the application must fail, without any active opposition. The important questions then are, what is a sufficient specification of the documents required; and what evidence amounts to such a constat of possession, by the person against whom the motion is made, as will induce the Court to accede to the application? These questions are, to some extent, answered by the decision in *M'Intosh v. The Great Western Railway Company*, (16 *Jur.*, part 1, p. 989). The description of the documents in that case was contained in the notice of motion, and may be stated shortly thus:—"All letters, reports, statements, estimates, and calculations of works, and other written communications, in the possession or power of the plaintiff, written, made, or sent by or from any or either of the persons mentioned," viz. A., B., and C., "and all and every other persons or person employed by or on behalf of the plaintiff in or about" the works in the pleadings mentioned, in certain specified capacities, "or otherwise, to any others or other of" them, "relating to, or containing any entry or passage relating to, the several contracts and works in the pleadings in this cause mentioned, and the matters in question in this suit;" and also "all memorandum-books, books of account, other books, accounts of mo-

nies from time to time paid . . . by the said plaintiff, other accounts, receipts, vouchers, maps, plans, drawings, sections, journals, reports, certificates, memoranda, documents, papers, and writings in the possession or power of the said plaintiff, relating to, or containing any entry or passage relating to, the several contracts and works in the pleadings in this cause mentioned, or any of the matters in question in this suit." The evidence of possession was an affidavit of the solicitor of the defendant company, "that, from information obtained in the conduct of the cause, he believed, and had no doubt, that the plaintiff had in the possession or power of himself, or of his solicitors or agents, divers originals and copies of letters, reports, statements, estimates, and calculations of works . . . and other written communications, relating to, or containing some entry or passage relating to, the several contracts or works in the pleadings mentioned, and the matters in question in this suit;" and an admission by the plaintiff, in his own affidavit, of the possession of some of the particulars described in the notice of motion. The order was, that the plaintiff should produce, upon oath, all the documents mentioned in the notice of motion, except such as he should shew upon oath to be privileged documents, and also such parts of the books, &c. to be produced as he should state upon oath did not relate to the matters in question in the suit, which he was to be at liberty to seal up in the usual manner.

It is evident, from the very general terms of this notice of motion, and from the nature of the evidence of possession, that the Vice-Chancellor, in making this order, struggled to give the largest effect to the intention of the statute that was possible in the limits to which he considered that its language confined him.

We have here quoted the most comprehensive terms of the notice of motion. It may, perhaps, be considered that the general words were somewhat explained by being attached to the more specific description which preceded them, and that therefore the notice was less vague than a mere notice to produce all documents, without describing any. We deferentially submit, however, that with regard to the principles on which motions of this kind are made, the two modes of description are substantially the same. Then the proof of possession, it will be observed, was anything but exact, the only direct evidence being the general admission by the plaintiff himself of possession of some of the particulars mentioned. But the order was not confined to the documents which the plaintiff admitted to be in his possession or power, but was in the much larger terms of the notice of motion; so that an admission of the possession of some of the documents was sufficient to authorise an order compelling the discovery and production of all. Is not the fair result, that a motion to produce all relevant letters and papers that passed between A., B., and C., and all other relevant letters, papers, and documents in the possession or power of the opposite party, supported by evidence that he has some relevant papers, will henceforward be granted? If so, what is the material difference between this and a motion to produce all documents, simply, and without evidence of the possession of any? What can be the object of requiring the vague statements of the

nature of the papers, and their possession by the opposite party, that were sufficient in the case of *M'Intosh v. The Great Western Railway Company*? Is it to prevent the motion being made when there are no documents to be produced? But if such a case could happen, it would be easily remedied by making the party moving pay the costs of the motion. With respect to the provisions of the act, it must always be remembered, that, independently of any statute, the Court of Chancery possesses the peculiar jurisdiction of enforcing discovery. This act merely provides new machinery to be worked by the old power. Viewing its enactments in that light, the intention seems plain to substitute for the interrogatories, answer, and motion to produce, a motion to produce only; and then the irresistible conclusion is, that this motion should be a motion to produce all relevant documents in the possession of the opposite party. Against such an application he has an opportunity of protecting himself, if he can, at the hearing of the motion; and if he neglects this, the Court may either make the order absolute, or give him another occasion to resist production of privileged documents, by making an order qualified as in the case we have been considering.

We submit these observations to the consideration of the Profession, because we believe it to be important to discuss thoroughly all questions that may arise on the new practice. We need not say that they are made with the profoundest respect for the learned Vice-Chancellor whose decisions we have ventured to criticise. With judges of such high character, experience, and ability as those who now preside in the several Courts of Chancery, we are secure of having the new statutes construed in the most liberal spirit, and in this object gentlemen of all branches of the Profession will cordially co-operate.

Correspondence.

TO THE EDITOR OF "THE JURIST."

SIR,—While so much is said and written on the subject of "*cheap law*," it is necessary that the public should be informed as to the manner in which that law is administered. An example in point will be found in the following report of a case (*Shaw v. Thompson*) tried in the county court at Boston on the 14th of last month, extracted from the *Lincolnshire Chronicle*. By a perusal of his Honor's judgment your readers will perceive the basis of his judicial decisions, and the facility with which he sets aside the principles of both common and statute law.

I am, &c.,
OBSERVER.

[From the extract which accompanied the above letter, it appears that an action was brought in the Boston County Court by Shaw against Thompson for not accepting twenty quarters of wheat. Upon the trial, it was proved, on behalf of the plaintiff, that the wheat was sold by verbal agreement to the defendant on Saturday, the 4th September, and was to be delivered to him on the following Monday. On that day, however, the defendant refused to accept it, upon the ground that it did not accord with the sample which he had previously seen. The price was to have been 40s. per quarter. The extract then proceeds:—

"*Adams*, for the defendant, contended that the law was perfectly clear and explicit, that any such con-

tract as the present was void by the Statute of Frauds. There could, indeed, be no dispute upon the subject, it being proved beyond all question that the bargain for the sale of the wheat was made on the Saturday morning, that there was no memorandum in writing by the parties, and that the wheat was not delivered at the railway station by the plaintiff until the following Monday afternoon. He did not deny that it was the custom amongst buyers in Boston to buy by sample, and to have the bulk delivered some days afterwards; but this custom could not override the written law; and if dealers would not take the trouble to write two or three lines by way of memorandum, they must be prepared to submit to whatever loss and inconvenience might result from their neglecting to comply with the provisions of the statute. The point was so clear that it could not be resisted, and in discharge of his duty to his client he felt bound to insist upon it. The learned counsel then cited several cases in support of his argument. As, however, it would probably be satisfactory to his Honor to hear all the evidence in the case, he would proceed to call his witnesses. After some further remarks, Mr. Adams called the defendant, who deposed as follows:—'I bought the wheat at 40s. per quarter; on the Monday following, the market at Mark-lane was firm, and prices were rather higher. On examining the bulk, I found that it was not in so good a condition as the sample. When I purchased the wheat of Mr. Stevenson, I told him it was tolerably dry, and asked him if the bulk would be of equal quality. He replied he had no doubt it would, as the owner was a respectable farmer. I told him I should want it early on Monday morning, but it did not come till three o'clock in the afternoon. On examining it, I found it was sprouting, and immediately observed, I could not buy such wheat as this. There were no sprouts in the sample. I had directions to give 41s. for such wheat, if it was in a dry condition.' Witness underwent a long cross-examination, but nothing material was elicited.

"York, in reply, contended that it was not absolutely necessary that the bulk should be delivered at the time of sale; that it would be sufficient if the key, or some other indicia of possession, were given. His witnesses had all deposed that the bulk was equal to the sample, and there was only Thompson himself to contradict this.

"His Honor, in giving judgment, said he had considerable difficulty in arriving at a satisfactory conclusion. He entirely agreed in all the remarks that had been made by Mr. Adams as to the law of the case; there could be no doubt that the law was precisely as he had stated it. It was, however, clear, that the custom was to the contrary, and he did not think a judge of a county court should take upon himself to create all the inconvenience which must result from deciding according to the strict letter of the law in this case. He should, therefore, decide it on the merits; and even here he was a good deal in the dark, because the plaintiff had not called, as he might have done, any of the three or four merchants to whom it appeared the sample was shewn before it was taken to the defendant. Stevenson, undoubtedly, swore that the bulk was equal to the sample, and that there was sprouted wheat in both: whilst the defendant as positively swore that the bulk was very inferior to the sample, and that there were no sprouts in the latter when shewn to him. It was also evident that it was Thompson's interest to accept rather than reject the wheat, because he bought as agent for another party, and would lose his commission by refusing to accept the wheat. It was, therefore, his opinion, after some consideration, that the plaintiff had failed to make out his case.

"York (with great warmth) addressed the judge, declaring that the weight of evidence was greatly in favour of the plaintiff, for while all his witnesses had

sworn there were sprouts in the sample, there was only the oath of the defendant on the other side.

"His Honor said that certainly was so, and gave his judgment for the plaintiff."

The only comment which we think it necessary to offer upon this judgment is, to express a hope that it has been altogether misreported. If not, it must henceforth be acknowledged that there is one estate of the realm which is above and independent of all human law, and that estate is—the judge of the Boston County Court.—[Ed.]

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William Dowdeswell, Esq., Pull Court.

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Henry Willoughby, Esq., Birdsall.
James Brown, Esq., Copgrove.

WALES.

Anglesey—Richard Williams Prichard, Esq., Eriannell.
Robert Briscoe Owen, Esq., Beaumaris.
John Williams, Esq., Treffos.

Breconshire—Sir Thomas Hastings, Knt., Noyadd.
John Powell, Esq., Watton Mount.
Wm. Wyndham Lewis, Esq., Llanthetty Hall.

Cardiganshire—Lewis Pugh, Esq., Aberystwith.
Morgan Jones, Esq., Penlan.
John Battersby Harford, Esq., Peterwell.

Carmarthenshire—The Hon. William Henry Yelverton, Whitland Abbey.
Morgan Jones, Esq., Llanmilo.
Sir William Clayton, Bart., Altycadno.

Carnarvonshire—Sir C. Felix Smith, K.C.B., Pandyffryn.
Henry M'Kellar, Esq., Suginfaur.
John Whitehead Greaves, Esq., Tanyrallt.

Denbighshire—Pierce Wynne Yorke, Esq., Dyffren Aled.
Richard Jones, Esq., Bellan-place, Ruabon.
John Edwards Madocks, Esq., Glan-y-wern.

Flintshire—Whitehall Dod, Esq., Llanerah.
Arthur Trevor, Viscount Dunganon, Brynkinalt.
Henry Raikes, Esq., Llwynegryn.

Glamorganshire—Richard Hill Miers, Esq., Ynispenllwch.
Thomas Penrice, Esq., Kilvrough.
Lewis L. Dillwyn, Esq., Parkwern, near Swansea.

Merionethshire—Thomas Bartle Mostyn, Esq., Clegir.
Hugh John Reveley, Esq., Brynnygwin.
Thomas Price Amoyl, Esq., Hengae.

Montgomeryshire—John Naylor, Esq., Leighton Hall.
Edmund Ethelstone Peel, Esq., Llandrinio.
James France, Esq., Ystymcolwyn.

Pembrokeshire—The Hon. Wm. Henry Edwardes, Marquis.
Sir James John Hamilton, Bart., Trecoed.
Adrian Nicholas John Stokes, Esq., St. Botolph's.

Radnorshire—Jonathan Field, Esq., Esgairdrainllwyn.
Baskerville Mynors Baskerville, Esq., Clyro Court.
Walter de Winton, Esq., Maeslaugh Castle.

London Gazettes.

FRIDAY, NOVEMBER 12.

BANKRUPTS.

GEORGE PAGE, James-street, Bethnal-green, Middlesex, coach proprietor, Nov. 23 at 11, and Dec. 20 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Quality-court, Chancery-lane.—Petition filed Nov. 11.

WILLIAM M'KAY, Upper Kennington-lane, Lambeth, Surrey, draper, Nov. 19 and Dec. 18 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Jay & Pilgrim, Norwich; Jay, 14, Bucklersbury, London.—Petition filed Nov. 9.

CHARLES WEISMAN and HENRY JOHN MICHAEL MEYERS, Philpot-lane, Fenchurch-street, London, commission merchants and foreign agents, Nov. 19 at 12, and Dec. 21 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Murrough, 5, New-inn, Strand.—Petition filed Nov. 8.

CHARLES ARNOLD, Watling-street, Cheapside, and Gracechurch-street, London, dealer in provisions, dealer and chapman, Nov. 19 at 1, and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Stevens & Satchell, 6, Queen-street, Cheapside.—Petition filed Nov. 10.

RICHARD WHITTAKER, Landport, Hampshire, outfitter, dealer and chapman, Nov. 23 at 2, and Dec. 16 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Thompson, 18, Sise-lane, Bucklersbury, London.—Petition filed Nov. 8.

JOHN DOBSON, High Holborn, Middlesex, mathematical drawing instrument maker and optician, Nov. 24 at 2, and Dec. 21 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Grover & Coare, 4, King's Bench-walk, Temple.—Petition filed Nov. 11.

MICHAEL GROUSE and DANIEL COOMBE SANDERS, Oxford-street, Middlesex, tailors, dealers and chapmen, Nov. 24 at half-past 1, and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Harris, 34 A, Moorgate-street, London.—Petition filed Nov. 11.

JOHN PATTERSON, Atherstone, Warwickshire, market gardener, Nov. 29 and Dec. 20 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Baxter, Atherstone; Motteram & Co., Birmingham.—Petition dated Nov. 3.

GEORGE EDWIN JAMES, Brierley-hill, Kingswinford, Staffordshire, draper, dealer and chapman, Nov. 24 and Dec. 21 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston.—Petition dated Nov. 9.

JOSEPH WILSON and CHARLES PENNY WOODFIN, Kingston-upon-Hull, and Great Grimsby, Lincolnshire, iron and brass founders, Dec. 1 and 22 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Cariss & Cudworth, Leeds.—Petition dated Nov. 2.

GEORGE SIDDALL, Chesterfield, Derbyshire, spindle manufacturer, dealer and chapman, Nov. 27 and Dec. 18 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Parker & Smith, Sheffield.—Petition dated Nov. 8.

GEORGE FIELDER, Dobcross, Saddleworth, Yorkshire, wheelstapler, dealer and chapman, Nov. 26 and Dec. 17 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Redfern, Oldham; Atkinson & Co., Manchester; Abbott & Atkinson, 35, Lincoln's-inn-fields, London.—Petition filed Nov. 30.

MEETINGS.

Kay Dimsdale, Oxford-street, Middlesex, saddler, Nov. 23 at 12, Court of Bankruptcy, London, pr. d.—*Daniel Merswether Ford*, Lawrence-lane, Chespead, London, carrier, Nov. 23 (and not Nov. 3, as before advertised) at 11, Court of Bankruptcy, London, last ex.—*Affred August*, Norwich, ironmonger, Nov. 25 at 12, Court of Bankruptcy, London, aud. ac.—*George Bolton*, Albany-street, Regent's-park, Middlesex, coachmaker, Nov. 24 (and not Nov. 18, as before advertised) at 1, Court of Bankruptcy, London, aud. ac.—*William Rolph*, Billericay, Essex, brewer, Nov. 24 (and not Nov. 18, as before advertised) at 11, Court of Bankruptcy, London, aud. ac.—*William Nicholson*, Shotley-bridge, Durham, timber merchant, Nov. 23 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Benjamin Wraith*, Liverpool, carrier, Nov. 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Hugh Brown*, Liverpool, ship-chandler, Nov. 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Hornby*, Kirkdale, Lancashire, joiner, Nov. 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Pace* the elder, Liverpool, shipowner, Nov. 23 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*George Foster*, Chorlton-upon-Medlock, Lancashire, Nov. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Samuel Walker*, Little Lever, Lancashire, dyer, Nov. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Collins*, Clitheroe, Lancashire, provision dealer, Nov. 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Barr*, Glasgow, Scotland, and *John Sykes*, Huddersfield, Yorkshire, spinners, Nov. 25 at 11, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. joint est. and sep. ests.—*Hodgson Lewis* and *James Hervey*, Halifax, Yorkshire, spirit merchants, Nov. 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Squire James*, Leeds, Yorkshire, wholesale ironmonger, Nov. 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Samuel Crossland*, Elland, Yorkshire, corn miller, Nov. 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Henry Gurney*, Pitfield-street, Hoxton, Middlesex, victualler, Dec. 6 at 1, Court of Bankruptcy, London, div.—*John Bentley*, Smithfield-bars, London, cheesemonger, Dec. 6 at 1, Court of Bankruptcy, London, div.—*William Sentence Rumsey*, Queen-street-place, Upper Thames-street, London, druggist, Dec. 6 at half-past 1, Court of Bankruptcy, London, div.—*Josiah Joseph Hatch*, Friday-street, London, wholesale furrier, Dec. 15 (and not Nov. 18, as before advertised) at 11, Court of Bankruptcy, London, div.—*Isaac Boyd*, Spital-square, Middlesex, silk manufacturer, Dec. 15 (and not Nov. 18, as before advertised) at 12, Court of Bankruptcy, London, div.—*John Marsden*, Manchester, laceman, Dec. 7 at 12, District Court of Bankruptcy, Manchester, div.—*George Chadfield*, Manchester, plasterer, Dec. 6 at 12, District Court of Bankruptcy, Manchester, div.—*John Wright*, Brinscall-hall, within Wheelton, Lancashire, calico printer, Dec. 8 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Severs, Basinghall-street, London, woollen-cloth warehouseman, Dec. 2 at 2, Court of Bankruptcy, London.—*John Brindley Boon*, Burslem, Staffordshire, woollendrapery, Dec. 7 at 11, District Court of Bankruptcy, Birmingham.—*Enos Dibb*, Idle, Calverley, Yorkshire, grocer, Dec. 3 at 11, District Court of Bankruptcy, Leeds.—*Thomas Ward Sharland*, Liverpool, tea broker, Dec. 6 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Mackness Branson, Stratford, Essex, stationer.—*Henry Mopsey*, Union-street East, Bishopgate, Middlesex, ironmonger.—*John Henry Morris*, King William-street, Strand, Middlesex, manufacturer of India-rubber pavement.—*Edward Halford Dalby*, Hornsey-road, Middlesex, butcher.—*George Rutland*, Luton, Bedfordshire, and Falcon-square, London, straw-bonnet manufacturer.—*John Whittaker*, Park-place, Mile-end-road, Middlesex, draper.—*John Lee*, Brook's-mews, Gloucester-place, Paddington, Middlesex, cab proprietor.—*Eliza Babb*, Grosvenor-street West, Eaton-square, Middlesex, dressmaker.—*John Avery* and *Samuel Street*, Birkenhead, Cheshire, shipwrights.—*Edwin Henry Griffin*, Liverpool, merchant.—*John Mottram*, Shrewsbury, Shropshire, hop merchant.—*John Swift*, Staveley, Derbyshire, grocer.

PETITION ANNULLED.

John Joseph Morewood, Fludyer-street, Westminster, and Barford-terrace, Liverpool-road, Islington, Middlesex, merchant.

SCOTCH SEQUESTRATIONS.

Neil M'Lean, Leith, hotel keeper.—*Wm. Russell*, Queenslie-forge, near Kilsyth, forge-master.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Conder, South Cave, Yorkshire, out of business, Nov. 19 at 11, County Court of Yorkshire, at Beverley.—*Wm. England* the younger, South Town, Kenton, Devonshire, dealer in coal, Nov. 20 at 10, County Court of Devonshire, at Exeter.—*Robert Reed*, Mottistone, Isle of Wight, Hampshire, labourer, Nov. 30 at 10, County Court of Hampshire, at Newport.—*Thomas Hill*, High Wycombe, Buckinghamshire, shoemaker, Nov. 16 at 11, County Court of Buckinghamshire, at High Wycombe.—*John Turney*, Houghton Regis, Bedfordshire, out of business, Nov. 25 at 11, County Court of Bedfordshire, at Luton.—*Edward Mace*, Canterbury, Kent, hop planter, Nov. 23 at 11, County Court of Kent, at Canterbury.—*Thos. Pariah Parkinson*, Whittlesley, Cambridge-shire, valuer, Nov. 22 at 12, County Court of Northampton-shire, at Peterborough.—*Samuel Cadman*, Playford, Suffolk, miller, Nov. 20 at 10, County Court of Suffolk, at Wood-bridge.—*John M'Mahon*, Salford, Lancashire, shoemaker, Nov. 24 at 1, County Court of Lancashire, at Salford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 26 at 10, before Mr. Commissioner LAW.

Edward Necover, Reading, Berkshire, out of business.—*Thos. Richard Ames*, Gretton-terrace, Green-street, Bethnal-green, Middlesex, tobacconist.—*John Crick* the elder, Vernon-buildings, Old Pancras-road, Middlesex, baker.

Nov. 29 at 10, before Mr. Commissioner LAW.

John Richmond, High-st., Shadwell, Middlesex, assistant to a draper.—*Wm. Jas. Buckland*, Moreton-terrace, Kentish-town, Middlesex, baker.—*Frederick Thomas Doddington*, Aldersgate-street, London, salesman.

Nov. 29 at 11, before Mr. Commissioner PHILLIPS.

Emanuel Stanbury, Murray-st., Camden New-town, St. Pancras, Middlesex, plumber.—*Ralph Atkinson*, Berwick-st., Soho, Middlesex, cabinet maker.—*Frances Dawson*, widow, North Colonnade, Covent-garden-market, Middlesex, fruit saleswoman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 26 at 11, before the CHIEF COMMISSIONER.

John Mathews, Hounslow, Heston, Middlesex, dealer in salt.

Nov. 26 at 10, before Mr. Commissioner LAW.

Edgar Compton, Salamanca-court, Salamanca-st., Princes-street, Lambeth, Surrey, labourer.—*R. Couch*, Regent-st., Westminster, Middlesex, grocer.—*Henry Kelly*, Coal-yard, Drury-lane, Middlesex, out of business.

Nov. 27 at 11, before Mr. Commissioner PHILLIPS.

Henry Booth the younger, Great Turner-street, Mile-end-road, Middlesex, shopman to a corn dealer.—*Wm. Simpson*, East-st., Walworth, Surrey, greengrocer.

Nov. 29 at 10, before Mr. Commissioner LAW.

Alfred Frederick Eden, Marlborough-road, Old Kent-road, Surrey, shipping agent.—*John Ella*, Oxford-street and North Audley-st., Middlesex, wine merchant.

Nov. 29 at 11, before Mr. Commissioner PHILLIPS.

Henry Elliot, Bath-st., City-road, Middlesex, steward of the Hospital for Poor French Protestant Refugees and their Descendants.—*George Vinter Holmes*, Hastings, Sussex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Nov. 22 at 10.

John Ward, Waterbeach, labourer.—Sarah Warner, Ely, publican.

At the County Court of Shropshire, at SHREWSBURY, Nov. 23 at 10.

John Moore, Tottonhall, farmer.

At the County Court of Warwickshire, at COVENTRY, Nov. 30 at 10.

Frederick Reeves, Birmingham, coal dealer.

MEETINGS.

Samuel Campbell, Kirkdale, Liverpool, shipowner, Dec. 14 at 1, Miller & Peel's, Liverpool, sp. aff.

TUESDAY, NOVEMBER 16.

BANKRUPTS.

JOSEPH WARREN, Ramsgate, Kent, stationer, musical instrument seller, dealer and chapman, Nov. 23 at half-past 12, and Dec. 23 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Goddard, King-street, Cheapside.—Petition filed Nov. 9.

JAMES BARTON, Sutton Valence, Kent, brewer, Nov. 26 and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hart & Kipping, Maidstone, Kent; Church & Langdale, 38, Southampton-buildings, Chancery-lane.—Petition filed Nov. 12.

BENJAMIN ATWELL, Westbury, Wiltshire, builder and innholder, Nov. 20 at half-past 12, and Dec. 17 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Payne & Bartram, Bath; Sewell & Co., 51, Old Broad-street, London.—Petition dated Nov. 6.

JOSHUA METCALFE, Fenchurch-street, London, merchant, dealer and chapman, Nov. 26 at half-past 1, and Jan. 8 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Laurence & Plews, 14, Old Jewry-chambers, London.—Petition dated Nov. 10.

WILLIAM BARLEYMAN, Feering, Essex, carpenter, Nov. 26 at 2, and Dec. 29 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Blood, Witham, Essex; Messrs. Vallance, Essex-street, Strand.—Petition filed Nov. 12.

JOHN HILL, Prospect-place, Holloway-road, Middlesex, builder, Nov. 25 at half-past 2, and Dec. 21 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Taylor, 15, South-street, Finsbury-square, London.—Petition filed Nov. 10.

JOHN BECKETT, Reading, Berkshire, coal merchant, dealer and chapman, Nov. 30 at 2, and Dec. 21 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Slocombe, Reading; Hill & Heald, 23, Throgmorton-street, London.—Petition filed Nov. 5.

GEORGE EDWIN JAMES, Brierly-hill, Staffordshire, draper, dealer and chapman, Nov. 24 and Dec. 21 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bit-leston; Sol. Baker, Birmingham.—Petition dated Nov. 9.

WILLIAM FAWKNER, Kidderminster, Worcestershire, licensed victualler and livery-stable keeper, Nov. 27 and Dec. 18 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Sanders & Son, Kidderminster; Motteram & Co., Birmingham.—Petition dated Nov. 11.

WILLIAM HENRY HOLLAND and RICHARD BRADBURN, Manchester, commission agents and embroidered robes and vesting manufacturers, dealers and chapmen, (trading under the style or firm of W. H. Holland & Co.), Nov. 29 and Dec. 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Heath, Manchester; Jaques & Co., Ely-place, London.—Petition filed Nov. 8.

MEETINGS.

Philip Summers, Tabernacle-walk, Finsbury, Middlesex, fancy printer, Dec. 7 at 1, Court of Bankruptcy, London, last ex.—Richard Helcro, Sunderland, Durham, provision merchant, Dec. 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.; at half-past 12, and. ac.; Dec. 9 at 11, div.—Edward Wilkinson and Thomas Bensley, Liverpool, tailors, Nov. 29 at 11, District Court of Bankruptcy,

Liverpool, last ex.—Thomas Russell and John Musgrove, Norwich, sack manufacturers, Nov. 29 at 12, Court of Bankruptcy, London, and. ac.—John Bensley, Smithfield-bar, London, cheesemonger, Dec. 1 at 12, Court of Bankruptcy, London, and. ac.—William Sentance Ramsey, Queen-street-place, Upper Thames-street, London, druggist, Dec. 1 at 12, Court of Bankruptcy, London, and. ac.—Robert Wilson, Cambridge, grocer, Dec. 7 at 12, Court of Bankruptcy, London, and. ac.—Edward Winstanley and Henry George Winstanley, Poultry, London, chemists, Nov. 27 at 12, Court of Bankruptcy, London, and. ac.—Thomas Matthews, Hart-pool, Durham, merchant, Dec. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—Thos. Davies, Stockton-upon-Tees, Durham, grocer, Dec. 3 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—John Bird, Chester-le-Street, Durham, out of business, Dec. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—William Farrell, Liverpool, provision dealer, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, and. ac.—John Lilley and Alfred Ashmall, Liverpool, merchants, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, and. ac. sep. est. of John Lilley; Dec. 9 at 11, div.—Chas. Lucas, Richard Wilkinson, and Edward Bond, calico printers, Nov. 27 at 11, District Court of Bankruptcy, Manchester, and. ac.—William Clayton, Langcliffe, Yorkshire, William Clayton, Lostock, Walton-le-Dale, and William Wilson, Preston, Lancashire, bankers, Dec. 2 at 12, District Court of Bankruptcy, Manchester, and. ac.; Dec. 9 at 12, div.—Frederick Holroyd, Leeds, Yorkshire, twine spinner, Dec. 6 at 11, District Court of Bankruptcy, Leeds, and. ac.; Dec. 7 at 12, div.—Robert Nicholson, Rise, Holderness, Yorkshire, dealer and chapman, Dec. 15 at 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac. and div.—Jacob Dove, Leeds, Yorkshire, currier, Dec. 6 at 11, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.; Dec. 7 at 11, div.—Thomas Peterson and Thomas Harwood, Sies-lane, London, hat manufacturers, Dec. 10 at 12, Court of Bankruptcy, London, div.—Albert Pinneberg, Hertford, builder, Dec. 4 at half-past 12, Court of Bankruptcy, London, div.—James Millard, Reading, Berkshire, coppersmith, Dec. 14 at 11, Court of Bankruptcy, London, div.—John Harris, Leicester-square, Middlesex, carpet warehouseman, Dec. 14 at 11, Court of Bankruptcy, London, fin. div.—James Leader, Liverpool, joiner, Dec. 7 at 11, District Court of Bankruptcy, Liverpool, div.—William Prichard, Liverpool, tea merchant, Dec. 7 at 11, District Court of Bankruptcy, Liverpool, div.—Robert Kirman, Liverpool, merchant, Dec. 9 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Patten, Marks Tey, Essex, licensed victualler, Dec. 16 at 11, Court of Bankruptcy, London.—George C. Green, Postford Mills, near Guildford, Surrey, paper manufacturer, Dec. 10 at 11, Court of Bankruptcy, London.—Wm. Richardson, Lombard-street, London, merchant, Dec. 8 at half-past 1, Court of Bankruptcy, London.—Wm. Hollamby, Hurst-perpoint, Sussex, grocer, Dec. 8 at 1, Court of Bankruptcy, London.—Henry Addis and Wm. Onions, Gloucester, vinegar manufacturers, Dec. 8 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

George Prentice, Tollesbury, Essex, fishmonger.—Henry Johnson, York-buildings, Adelphi, Middlesex, coal merchant.—John Leach and Edward Leach, Waterbeach, Cambridgeshire, builders.—Wm. Jones, Conway, Carnarvonshire, chemist.

SCOTCH SEQUESTRATIONS.

James Murdoch, Glasgow, writer.—Joseph T. Crawford & Co., Glasgow, millwrights.—William Anderson, Edinburgh, brush manufacturer.—Peter B. Neave and Robert Fernie, Dundee, spinners.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Jones, Liverpool, butcher, Nov. 22 at half-past 10, County Court of Lancashire, at Liverpool.—John Dundas, Liverpool, butcher, Nov. 22 at half-past 10, County Court of Lancashire, at Liverpool.—James Cooper, Wolverhampton,

watchmaker, Nov. 27 at 9, County Court of Staffordshire, at Wolverhampton.—*John Bartle*, Birmingham, tailor, Dec. 11 at 10, County Court of Warwickshire, at Birmingham.—*J. Holder*, Birmingham, plumber, Dec. 11 at 10, County Court of Warwickshire, at Birmingham.—*David Nelson*, Birmingham, physician, Dec. 11 at 10, County Court of Warwickshire, at Birmingham.—*Joseph Lord*, Halifax, Yorkshire, dyer, Nov. 26 at 10, County Court of Yorkshire, at Halifax.—*The Rev. John Peter Evans*, Swaffham, Norfolk, clerk, Nov. 25 at 10, County Court of Norfolk, at Swaffham.—*Richard Morley*, Wednesfield, Wolverhampton, Staffordshire, baker, Nov. 27 at 9, County Court of Staffordshire, at Wolverhampton.—*S. J. Anderson*, Kingston-upon-Hull, fishmonger, Dec. 4 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Richard Stone*, Chatham, Kent, coffee-house keeper, Dec. 9 at 10, County Court of Kent, at Rochester.—*John Everitt*, King's Lynn, Norfolk, bookseller, Nov. 24 at 9, County Court of Norfolk, at King's Lynn.—*Wm. Miller*, Castleacre, Norfolk, blacksmith, Nov. 24 at 9, County Court of Norfolk, at King's Lynn.—*John Smith*, Birmingham, attorney, Nov. 27 at 10, County Court of Warwickshire, at Birmingham.—*Charles Dearden*, Rochdale, Lancashire, farmer, Dec. 2 at 12, County Court of Lancashire, at Rochdale.—*Robert Smith*, Bath, Somersetshire, carpenter, Nov. 27 at 11, County Court of Somersetshire, at Bath.—*Robert Skinner*, West Malling, Kent, builder, Dec. 9 at 10, County Court of Kent, at Rochester.—*Thomas Pond*, Bath, Somersetshire, ironmonger, Dec. 11 at 11, County Court of Somersetshire, at Bath.—*Jas. Scrutton Boyden*, Gillingham, Kent, pensioner, Dec. 9 at 10, County Court of Kent, at Rochester.—*George Brown*, Kingston-upon-Hull, tailor, Dec. 4 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Arthur James Hayes*, Cinderford, Forest of Dean, Gloucestershire, out of business, Dec. 10 at 10, County Court of Gloucestershire, at Newnham.—*John W. Cullwick*, Wolverhampton, Staffordshire, baker, Nov. 27 at 9, County Court of Staffordshire, at Wolverhampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 1 at 11, before the CHIEF COMMISSIONER.

Alfred Raven, Bloomfield-street, Harrow-road, Paddington, Middlesex, in no business.—*E. G. Tyres*, Ship-yard, Temple-bar, Middlesex, carpenter.—*Wm. Luck*, Villa-road, Plumstead, Woolwich, Kent, grocer.—*John Edwards*, Lant-street, Southwark, Surrey, paperhanger.—*Charles Willsher*, Bridge-road, Westminster-road, Lambeth, Surrey, baker.

Dec. 1 at 10, before Mr. Commissioner LAW.

Henry Turner, Church-way, Somers-town, St. Pancras, Middlesex, chandler-shop keeper.—*Charles Cox*, Rutland-street East, Commercial-road East, Middlesex, commercial traveller.

Saturday, Nov. 13.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

William Lister, Addington, near Skipton, Yorkshire, sub post-office keeper, No. 75,683 C.; *Thomas Lister*, assignee.—*Wm. Wheatley*, Thinford, near Cornthorpe, Durham, mason, No. 75,595 C.; *Thomas John Dibbs*, assignee.—*William Scrafton*, Liverpool, licensed victualler, No. 75,564 C.; *M. Vicars*, assignee.—*John Blain*, Whitburn, Durham, schoolmaster, No. 75,568 C.; *Samuel Tzack*, assignee.—*J. Blain*, Deverell-street, Dover-road, Surrey, draper, No. 63,277 T.; *James Thompson*, assignee.—*Joseph F. Higgins*, Keighley, Yorkshire, architect, No. 74,726 C.; *B. H. Christiansen*, assignee.—*Thomas Smyth*, Great Castle-street, Cavendish-square, Middlesex, deputy purveyor to the forces on the Medical Staff, No. 44,409 T.; *Samuel Sturgis*, new assignee.

Saturday, Nov. 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Timothy Bridges, Bowling-green-buildings, Marylebone, Middlesex, cooper: in the Debtors Prison for London and

Middlesex.—*Robert Perry Pettigrew*, Champion-terrace, City-road, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*A. Richardson*, High Holborn, Middlesex, out of employment: in the Debtors Prison for London and Middlesex.—*Wm. Farmer*, Finchley-common, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*Edw. Webb Hardy*, West Wickham, Kent, managing clerk to an attorney: in the Queen's Prison.—*John Hasston*, Cross-st., Mason-st., Old Kent-road, Surrey, baker: in the Gaol of Surrey.—*Thos. Kimpton*, Green-st., Bethnal-green, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Peter Curgewen*, Moreton-st., Pimlico, Middlesex, draper: in the Debtors Prison for London and Middlesex.—*Chas. Norwood*, Watts-buildings, Kingland-road, Middlesex, house decorator: in the Debtors Prison for London and Middlesex.—*Chas. Wm. Bayley*, Arlington-street, Clerkenwell, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Wm. Hatchett Surridge*, Harrow-road, Paddington, Middlesex, horse dealer: in the Debtors Prison for London and Middlesex.—*Wm. Brown*, Pickard-street, City-road, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*William Richardson*, Mortlake, Surrey, estate agent: in the Queen's Prison.—*Edw. Lonsdale*, John-st., Deptford, Kent, timber dealer: in the Queen's Prison.—*Hen. Alen Lyster*, Providence-terrace, Earl's-court, Brompton, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Thomas Kelley*, Hulme, Manchester, painter: in the Gaol of Lancaster.—*W. Davis*, Birmingham, furniture broker: in the Gaol of Coventry.—*William Sandon*, Birmingham, tailor: in the Gaol of Coventry.—*Jos. Armitage*, Huddersfield, Yorkshire, woollen spinner: in the Gaol of York.—*Jas. Barlow*, Foregate-street, Cheshire, licensed victualler: in the Gaol of Chester.—*R. Taylor*, Saltmarsh, near Howden, Yorkshire, coal dealer: in the Gaol of York.—*Geo. Crosby*, Brindle Heath, Pendleton, near Salford, Lancashire, cotton skein dyer: in the Gaol of Lancaster.—*Isaac Rutter*, Manchester, fruiterer: in the Gaol of Lancaster.—*Thos. Sweetnam*, Liverpool, china salesman: in the Gaol of Lancaster.—*Wm. Taylor*, Moor Hey, near Oldham, Lancashire, silk slubber: in the Gaol of Lancaster.—*John William Betts*, Hastings, Sussex, beer retailer: in the Gaol of Lewes.—*William Elliott*, Tenterden, Kent, plumber: in the Gaol of Dover.—*Ebenezer Seamer*, Turnbridge Wells, Kent, out of business: in the Gaol of Maidstone.—*James Darbyshire*, Chorley, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Geo. Bailey*, Bath, Somersetshire, livery-stable keeper: in the Gaol of Wilton.—*Jos. Briggs*, Stanley-cum-Wrenthorpe, near Wakefield, Yorkshire, farmer: in the Gaol of York.—*Francis Higginson*, Margate, Kent, lieutenant in her Majesty's Royal Navy: in the Gaol of Dover.—*Wm. Cresswell*, Manchester, rope manufacturer: in the Gaol of Lancaster.—*John Caldwell*, Bedford, near Leigh, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Mark Whitty*, Liverpool, farmer: in the Gaol of Lancaster.—*Edw. Ball*, Prescot, Lancashire, relieving officer of the Prescot District: in the Gaol of Lancaster.—*Daniel Muldoon*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*James Wilson*, Lancaster, licensed victualler: in the Gaol of Lancaster.—*John Daniel Pritchard*, Manchester, out of business: in the Gaol of Lancaster.—*Thomas Goodier*, Preston, Lancashire, mechanic: in the Gaol of Lancaster.—*William Ross*, Chorlton-upon-Medlock, Manchester, fishmonger: in the Gaol of Lancaster.—*Andrew Kerr*, Biabopwearmouth, Durham, common carrier: in the Gaol of Durham.—*John Kirk*, New Village, Yorkshire, licensed victualler: in the Gaol of Kingston-upon-Hull.—*Sarah Wyns*, widow, Blackwater, Coggeshall, Essex, farmer: in the Gaol of Essex.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 30 at 11, before the CHIEF COMMISSIONER.

Wm. Buckingham, Newport-court, Newport-market, Middlesex, butcher.—*Wm. Heern*, Upper Seymour-st., Eastonsquare, Middlesex, cowkeeper.

Dec. 2 at 11, before Mr. Commissioner PHILLIPS.

Wm. Angel King, Wellington-st., Old Ford-road, Bethnal-green, Middlesex, wine merchant.—*Wm. Poole* the younger, Crown-place, Mile-end-road, Middlesex, clothier's salesman.—*James Palmer*, Milton-st., Dorset-square, Middlesex, in no business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at WARWICK, Nov. 29 at 10.

Robert Tibbitts, Warwick, attorney-at-law.

At the County Court of Sussex, at LEWES, Nov. 30.

John William Bells, Hastings, beer retailer.

At the County Court of Essex, at CHELMSFORD, Dec. 2.

Sarah Wynn, widow, Blackwater, Bradwell-next-Coggeshall, out of business.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Dec. 4.

Moritz Philippthal, Kingston-upon-Hull, shipbroker.—John Birch, Kingston-upon-Hull, tailor.

At the County Court of Nottinghamshire, at NOTTINGHAM, Dec. 9 at 9.

Richard West, North Collingham, near Newark, tailor.

[Extract from the Dublin Gazette of Nov. 9, 1852.]

At the Court-house, LOWER ORMOND QUAY, DUBLIN, Dec. 4 at 11.

William Parkin, Eden Quay, Dublin, agent.

INSOLVENT DEBTORS' DIVIDENDS.

Moss Joel, Crown-st., Finsbury, Middlesex, upholsterer: 2s. 3d. in the pound.—Isaac Lanevard, Upavon, near Pewsey, Wiltshire, licensed victualler: 1s. 9½d. in the pound.—Daniel Berry, Manor-place, Walworth, Surrey, lessee of the Victoria Theatre: 1s. 0½d. in the pound.—Isaac Bradshaw, Whitelands, near Ashton-under-Lyne, Lancashire, quarryman: 6d. in the pound.—John Warner, Little Earl-st., Seven-dials, Middlesex, cheesemonger: 11½d. in the pound.—J. Mardlin, Puckeridge, Hertfordshire, lincndraper: 10½d. in the pound.—John Carter, River-st., Putney, Surrey, coal merchant: 1s. 3d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 5.

MEETING.

Wm. Vigor, Folkestone, Kent, licensed victualler, Dec. 1 at 7, Rose Inn, Folkestone, sp. aff.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Thomas Smith James, Gent., of Birmingham, in the county of Warwick, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Warwick; also in and for the counties of Stafford and Worcester.

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The Jurist

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NOVEMBER 27, 1852.

PRICE 1s.

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LONDON, NOVEMBER 27, 1852.

SINCE our former notice of the Common-law Procedure Act (ante, p. 405) the following cases have been decided upon its provisions:—The Court of Exchequer have held, that special demurrers pending at the time when the act came into operation (the 24th October) are not affected by it. (*Pinkhorn v. Sonster*, 16 Jur., part 1, p. 1001). Mr. Baron Parke quoted the maxim, "Nova constitutio futuris formam imponere debet, non præteritis," and appeared to dissent from the decision in *Freeman v. Moses*, (1 Ad. & El. 388), where it was held, that stat. 3 & 4 Will. 4, c. 42, s. 31, which renders executors liable to costs, extended to actions commenced before the statute came into operation, and tried afterwards. The section of the new act in question was the 51st, whereby "no pleading shall be deemed insufficient for any defect which could heretofore only be objected to by special demurrer."

It was argued, that since the act came into operation, the Court could not deem or adjudge a pleading to be bad on special demurrer only. The case of *Fowler v. Chatterton*, (6 Bing. 258), which was cited, closely resembled the one before the Court. There Lord Tenterden's Act (9 Geo. 4, c. 14) was held to apply to pending actions; and the plaintiff was precluded from relying on an oral promise to take the case out of the Statute of Limitations. The words of that statute are, "no acknowledgment by words only shall be deemed sufficient evidence, &c., unless it shall be made in writing." And in *Marsh v. Higgins*, (19 L. J., C. P., 301), Cresswell, J., relied upon this word "deemed," and said, with reference to the section in the statute of Geo. 4, "that provision refers to the time at which the judge determines whether the evidence be sufficient or not, and therefore must have had a retrospective operation."

It has been held that sect. 100 of the new act, by

which the 14 Geo. 2, c. 17, so far as the same relates to judgment as in case of a nonsuit, is repealed, "except as to proceedings taken or commenced *thereupon* before the commencement of this act," applies to actions commenced before the act came into operation; that the word "thereupon" means upon the statute, (14 Geo. 2, c. 17), and not upon the cause; and that judgment as in case of a nonsuit was put an end to in all cases except where, at the time of the new act coming into operation, the statute of Geo. 2 had been acted upon by obtaining a rule for that purpose. The Court therefore refused the rule. (*Morgan v. Jones*, 16 Jur., part 1, p. 978). This section has been held to apply to ejectment, (*Doe d. Leigh v. Holt*, *Ib.*), so as to prevent a rule for judgment as in case of a nonsuit being now obtained in that form of action. It seems doubtful whether the course prescribed by sect. 202, for obtaining judgment against a claimant in ejectment who allows the time for going to trial to elapse, applies to actions of ejectment commenced before the passing of the act. (*Ib.*) It will be observed that it provides for notice to the claimant, who, in the old form, would be John Doe; and the form of judgment in the schedule seems to assume that the action was commenced by writ.

Independently, however, of the judgment as in case of a nonsuit, which is absolutely abolished, except as before mentioned, proceedings upon a declaration in ejectment, served before the act came into force, will, in general, be according to the former practice. Thus the lessor of the plaintiff should still move in such a case for judgment against the casual ejector, (*Doe d. Smith v. Roe*, 16 Jur., part 1, p. 953), for otherwise all that had been done would go for nothing, which could not have been intended; and in many cases the proceedings before the statute would be necessary to save the Statute of Limitations. (*Id.*, per Curiam).

With regard to the renewal of writs under sect. 12, it has been held, that where an original writ of summons expired before the act came into force, the proper mode of preventing the operation of the Statute of Limitations is to proceed under the 2 Will. 4, c. 39, s. 10, and to issue an alias writ, such case not being within the terms of the 12th section of the new act, and therefore within the exception of the 10th. (*Gapp v. Robinson*, 16 Jur., part 1, p. 977).

It has been decided, both in the Court of Exchequer and in the Court of Queen's Bench, that where the plaintiff has entered an appearance *sec. stat.* before the statute came into force, he cannot proceed under sect. 23 by merely filing a declaration without giving any notice thereof, and after the expiration of eight days sign judgment. That section appears to be prospective, and to contemplate a writ issued under the act. (*Goodliffe v. Neaves*, 16 Jur., part 1, p. 1025; *Piggott and Another v. Jackson*, Q. B., Nov. 23). In those two cases the plaintiff was also irregular, in not having filed a copy of the writ of summons.

In moving for leave to proceed, under sect. 17, as if service of the writ had been effected, it is sufficient to shew by affidavit that the writ has come to the knowledge of the defendant. (*Taylor v. Rogers*, Exch., Nov. 19). The order will in general be absolute in the first instance, and without service. (*Barringer v. Handley*, 16 Jur., part 1, p. 1023).

An application has been made, under sect. 80, to

plead several matters, and also to demur to the declaration. The declaration alleged a contract by the plaintiff with Johanna Wagner to sing and perform for three months, and that the defendant, with knowledge of such contract, entered into a contract with her to perform and sing during the said three months, by which she was prevented from fulfilling her contract with the plaintiff. The proposed pleas were—first, not guilty; secondly, a denial of the contract with Miss Wagner being in force at the time of her contracting with the defendant; thirdly, a denial of the defendant's knowledge of the contract with the plaintiff being in force; and, fourthly, a denial, that in consequence of the act of the defendant, Miss Wagner did not perform her contract with the plaintiff. It was contended, that as these were mere traverses, and not pleas in confession and avoidance, the defendant had only, in the words of the section, to make an affidavit that he was advised and believed that he had just grounds to traverse the matters proposed to be traversed by him; but the Court suggested that he should verify all the matters within his own knowledge, e. g. his knowledge of the contract with the plaintiff being in force; and Alderson, B., said, that where a third person was involved, an application should be made to him to depose to the truth of the traverse, or some reason should be given for not doing so. (*Lumley v. Gye*, Exch., Nov. 12 and 24). With great deference to the suggestion (and it was scarcely more than a suggestion) of the Court of Exchequer, we venture to doubt whether it puts a right construction upon the statute. The 80th section makes an express and clear distinction between traverses and pleas in confession and avoidance. It enacts that "either party may, by leave of the court or a judge, plead and demur to the same pleadings at the same time, upon an affidavit by such party or his attorney, (if required by the court or a judge), to the effect that he is advised and believes that he has just ground to traverse the several matters proposed to be traversed by him, and that the several matters sought to be pleaded by way of confession and avoidance are respectively true, in substance and in fact." Nothing can be plainer than this distinction, and it seems strange that a party should be bound to swear to a negative before he can plead it, although he is never bound to prove it. It must not be overlooked that this section imposes a considerable difficulty upon defendants, (although, we admit, a salutary one), even when it is construed according to its language; but it will be, we submit, intolerable if the defendant is not to be allowed to put the plaintiff upon proof of what he has alleged, without first swearing that what he has alleged is false. It is also to be observed that the affidavit required may be from the party "or his attorney;" and the latter affidavit would scarcely be of the truth of the facts, but rather that he is advised (i. e. by counsel) and believes that he has just ground to traverse, &c. By sect. 84 a number of pleas may be pleaded together without any order, and therefore no affidavit can be required for such pleas. From this we infer that the Legislature did not intend to be so strict upon the question of affidavits as the Court of Exchequer seem inclined to be. A case has occurred within our own experience, where Crompton, J., at chambers, considered it quite sufficient, under the 80th section, as to traverses, for counsel to state that he was of opinion there were just grounds for using them. (See also *Wise's*

edition of the Common-law Procedure Act, p. 63, and form of affidavit there given).

It is said that since the abolition of the *distringas juratores* and *habeas corpora juratorum*, by sect. 104, it is necessary to return to the old practice, which was, in the Queen's Bench, (but only there), to enter a four-day rule for judgment *nisi causa*, and to wait the four days accordingly before signing judgment. (See H. T., 2 Will. 4, r. 67; T. T., 4 Vict., 1 Q. B. 699; Tidd's Prac. 581, 9th ed.; and *The Governors of the Poor of Exeter v. Sewell*, 7 Dowl. 624).

NEW TABLES OF FEES IN THE SUPERIOR COURTS OF COMMON LAW.

In pursuance of an act passed in the 15 & 16 Vict. c. 73, intituled "An Act to make Provision for a permanent Establishment of Officers to perform the Duties at *Nisi Prius*, in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges' Clerks by Salaries, and to abolish certain Offices in those Courts," we, the undersigned, being two of the Commissioners of her Majesty's Treasury, have caused the under-mentioned tables of fees to be prepared, specifying the fees proper to be demanded and taken in the offices under mentioned, and at the judges' chambers, in the superior courts of common law; and that all other fees in such offices and chambers should be abolished, namely:—

Offices of the Masters of the three Superior Courts.

Every writ, (except writ of trial or subpoena) . . .	£0	5	0
Every concurrent, alias, pluries, or renewed writ . . .	0	2	6
Every writ of trial	0	2	0
Every writ of subpoena before a Judge or Master . . .	0	2	0
Before the sheriff	0	1	0
Every appearance entered	0	2	0
Each defendant after the first	0	1	0
Filing every affidavit, writ, or other proceeding . . .	0	2	0
Amending every writ, or other proceeding	0	2	0
Every ordinary rule	0	1	0
Every special rule, not exceeding six folios	0	4	0
Exceeding six folios, per folio	0	0	6
<i>Note.</i> —Plans, sections, &c., accompanying rules, to be paid for by the party taking the rule, according to the actual cost.			
Every judgment by default	0	5	0
Every final judgment, otherwise than judgment by default	0	10	0
Taxing every bill of costs, not exceeding three folios . . .	0	2	0
Taxing every bill of costs, exceeding three folios, when taxed as between party and party, per folio . . .	0	0	6
Taxing every bill of costs, exceeding three folios, when taxed as between attorney and client, or where the attorney taxes his own bill, per folio . . .	0	1	0
Every reference, inquiry, examination, or other special matter referred to the Master, for every meeting, not exceeding one hour	0	10	0
For every additional hour, or less	0	10	0
Upon payment of money into court, viz.:—			
For every sum under 50l.	0	5	0
50l. and under 100l.	0	10	0
100l. and above that sum	1	0	0
Every certificate	0	1	0
Office copies of præcipe, or other proceedings, per folio	0	0	6
Every search, if not more than two terms	0	0	6
Exceeding two, and not more than four terms	0	1	0
Exceeding four terms, or a general search	0	2	6
Every affidavit, affirmation, &c. taken before the Master	0	1	0
Filing every recognisance or security in ejectment or error	0	2	6
Every allowance and justification of bail	0	3	0
For taking special bail as a commissioner	0	2	0
Filing affidavit, and inrolling articles previous to the admission of an attorney	0	5	0

Every re-admission of an attorney	£0	5	0
All other fees than those before mentioned are hereby abolished, and are not to be taken by any person in the Masters' offices, under any pretence whatever.			

Offices of the Associates to the three Chief Judges.

Every record of <i>Nisi Prius</i> , delivered to the Associate, to be entered for trial	1	5	0
Every trial of a cause, from plaintiff	1	0	0
From defendant	0	15	0
If the trial continues more than one day, then for every other day, from plaintiff and defendant, each			
Returning the postea	0	10	0
Returning the postea	0	5	0
Every cause made remanet, at the instance of the parties, to be paid by plaintiff or defendant, as the case may be			
Every cause withdrawn, to be paid by the party at whose instance it is withdrawn	0	10	0
Every cause withdrawn, to be paid by the party at whose instance it is withdrawn	0	5	0
Re-entering every record of <i>Nisi Prius</i> , made remanet, &c.	0	2	0
Every reference, from plaintiff and defendant, each	0	5	0
Every amendment of any proceeding whatever . . .	0	2	0
Every order or certificate	0	5	0
Every special case, or special verdict, in addition to the charge for ingrossing and copying, at the rate of 4d. per folio, from plaintiff and defendant, each			
Attending any court, or otherwise, with any record, or other proceeding, under writ of subpoena or special order of Court, per day	1	0	0

All other fees than those before mentioned are hereby abolished, and are not to be taken by any person in the Associates' offices, under any pretence whatever.

Chambers of the Chief and Puisne Judges.

Every summons to try an issue before the sheriff . . .	0	1	0
Every other summons whatever, whether in term or vacation	0	2	0
Every order to try an issue before the sheriff	0	1	0
Every other order whatever of an ordinary nature . .	0	2	0
Every order of a special nature, such as reference to arbitration, or attendance of witnesses at arbitration; service of process on persons residing abroad; reference to the Master to fix sum for final judgment; revival of judgment, and the like			
Every fiat, warrant, certificate, caveat, special case, special verdict, or the like	0	5	0
Every affidavit, affirmation, &c., whether in term or vacation, each deponent	0	5	0
Every affidavit kept for the purpose of being conveyed to the proper office to be filed	0	1	0
Every proceeding filed	0	2	6
Every admission of an attorney	1	0	0
Every approbation of commissioners for taking affidavits or special bail	0	2	6
Every commission for taking affidavits or special bail, exclusive of stamp duty, ingrossing, and sealing . .	1	0	0
Every other commission for any purpose whatever, exclusive of stamp duty, ingrossing, and sealing . .	0	10	0
Every acknowledgment by married women	0	10	0
Office copies of judge's notes, or of any other proceeding whatever, per folio	0	0	6
Every recognisance or bond of any description whatever	0	10	0
Every allowance of writ of error	0	10	0
Bail on <i>cepi corpus</i> , <i>habeas corpus</i> , error, or ejection	0	2	0
Delivering bail piece off the file, or justification of bail	0	2	0
Every committal	0	5	0
Every exhibit signed by judge	0	1	0
Producing judge's notes	0	5	0
Bill of exceptions signed by judge	0	5	0
Order in legacy duty cases	0	5	0
Crown revenue cases, from defendant	0	5	0
Attendance in any court, or otherwise, under subpoena or special order of Court, to give evidence, or produce documents, per day			
Attendance as a commissioner to take affidavit, &c., or at a judge's house, or elsewhere, at request of parties	1	0	0
Attendance as a commissioner to take affidavit, &c., or at a judge's house, or elsewhere, at request of parties	0	10	0

Appointment of commissioners under glebe exchange	£1	0	0
Allowance of by-laws or table of fees	1	0	0
Report on private bill	5	0	0
Attendance by counsel, each side	0	5	0

Note.—All plans, sections, &c. accompanying any order or office copy to be paid for by the party, according to the actual cost.

In cases where the party has been allowed to sue in formâ pauperis, the fees are not to be demanded or taken, nor in cases where such fees would be payable by any Revenue or Government department.

All other fees than those before mentioned are hereby abolished, and are not to be taken by any person at the judge's chambers under any pretence whatever.

Given under our hands, at the Treasury Chambers, Whitehall, this 20th day of November, 1852.

CHANDOS, } Two of the Commissioners of
THOS. BATESON, } her Majesty's Treasury.

We, the undersigned Judges of the Superior Courts of Common Law, do settle, allow, and sanction the before-mentioned tables of fees prepared by the Commissioners of her Majesty's Treasury, and we do hereby establish the same, under the provisions of the aforesaid act.

Dated the 22nd day of November, 1852.

CAMPBELL, C. J.
JOHN JERVIS, C. J.
FRED. POLLOCK, C. B.
W. H. MAULE, J.
E. V. WILLIAMS, J.
T. N. TALFOURD, J.

The before-mentioned tables of fees having been sanctioned and allowed by the Lord Chief Justices, the Lord Chief Baron, and other Judges, as required by the said act, we do hereby order that the said tables of fees be inserted and published in the London Gazette.

Treasury Chambers, Whitehall, the 22nd day of November, 1852.

CHANDOS, } Two of the Commissioners of
THOS. BATESON, } her Majesty's Treasury.

NEW CHANCERY COMMISSION OF INQUIRY.—The Queen has been graciously pleased to appoint the Right Hon. Sir John Romilly, Knt., Master of the Rolls; the Right Hon. Sir George James Turner, Knt., a Vice-Chancellor; Sir Richard Torin Kindersley, Knt., a Vice-Chancellor; the Right Hon. Sir John Dodson, Knt., Dean of the Arches Court; the Right Hon. Stephen Lushington, Judge of the High Court of Admiralty; Sir Charles Crompton, Knt., one of the Justices of the Court of Queen's Bench; the Right Hon. Sir James Robert George Graham, Bart.; the Right Hon. Joseph Warner Henley; Sir John Dorney Harding, Knt., Advocate-General; Sir William Page Wood, Knt.; Richard Bethell, Esq., Q. C.; John Rolt, Esq., Q. C.; and William Milbourne James, Esq., Barrister at Law, to be her Majesty's Commissioners for continuing the Chancery inquiry, and for inquiring into the law and jurisdiction of the Ecclesiastical and other Courts, in relation to matters testamentary.

COMMON-LAW PROCEDURE ACT.—The following statement shews how well the late statute for the amendment of the practice of the Common-law Courts has hitherto worked:—The number of writs issued in the three superior courts between the 24th October and the 20th November, 1851, were respectively as follows:—Queen's Bench, 2163; Common Pleas, 1481; Exchequer, 2828. Those issued during the corresponding period in 1852 were—Queen's Bench, 2415; Common Pleas, 1829; Exchequer, 3293—shewing an increase in the present year, during the first four weeks of the act coming into operation, of 252 in the Queen's Bench, 348 in the Common Pleas, and 465 in the Exchequer.

GENTLEMEN CALLED TO THE BAR.

The following gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—R. D. Darrell, Esq., B. A.; W. Bagehot, Esq., M. A.; F. Boyd, Esq., M. A.; C. T. Parr, Esq.; E. James, Esq.; A. B. Dickson, Esq., M. A.; S. G. Fenton, jun., Esq., M. A.; W. K. Wigram, Esq., M. A.; J. A. C. Helm, Esq., M. A.; R. Elwyn, Esq., M. A.; T. S. Galland, Esq., M. A.; W. Pulley, Esq., M. A.; J. R. K. Ralph, Esq., M. A.; J. Corryton, Esq., B. A.

INNER TEMPLE.—I. P. Norman, Esq., M. A.; Charles Platt, Esq., B. A.; C. J. Thrupp, Esq., M. A.; J. T. Talbot, Esq.; T. H. Fellows, Esq.; I. C. Wray, Esq., M. A.; F. J. Roughton, Esq.; William Eccles, Esq., B. A.; W. S. Jones, Esq.; J. Oliver, Esq.; G. Lawrence, Esq., B. A.; R. H. Palmer, Esq., B. A.; J. W. Wrey, Esq.; S. Jacobs, Esq.; F. N. Rogers, Esq., B. A.; G. J. Caley, Esq.; D. Wigglesworth, Esq., B. A.; the Hon. R. Bourke; D. J. H. O'Brien, Esq., B. A.; C. J. Lucas, Esq.; C. N. Cresswell, Esq., B. A.; E. B. Dawson, Esq., LL. B.; C. J. Mayhew, Esq.; R. Formby, Esq., B. A.; E. Hacking, Esq.; H. F. Shebbeare, Esq., B. A.; W. H. Humphrey, Esq., B. A.; E. G. Salisbury, Esq.; T. C. M. Meekins, Esq.; J. J. Hooper, Esq.; T. F. Morse, Esq.

MIDDLE TEMPLE.—George Thornton Hamilton, Esq.; Francis Talfourd, Esq., Christ Church, Oxon; Charles Robert Hickee, Esq.; Moreton Revell Phillips, Esq.; Frederick Watson Lloyd, Esq.; John Whitcombe, Esq.; William Philip Dymond, Esq.; Thomas Dunnett, Esq., B. A., Trin. Coll., Dublin; Henry Gawler, Esq.; Joseph Graham, Esq., Trin. Hall, Cambridge; William Robert Wilkinson, Esq.; William Pearce, Esq.

GRAY'S INN.—Edward Bullen, Esq., M. A.

London Gazette.

FRIDAY, NOVEMBER 19.

BANKRUPTS.

JOHN HENRY DAVY, Parker-street, Drury-lane, Middlesex, coach wheelwright, dealer and chapman, Nov. 26 at half-past 2, and Jan. 7 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Shillibeer, 2, Great James-street, Bedford-row.—Petition dated Nov. 17.

JAMES FELL, New-street, New-road, Hammersmith, and Pereira-place, Shepherd's-bush, Hammersmith, Middlesex, formerly of Westbourne-grove, Middlesex, builder, dealer and chapman, Nov. 26 and Jan. 7 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Bickley, Devereux-chambers, Devereux-court, Temple.—Petition filed Nov. 11.

JOHN WINZAR, Salisbury, Wiltshire, apothecary, dealer and chapman, Nov. 29 at 2, and Dec. 30 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Taylor & Colliason, Great James-street, Bedford-row.—Petition filed Nov. 17.

CHARLES GODDEN, Croyley-street, New North-road, Hoxton, Middlesex, furniture broker, Dec. 1 at 11, and Jan. 8 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Hatton, 268, Strand, London.—Petition dated Nov. 8.

ROBERT PRICHARD, Bangor, Carnarvonshire, ale and porter dealer, news agent, dealer and chapman, Nov. 26 and Dec. 23 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Greene, Liverpool.—Petition filed Nov. 17.

ROBERT PACE the younger, Liverpool, and Belfast, Antrim, Ireland, iron founder and iron master, (lately carrying on business in partnership with Thomas Addison Barnes under the name, style, or firm of T. A. Barnes & Co.) Nov. 30 and Dec. 21 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Pemberton, Liverpool.—Petition filed Nov. 17.

WILLIAM ROBERTS, Bethesda, near Bangor, Carnarvonshire, joiner and builder, dealer and chapman, Nov. 26 and Dec. 23 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Williams, Liverpool.—Petition filed Nov. 17.

FREDERICK PRICE, Bristol, button and trimming dealer, dealer and chapman, Nov. 30 and Dec. 28 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Brittan & Sons, Bristol; Seaman, 12, Pancras-lane, Cheap-side, London.—Petition filed Nov. 9.

JOHN HALL, Newcastle-upon-Tyne, corn factor, Dec. 3 at 11, and Jan. 7 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hodge, Newcastle-upon-Tyne; Sudlows & Co., 39, Bedford-row, London.—Petition filed Nov. 13.

MEETINGS.

Roger Upton, Dawlish, Devonshire, grocer, Dec. 7 at 11, District Court of Bankruptcy, Exeter, last ex.—**John Fry Reeves**, **John Frederick Reeves**, **Orlando Reeves**, and **Archibald Reeves**, Taunton, Somersetshire, scriveners, Dec. 2 at 11, District Court of Bankruptcy, Exeter, last ex. of **John Fry Reeves**, **John Frederick Reeves**, and **Orlando Reeves**.—**Abiathar Brown Wall**, Bishop's-road, Bayswater, Middlesex, apothecary, Dec. 4 at 12, Court of Bankruptcy, London, aud. ac.; Dec. 10 at 12, div.—**Alexander Honeyman**, Creek-road, Deptford, Kent, builder, Dec. 1 at 12, Court of Bankruptcy, London, aud. ac.—**Thomas Edward Newcastle**, Norwich, draper, Dec. 1 at 12, Court of Bankruptcy, London, aud. ac.—**Joseph Coles**, Buckingham, dealer in corn, Dec. 1 at 12, Court of Bankruptcy, London, aud. ac.—**John Kirby**, Buckingham, miller, Dec. 1 at 12, Court of Bankruptcy, London, aud. ac.—**W. Bridges** the younger, Whitthsea, Cambridgeshire, farmer, Dec. 1 at 12, Court of Bankruptcy, London, aud. ac.—**James Robert Collett**, Princes-street, Hanover-square, Middlesex, milliner, Dec. 1 at 11, Court of Bankruptcy, London, aud. ac.; Dec. 10 at 12, div.—**Robert Barr**, Glasgow, Scotland, and **John Sykes**, Huddersfield, Yorkshire, Huddersfield Spinning Company, Nov. 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**George Chadfield**, Manchester, plasterer, Nov. 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**George N. Manzovino**, Manchester, merchant, Dec. 1 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**John Craven**, Birkenhead, Cheshire, grocer, Dec. 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**T. Marsden** and **John Clayton**, Watergrove-mill, within Wardle, Rochdale, Lancashire, cotton manufacturers, Dec. 4 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 11 at 12, div.—**John Taverner**, Nuneaton, Warwickshire, silk manufacturer, Dec. 15 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 16 at 11, div.—**John Burlingame**, Worcester, milliner, Nov. 30 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Chas. Wm. Williamson**, Birmingham, baker, Dec. 4 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—**Robert A. Braine**, Oxford, saddler, Dec. 10 at 1, Court of Bankruptcy, London, div.—**Edward Smallwood**, Sandal Magna, Yorkshire, schoolmaster, Dec. 10 at half-past 12, Court of Bankruptcy, London, div.—**Robert Swansborough**, Grimsby, Lincolnshire, and **H. Oake**, Ringwood, Southampton, warehousemen, Dec. 10 at 1, Court of Bankruptcy, London, div. sep. est. of **R. Swansborough**.—**Chas. Driffield**, Beverley, Yorkshire, draper, Dec. 10 at half-past 11, Court of Bankruptcy, London, div.—**John Cox**, Norwich, cabinet maker, Dec. 11 at half-past 2, Court of Bankruptcy, London, div.—**Wm. L. Kelly**, Newport, Monmouthshire, bookseller, Dec. 11 at 2, Court of Bankruptcy, London, div.—**Farquhar Macqueen**, Leadenhall-street, London, merchant, Dec. 11 at half-past 1, Court of Bankruptcy, London, div.—**James Fuller**, City-road, Finsbury, Middlesex, glass merchant, Dec. 11 at half-past 12, Court of Bankruptcy, London, div.—**Robert Dilkes**, Warrington, Lancashire, innkeeper, Dec. 14 at 12, District Court of Bankruptcy, Manchester, div.—**James Burt** and **James Burt** the younger, Manchester, and **Wm. T. Watson**, Leeds, Yorkshire, commission agents, Dec. 13 at 12, District Court of Bankruptcy, Manchester, div.—**Joseph Winterbottom**, Huddersfield, Yorkshire, spinner, Dec. 13 at 11, District Court of Bankruptcy, Leeds, first and fin. div.—**Thomas Dalton**, Coventry, silk dyer, Dec. 15 at 11, District Court of Bankruptcy, Birmingham, fin. div.—**John Cullen**, Nottingham, grocer, Dec. 17 at 10, District Court of Bankruptcy, Nottingham, div.—**N. Barnsdall**, Nottingham, timber merchant, Dec. 17 at 10, District Court of Bankruptcy,

Nottingham, div.—**John Fitchett**, Birmingham, casting-pot maker, Dec. 11 at 10, District Court of Bankruptcy, Birmingham, div.—**Wm. Farrell**, Liverpool, provision dealer, Dec. 10 at 11, District Court of Bankruptcy, Liverpool, div.—**Benjamin Wraith**, Liverpool, currier, Dec. 10 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Ward, Bond-court, Walbrook, London, wine merchant, Dec. 14 at 12, Court of Bankruptcy, London.—**James Robert Collett**, Princes-street, Hanover-square, Middlesex, milliner, Dec. 10 at half-past 12, Court of Bankruptcy, London.—**Wm. Watson**, Craven-street, Strand, wine merchant, Dec. 10 at 1, Court of Bankruptcy, London.—**Daniel Sparks**, Cirencester, Gloucestershire, surgeon, Dec. 17 at 12, District Court of Bankruptcy, Bristol.—**Joseph Newbold**, Barton-under-Needwood, Staffordshire, innkeeper, Dec. 13 at 10, District Court of Bankruptcy, Birmingham.—**John Wood** and **Edwin Norton**, Wath-upon-Dearne, Yorkshire, corn millers, Dec. 10 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John Mercer, Wootton-under-Edge, Gloucestershire, provision dealer.—**Geo. Potter**, Grosvenor Basin, Pimlico, Middlesex, and Woudham and Burham, Kent, lime burner.—**T. Sloper**, St. Ann's-place, Limehouse, Middlesex, auctioneer.—**Henry Hartley**, Halifax, Yorkshire, stationer.—**George Lodge** the younger and **Robert Hope**, Leeds, Yorkshire, flax spinners.

SCOTCH SEQUESTRATIONS.

David Monypenny Mackenzie, Edinburgh, solicitor.—**Blakley & Good**, Glasgow, jewellers.—**David Knight Forbes**, Arbroath, flax spinner.—**Gavin Rankin**, Barrachnie, near Baillieston, coal master.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Jones, Liverpool, joiner, Nov. 22 at half-past 10, County Court of Lancashire, at Liverpool.—**John Floyd**, Bristol, straw-plait dealer, Nov. 24 at 11, County Court of Gloucestershire, at Bristol.—**Wm. Elliott**, Bristol, builder, Dec. 8 at 11, County Court of Gloucestershire, at Bristol.—**Thos. Crosby**, Stoke Bishop, Westbury-upon-Trym, Gloucestershire, attorney, Dec. 22 at 11, County Court of Gloucestershire, at Bristol.—**Jas. Hayes**, Montacute, Somersetshire, grocer, Dec. 22 at 10, County Court of Somersetshire, at Yeovil.—**Francis Thos. Rodd**, Whipton Heavitree, Devonshire, in no business, Dec. 4 at 10, County Court of Devonshire, at Exeter.—**J. Des Humphreys**, Flint, grocer, Dec. 10 at 12, County Court of Flintshire, at Mold.—**Benj. Goodrich**, Foxton, Leicestershire, licensed victualler, Dec. 6 at 1, County Court of Leicestershire, at Market Harborough.—**William Miller**, Hemel Hempstead, Hertfordshire, hatter, Nov. 26 at half-past 10, County Court of Hertfordshire, at St. Alban's.—**Henry David Squier**, Maidstone, Kent, butcher, Dec. 7 at 12, County Court of Kent, at Maidstone.—**Hen. W. Hunt**, Chatham, Kent, pipe manufacturer, Dec. 7 at 12, County Court of Kent, at Maidstone.—**George Fildes**, Worcester, plumber, Dec. 15 at 10, County Court of Worcestershire, at Worcester.—**Jas. Hyde**, Leigh, Worcestershire, beer-house keeper, Dec. 15 at 10, County Court of Worcestershire, at Worcester.—**Joseph Bamford**, Sheffield, Yorkshire, plasterer, Dec. 1 at 12, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 3 at 11, before the CHIEF COMMISSIONER.

Thos. Box, Chance-terrace, New Brompton, Gillingham, Kent, grocer.—**Richard Cole**, Cumming-st. North, Pentonville, Middlesex, pianoforte maker.—**John Wm. Hill**, Marchmont-st., Brunswick-square, Middlesex, shoemaker.—**Joseph Andrews**, Randall-st., East India-road, Poplar, Middlesex, mate of a vessel called The British Tar.—**Thomas Wheeler**, Porteus-terrace, Paddington-green, Middlesex, house agent.—**James Sarlais**, Hanwell, Middlesex, cattle dealer.

Dec. 3 at 10, before Mr. Commissioner LAW.

Wm. Willis, Great Carlisle-st., Portman-market, Marylebone, Middlesex, greengrocer.—Ann Binches, Little Bath-street, Cold Bath-square, Middlesex, grocer.

Dec. 4 at 11, before Mr. Commissioner PHILLIPS.

Chas. Piggott, Romford, Essex, shoemaker.—James Robert Smith, Pleasant-place, Vauxhall-st., Lambeth, Surrey, barge builder.—Josiah Branchflower, Seabright-st., Bethnal-green, Middlesex, silk manufacturer.—John Humphrey, Hampton, Middlesex, oorn dealer.—Jos. Graham, St. Petersburg-place, Bayswater, Middlesex, hosier.

Dec. 6 at 10, before Mr. Commissioner LAW.

Wm. Lawson, Laurel-place, Queen's-road, Dalston, Hackney, Middlesex, hosier.—Wm. Cook, Bayham-st., Camden-town, Middlesex, bricklayer.—John Jacob Lowe, Bride-lane, Fleet-st., London, coffee-house keeper.

Dec. 6 at 11, before Mr. Commissioner PHILLIPS.

Thomas Jykell, Bond-st., Chelsea, Middlesex, labourer.—Thomas Timms, Montague-cottages, Pomeroy-st., Old Kent-road, Surrey, omnibus driver.—William L. Ashby, Artillery-place, Woolwich, Kent, chandler-shop keeper.—D. Davies, Holly-st., North Dalston, Middlesex.—Peter Job Roberts, George-st., Hampstead-road, Middlesex, commission agent.—John Cowan, Leeds, Yorkshire, commission agent.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 3 at 11, before the CHIEF COMMISSIONER.

Mary Jackson, Sussex-place, Rotherfield-street, Islington, Middlesex, dressmaker.—Susan Jackson, Sussex-place, Rotherfield-st., Islington, Middlesex, dressmaker.

Dec. 3 at 10, before Mr. Commissioner LAW.

Wm. Aston, Bacon-st., Spitalfields, Middlesex, dealer in horses on commission.

Dec. 4 at 11, before Mr. Commissioner PHILLIPS.

John S. Chadwell, Great Suffolk-st., Southwark, Surrey, oil and colour man.—John G. Craddock, Holywell-street, Strand, Middlesex, auctioneer.—Margaret Storey, widow, Hedley-hill, near Durham, in no business.

Dec. 6 at 10, before Mr. Commissioner LAW.

Wm. Richards, James-street, New-cut, Lambeth, Surrey, out of business.—Wm. H. Strridge, Harrow-road, Paddington-green, Paddington, Middlesex, horse dealer.—J. Payne, Lambton-terrace, Westbourne-grove West, Middlesex, bricklayer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,
Dec. 3 at 11.

James Brown, Hallgate, Wigan, small-ware dealer.—Thos. Sweetnam, Liverpool, china salesman by commission.—Daniel Muldoon, Manchester, retail dealer in ale.—James Parrin, Manchester, furniture broker.—John Caldwell, Bedford, near Leigh, out of business.—Mark Whitty, Liverpool, out of business.—James Wilson, Lancaster, out of business.—Wm. Morison, Liverpool, out of business.—Wm. Ross, Chorlton-upon-Medlock, Manchester, out of business.—Wm. Taylor, Moor Hey, Oldham, silk slubber.—James Darbyshire, Chorley, beer seller.—John Daniel Pritchard, Manchester, out of business.—Wm. Cresswell, Manchester, rope manufacturer.—Matthew Taylor, Hatton, near Preston, farmer.—Thomas Kelley, Hulme, Manchester, painter.—Edward H. Nolan, Salford, dissenting minister.—Edward Ball, Prescott, out of employment.

At the County Court of Oxfordshire, at OXFORD, Dec. 6.
Richard Howes, Ensham, in no business.

TUESDAY, NOVEMBER 23.

BANKRUPTS.

JAMES BARTEN, (and not BARTON, as before advertised), Sutton Valence, Kent, brewer, Nov. 26 and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hart & Kipping, Maidstone; Church & Langdale, 38, Southampton-buildings, Chancery-lane.—Petition filed Nov. 12.

AUGUSTINE BELLETTI, West India Dock-road, Limehouse, Middlesex, mahogany merchant, Dec. 2 at half-past 1, and Jan. 6 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Turaley, 16, Cornhill.—Petition filed Nov. 15.

JOHN MILNES, Rochdale, Lancashire, woolstapler, dealer and chapman, Dec. 7 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Atkinson & Co., Manchester.—Petition filed Nov. 19.

MEETINGS.

Wm. Youard, North Walsham, Norfolk, corn merchant, Dec. 10 at 11, Court of Bankruptcy, London, ch. ass.—G. Rowell the younger, Carlisle, Cumberland, painter, Dec. 17 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—John S. Ward, Bruton, Somersetshire, silk throwster, Dec. 10 at 12, District Court of Bankruptcy, Bristol, aud. ac.; Dec. 17 at 11, div.—Thomas Pearce and William Thackray, Sunderland, Durham, timber merchants, Dec. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 17 at half-past 12, fin. div.—Thomas Frey, Wigan and Manchester, check manufacturer, Dec. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—James Burt and James Burt the younger, Manchester, and Wm. T. Watson, Leeds, Yorkshire, commission agents, Dec. 6 at 12, District Court of Bankruptcy, Manchester, aud. ac.—James Leader, Liverpool, joiner, Dec. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—Jacob Dove, Leeds, Yorkshire, carrier, Dec. 7 at 11, District Court of Bankruptcy, Leeds, (and not Kingston-upon-Hull, as before advertised), aud. ac.—Mary Hartley, widow, and H. Hartley, Halifax, Yorkshire, stationers, Dec. 13 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Dec. 14 at 11, div.—Jabez Elliott, Chatham, Kent, grocer, Dec. 14 at 11, Court of Bankruptcy, London, div.—J. Featherstonough, St. Mary-at-Hill, Lower Thames-street, London, coal factor, Dec. 14 at 11, Court of Bankruptcy, London, div.—Lion Guillaume, Berners-street, Oxford-st., Middlesex, manufacturer of artificial flowers, Dec. 14 at half-past 11, Court of Bankruptcy, London, div.—James Bennett, Fox-place, Sandy Hill-road, Woolwich, Kent, carpenter, Dec. 14 at half-past 12, Court of Bankruptcy, London, div.—Thos. Cowdrey, Brighton, Sussex, wine merchant, Dec. 14 at 12, Court of Bankruptcy, London, div.—Peter P. Good, Clapton, Middlesex, insurance broker, Dec. 11 at 1, Court of Bankruptcy, London, div.—Szymanski Leon, Rathbone-place, Middlesex, tailor, Dec. 13 at 1, Court of Bankruptcy, London, div.—Richard Thos. Peters, High Holborn, Middlesex, hotel keeper, Dec. 13 at half-past 12, Court of Bankruptcy, London, div.—Robert Daw the younger, Llan-caston, Cornwall, linen-draper, Dec. 13 at half-past 1, Court of Bankruptcy, London, div.—Frederick Long, Vere-street, Oxford-st., Middlesex, importer of foreign lace, Dec. 21 at 12, Court of Bankruptcy, London, div.—Charles H. Canning, Birmingham, draper, Dec. 4 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 18 at 10, div.—Wm. Wylam and Joshua Greene the younger, Newcastle-upon-Tyne, merchants, Dec. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—Robert Gibbarne, Newcastle-upon-Tyne, bookseller, Dec. 14 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—James Hymers, Gateshead, Durham, newspaper proprietor, Dec. 14 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—Charles Parker, Houghton-le-Skerne, and Darlington, Durham, and Rawcliffe, Yorkshire, flax spinner, Dec. 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—Chas. Edmonstone, Over Darwen, Lancashire, paper manufacturer, Dec. 15 at 12, District Court of Bankruptcy, Manchester, div.—John Burnley, Batley, Yorkshire, cloth manufacturer, Dec. 16 at 11, District Court of Bankruptcy, Leeds, div.—Wm. Thos. Carr, Barnsley, and Oughtibridge, Yorkshire, ironmonger, Dec. 16 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

D. Keith and Thos. Shoo-bridge, Wood-street, Cheapside, London, warehousemen, Dec. 15 at 1, Court of Bankruptcy, London.—David F. Kennett, Oxford-street, St. Marylebone, Middlesex, licensed victualler, Dec. 13 at 12, Court of Bankruptcy, London.—Joseph Fugill, Bradford, Yorkshire, stuff merchant, Dec. 14 at 11, District Court of Bankruptcy, Leeds.

—*Joseph Nicholson*, Shotley-bridge, Durham, ironmonger, Dec. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas Hutchinson* and *James Hutchinson*, Sunderland, Durham, grocers, Dec. 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Matthew Holmes*, Bilston, Staffordshire, victualler, Dec. 14 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Jonathan Streeter, Brighton, Sussex, corn merchant.—*Thomas M' Cree* and *Andrew M' Cree*, Newcastle-upon-Tyne, grocers.—*Benjamin Balls*, Birmingham, perfumer.

SCOTCH SEQUESTRATION.

Henry Wharton, Edinburgh, cabinet maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Jobling the younger, Bootle-cum-Linacre, Lancashire, engineer, Dec. 6 at half-past 10, County Court of Lancashire, at Liverpool.—*Thomas Haddon*, Leicester, brush-maker, Dec. 15 at 10, County Court of Leicestershire, at Leicester.—*Joseph Bentley*, Leicester, commission agent, Dec. 15 at 10, County Court of Leicestershire, at Leicester.—*Beneser Arnold*, East Stonehouse, Devonshire, wire worker, Feb. 3 at 11, County Court of Devonshire, at East Stonehouse.—*Thos. Wilson*, Manchester, watchmaker, Dec. 13 at 11, County Court of Lancashire, at Manchester.—*John Kimberley Band*, Coventry, Warwickshire, ribbon and trimming manufacturer, Dec. 8 at 12, County Court of Warwickshire, at Coventry.—*John Hatch*, Kitnook's-farm, near Botley, Southampton, farm bailiff, Dec. 15 at 11, County Court of Hampshire, at Bishop's Waltham.—*John Seale* the younger, Milford, Pembrokeshire, licensed victualler, Dec. 10 at 10, County Court of Pembrokeshire, at Haverfordwest.—*George Jas. Pond*, Landport, Portsea, Hampshire, carpenter, Dec. 14 at 11, County Court of Hampshire, at Portsmouth.—*William Brown*, Landport, Portsea, Southampton, butcher, Dec. 14 at 11, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 8 at 11, before the CHIEF COMMISSIONER.

Jas. Smith, George-street, Croom's-hill, Greenwich, Kent, shoemaker.—*Henry Roberts*, Boot-street, Pitfield-street, Shoreditch, Middlesex, furniture japanner.—*James Ashley Roberts*, Hastings-street, Burton-crescent, St. Pancras, Middlesex, baker.—*Eliz. Green*, Park-street, Borough-market, Surrey, lodging-house keeper.—*Charles Simpson*, Dover-road, Southwark, Surrey, print colourer.

Saturday, Nov. 20.

An Assignee has been appointed in the following Case. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Kent, Plymouth, Devonshire, innkeeper, No. 75, 337 C.; Ward Arliss, assignee.

Saturday, Nov. 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Gurr, Smithfield, London, butcher: in the Debtors Prison for London and Middlesex.—*John Bealby*, Belvedere, Cambridge-road, Mile-end-road, Middlesex, foreman at the London Docks: in the Debtors Prison for London and Middlesex.—*Patrick Cowan*, Skinner-street, Snow-hill, London, general brass founder: in the Debtors Prison for London and Middlesex.—*Charles Septimus Mitchell*, King Edward-street, Mile-end New-town, cowkeeper: in the Debtors Prison for London and Middlesex.—*Louis Simon Dufort*, Smithfield-bars, London, cook: in the Debtors Prison for London and Middlesex.—*Charles Wynn Payne*, St. Peter's-square, Hammersmith, Middlesex, artist: in the Debtors Prison for London and Middlesex.—*Otto Rodolph Petter*, Gracechurch-street, London, merchant: in the Debtors Prison for London and Middlesex.—*Dan John Pickering*, Southwark-bridge-road,

Surrey, clerk in a carpet warehouse: in the Debtors Prison for London and Middlesex.—*William Starling*, Upper Ebury-street, Pimlico, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*William Pomfret*, Houndsditch, London, out of business: in the Debtors Prison for London and Middlesex.—*John Ibbotson*, Hulme, Manchester, cotton waste dealer: in the Gaol of Lancaster.—*Edward Henry Nolan*, Polygon, Lower Broughton, Salford, Lancashire, dissenting minister: in the Gaol of Lancaster.—*James Parris*, Manchester, furniture broker: in the Gaol of Lancaster.—*Richard Shepherd*, Dalton-in-Furness, near Ulverston, Lancashire, joiner and builder: in the Gaol of Lancaster.—*James Fiddeman*, Brighton, Sussex, livery-stable keeper: in the Gaol of Lewes.—*Daniel Radcliffe*, Liverpool, baker: in the Gaol of Lancaster.—*Francis Smith*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Thos. Walker*, Went-bridge, Thorpe Andlin, near Pontefract, Yorkshire, corn miller: in the Gaol of York.—*John Champ*, Drayton, near Abingdon, Berkshire, agricultural labourer: in the Gaol of Reading.—*Henry Church Moody*, Mear, near Ashley, Staffordshire, dealer in agricultural manure: in the Gaol of Stafford.—*John Cowley*, Manchester, provision dealer: in the Gaol of Lancaster.—*John Williams*, Llandoverly, Carmarthenshire, innkeeper: in the Gaol of Carmarthen.—*Theophilus Jones*, Chester, assistant to a druggist: in the Gaol of Chester.—*Charles Marshall*, Stonegate, Yorkshire, saw manufacturer: in the Gaol of York.—*Wm. Hen. Thorne*, Barnstaple, Devonshire, grocer: in the Gaol of St. Thomas the Apostle.—*Edw. Warford*, Nempnett, Somersetshire, labourer: in the Gaol of Wilton.—*John Beam*, Leeds, Yorkshire, labourer: in the Gaol of York.—*Isaac Hughes*, Briggate, Leeds, Yorkshire, out of business: in the Gaol of York.—*Noah Nicholson*, Farsley, near Leeds, Yorkshire, tailor: in the Gaol of York.—*F. Jas. Wood Tootal*, Leeds, Yorkshire, corn factor: in the Gaol of York.—*John Ward*, Batley, near Dewsbury, Yorkshire, licensed retailer of beer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 6 at 10, before Mr. Commissioner LAW.

Jas. Dickinson, Old-street, St. Luke's, Middlesex, general dealer.

Dec. 7 at 11, before the CHIEF COMMISSIONER.

George Cleare, President-st. East, King's-square, Middlesex, milkman.—*Thos. Kimpton* the elder, Grove-st., Bethnal-green, Middlesex, baker.—*Chas. Wm. Bayley*, Arlington-st., Clerkenwell, Middlesex, greengrocer.

Dec. 8 at 10, before Mr. Commissioner LAW.

Wm. Garratt May, Johnson-st., High-street, Notting-hill, Middlesex, out of business.—*Edw. Lonsdale*, Deptford, Kent, out of business.

Dec. 9 at 11, before Mr. Commissioner PHILLIPS.

Anthony Vachée, North-st., Whitechapel-road, Middlesex, out of business.—*Chas. Norwood*, Watt's-buildings, Kingsland-road, Middlesex, traveller on commission.—*Henry A. Lyston*, Providence-terrace, Earl's-court, Brompton, Middlesex, commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MALDSTONE, Dec. 7 at 12.

Geo. Rich. Howard, Maidstone, post-office letter receiver.—*Benj. Wright*, Gravesend, out of business.—*E. Seamer*, Deal, out of business.

At the County Court of Warwickshire, at COVENTRY, Dec. 8 at 12.

Wm. Davis, Birmingham, furniture broker.—*Wm. Harrington*, Birmingham, hairdresser.—*W. Sandon*, Birmingham, tailor.

At the County Court of Somersetshire, at TAUNTON, Dec. 9.

Edw. Warford, Nempnett, labourer.—*Geo. Bailey*, Bath, livery-stable keeper.

At the County Court of Suffolk, at IPSWICH, Dec. 10 at 10.

Robert Woods the younger, Ipswich, shipowner.

MEETINGS.

Samuel Campbell, Kirkdale, Liverpool, shipowner, Dec. 27 at 1, Miller & Peel's, Liverpool, sp. aff.

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THE LAWYER'S COMPANION for 1853; containing the Act altering the Procedure in the Courts of Common Law and Chancery; with the General Orders and Rules of the 7th August, 1852; Tables of the Stamp Duties; a complete London and Provincial Law Directory; a Law Calendar for the Year; an Alphabetical Index to the Statutes, from 1 Will. 4 to the present time; and Notes of Cases reported recently on Practical Points. Edited by W. F. FINLASON, Esq., Barrister at Law, of the Middle Temple, Editor of "The Common-law Procedure Act." To which is added, a Diary for 1853, suitable for Appointments and Attendances. Continued annually.
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DECEMBER 4, 1852.

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LONDON, DECEMBER 4, 1852.

In a case recently decided by the Master of the Rolls (*Sanders v. Rodway*, 16 Jur., part 1, p. 1005) upon the effect of deeds of separation, a distinction was made by the Court between enforcing a covenant to live separate, by restraining the husband from compelling his wife to live with him or molesting her, &c., and by restraining him from proceeding in the ecclesiastical court for restitution of conjugal rights. An injunction for the latter purpose his Honor seemed to admit was not grantable; but an injunction for the former purpose he granted.

Whether the doctrine of *Sanders v. Rodway* is warranted by authority, we propose here to examine; and, for that purpose, we beg to refer our readers to a paper on the subject in the 13 Jur., part 2, p. 521, in which the cases are collected. From those cases, some of the most important of which do not appear to have been cited in *Sanders v. Rodway*, it would seem to be deducible, that equity will not enforce, in any manner, a deed of separation as to the material point, *the separation*, but only as to the clauses dealing with the questions of property. *Worrall v. Jacob* (3 Mer. 256) and *Frampton v. Frampton* (4 Beav. 287) both treat that point as settled. In *Worrall v. Jacob*, Sir W. Grant said, "I apprehend it to be now settled that this Court will not carry into execution articles of separation between husband and wife. It recognises no power in them to vary the rights and duties growing out of the

marriage contract, or to effect at their pleasure a partial dissolution of the contract." And to the same effect is *Frampton v. Frampton*. Now, it is difficult to reconcile these cases with the granting of an injunction to restrain a breach of the covenant to permit the wife to live separate, and not to molest her; for such an injunction is, in effect, a specific performance of the covenant. Certainly, there is no case in equity, before *Sanders v. Rodway*, in which the Court has in any way, either positively or negatively, enforced the contract for separation, as regards the actual separation.

As to any interference by a Court of equity to restrain the husband from proceeding in the ecclesiastical court for restitution of conjugal rights, in breach of a covenant not to do so, it seems clearly settled, or, at least, treated by the House of Lords as settled law in *Warrender v. Warrender*, that for breach of such a covenant there is no remedy, either at law or in equity: and the reasons on which the doctrine is stated to be founded, in all the cases in which it has been laid down that equity will not enforce a separation, are precisely the same as those assigned for the absence of remedy, either legal or equitable, for breach of a covenant not to sue for restitution of conjugal rights, viz. that it is against the policy of the law to permit husband and wife to vary, by subsequent contract, the rights and duties growing out of the marriage contract, and partially to dissolve that contract, the variation or dissolution of which is, by law, in the exclusive jurisdiction of the Ecclesiastical Court. Hence every legal reason,

which supports the doctrine of non-interference to prevent ecclesiastical proceedings, seems equally applicable in support of non-interference by injunction against any other breach of the covenant to permit the wife to live separate.

It is true there have been cases at law, where a Court of law has interfered to enforce an agreement for separation; but those were cases of cruelty, in which the Court seems to have proceeded more on the ground of protection of the wife against personal ill-usage and violence, than on the ground of contract. Thus in *Mead's case* (Burr. 631) the husband appeared to have used his wife very ill; and in *Gregory's case*, (Id. 542), where there was no contract for separation at all, but ill-usage on the part of the husband, in consequence of which the wife left him and took refuge with other persons, and swore the peace against her husband, the Court, on a habeas corpus, would not deliver up the wife to her husband, but, on the contrary, offered her the protection of an officer of the Court to secure her safe return to her friends. These cases do not, therefore, seem any authority for the broad proposition, that at law, at any rate, a simple breach of a covenant to permit the wife to live separate, would be the subject of an action for damages, or that such a covenant has any legal validity. And if it has no legal validity, how can it be right that equity should enforce it by injunction, it being the settled rule of the Court that equity only interferes by injunction, in matters of contract, in aid of a legal right?

We submit, that there being no case before *Sanders v. Rodway* in which equity has so interfered; there being no case at law in which (except cases of the class to which we have referred, where the Court interfered for personal protection against violence) a contract for separation has been treated as of legal force; the dicta of Sir W. Grant and of Lord Langdale in the cases in *Mervale* and *Beavan*, treating such contracts as incapable of specific performance; and the language of the House of Lords in *Warrender v. Warrender* appearing to assume that they have neither legal nor equitable force; the doctrine of *Sanders v. Rodway* must be received with great caution, notwithstanding the high authority from which it has emanated, particularly bearing in mind that two cases only, in which the point was not expressly raised, appear to have been brought to the attention of the Court.

Reviews.

1. *The Code of Practice of the High Court of Chancery, containing a Brief History of the Jurisdiction and Practice of the Court; Chronological Tables of all the Statutes useful in Practice, and of the General Orders; the General Orders of the Court from 1814 to the present Time; and the Statutes relating to special Cases, the Abolition of the Office of Master, the Improvement of the Jurisdiction of Equity, and the Relief of the Suitors; with explanatory Notes and copious Indices to each Volume.* By THOMAS KENNEDY, a Solicitor of the Court. In two Volumes. Vol. 2. 12mo., pp. 284. [Butterworths.]
2. *The Statutes for amending the Practice in Chancery, for the Abolition of the Office of Master, and for the Relief of the Suitors, (15 & 16 Vict. cc. 80, 86, 87); also, the Trustees Relief Act, and other Acts; Proceedings by Claim. With Notes, New Orders, and a copious Index.* By LEONARD SHELFORD, Esq., of the Middle Temple, Barrister at Law. 12mo., pp. 290. [Sweet.]

MR. KENNEDY'S first volume was a work of considerable

labour and research, containing a clear and condensed history of the jurisdiction and practice of the Court of Chancery from its origin; chronological tables of the statutes affecting the court, its officers, and practice; a list of all the General Orders from the origin of the court; the Orders themselves, in extenso, from 1814, (the concluding limit of Mr. Beames's collection); a key to the Registrar's books, and other matter, either of immediate practical utility, or tending to facilitate research. All this, however, formed only the materials for a code, but not the code itself; and Mr. Kennedy had not proceeded with this code beyond the title, "Setting down causes on bill and answer," when the Orders of May, 1845, blew his codifying labours out of court, and gave him a very significant hint, which subsequent experience has confirmed, of the hopelessness of any further attempt to arrange and settle so precarious a thing as Chancery practice. The present volume contains the Orders and Statutes affecting Chancery practice which have been made and passed since the publication of the former one. It has no pretension to the title of a code, but it contains all the materials necessary for framing that temporary mental code which, with more or less diligence and accuracy, every Chancery practitioner is now engaged in getting into his head; and for facilitating the process, Mr. Kennedy has added numerous explanatory and critical notes, which we recommend to the attention of those who need a guide to the material parts, and the construction, of the recent enactments and Orders.

Mr. Shelford's edition of the recent Chancery Statutes and Orders appears to have been prepared on the same plan which the author has adopted in his other editions of modern statutes, and which, to judge from the success of the publications, is well adapted to the wants or the taste of the Profession. The acts are illustrated in detail by full statements of the pre-existing law on the subject-matter of the several enactments, as well on points which are left unaltered as on those which are altered; so that the reader has before him all the materials necessary to enable him to form a judgment, not only on the probable intention of the Legislature, and the reasonable construction of the language it has used, but also on the amount of alteration effected by the act, and its practical operation.

In addition to the acts mentioned in the title-page, the present volume contains the act of the 13 & 14 Vict. c. 36, "to diminish the delay and expense of proceedings in the High Court of Chancery in England," and the 14 & 15 Vict. c. 83, "to improve the administration of justice in the Court of Chancery and in the Judicial Committee of the Privy Council."

We have just received a Supplement to Mr. Shelford's volume, containing the Orders and Regulations down to the 10th of the present month, so printed as, with the help of a few cancels, to be capable of incorporation in the original volume.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Stansfield, of Todmorden, in the county palatine of Lancaster; Robert Shindler, of Brompton, in the county of Kent.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Robert Shindler, of Chatham, Kent, in and for the county of Kent; Brutton John Ford, of Exeter, in and for the city and county of the city of Exeter, also in and for the county of Devon.

Court Papers.

EQUITY SITTINGS, AFTER MICHAELMAS TERM.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

Wednesday ..	Dec. 1	{	First Seal.—Appeal Motions and Appeals.
Thursday	2		Appeals.
Saturday	4		Petitions in Lunacy, Appeal Petitions, and Appeals.
Wednesday	8		Second Seal.—Appeal Motions and Appeals.
Thursday	9		Appeals.
Saturday	11		Petitions in Lunacy, Appeal Petitions, and Appeals.
Wednesday	15		Third Seal.—Appeal Motions and Appeals.
Thursday	16		Appeals.
Saturday	18		Petitions in Lunacy, Appeal Petitions, and Appeals.
Tuesday	21		Fourth Seal.
Wednesday	22		Appeal Motions and Appeals.
Thursday	23		Petitions in Lunacy, Appeal Petitions, and Appeals.

N. B.—The days his Lordship attends in the House of Lords on Appeals are excepted.

Before the LORDS JUSTICES, at Lincoln's Inn.

Wednesday ..	Dec. 1	{	First Seal.—Appeal Motions.
Thursday	2		Petitions in Lunacy and Appeals.
Friday	3		Appeal Petitions and Bankrupt Petitions.
Saturday	4		Appeals.
Monday	6		Appeals.
Tuesday	7		Appeals.
Wednesday	8		Second Seal.—Appeal Motions.
Thursday	9		Petitions in Lunacy and Appeals.
Friday	10		Appeal Petitions and Bankrupt Petitions.
Saturday	11		Appeals.
Monday	13		Appeals.
Tuesday	14		Appeals.
Wednesday	15		Third Seal.—Appeal Motions.
Thursday	16		Petitions in Lunacy and Appeals.
Friday	17		Appeal Petitions and Bankrupt Petitions.
Saturday	18		Appeals.
Monday	20		Appeals.
Tuesday	21		Fourth Seal.—Petitions in Lunacy and Appeal Motions.
Wednesday	22		Appeal Petitions and Bankrupt Petitions.

N. B.—The days (if any) on which the Lords Justices shall be engaged at the Judicial Committee of the Privy Council are excepted.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

Wednesday ..	Dec. 1	{	Motions.
Thursday	2		Motions.
Friday	3		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Saturday	4		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Monday	6		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Tuesday	7		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Wednesday	8		Motions.
Thursday	9		Motions.
Friday	10		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Saturday	11		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Monday	13		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Tuesday	14		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Wednesday	15		Motions.
Thursday	16		Motions.
Friday	17		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Saturday	18		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.
Monday	20		Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions.

Tuesday	21	{	Motions.
Wednesday	22		Petitions in General Paper.

Short Causes, Consent Causes, Unopposed Petitions, and Short Claims, on Saturday, the 4th, Saturday, the 11th, and Saturday, the 18th December, at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.

Wednesday ..	Dec. 1	{	First Seal.—Motions.
Thursday	2		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Friday	3		(Petition-day).—Cause Petitions (unopposed first), Short Causes, Short Claims, and Claims.
Saturday	4		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Monday	6		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	7		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Wednesday	8		Second Seal.—Motions.
Thursday	9		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Friday	10		Unopposed Petitions, Short Causes, Short Claims, Claims, and Causes.
Saturday	11		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Monday	13		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	14		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Wednesday	15		Third Seal.—Motions.
Thursday	16		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Friday	17		Unopposed Petitions, Short Causes, Short Claims, and Causes.
Saturday	18		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Monday	20		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	21		Fourth Seal.—Motions.
Wednesday	22		(Petition-day).—Cause Petitions (unopposed first).
Thursday	23		Short Causes, Short Claims, & Causes.

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

Wednesday ..	Dec. 1	{	First Seal.—Motions and Causes.
Thursday	2		Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Friday	3		(Petition-day).—Cause Petitions (unopposed first).
Saturday	4		Short Causes, Short Claims, & Causes.
Monday	6		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	7		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Wednesday	8		Second Seal.—Motions.
Thursday	9		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Friday	10		(Petition-day).—Cause Petitions (unopposed first).
Saturday	11		Short Causes, Short Claims, & Causes.
Monday	13		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	14		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Wednesday	15		Third Seal.—Motions.
Thursday	16		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Friday	17		(Petition-day).—Cause Petitions (unopposed first).
Saturday	18		Short Causes, Short Claims, & Causes.
Monday	20		Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday	21		Fourth Seal.—Motions.
Wednesday	22		(Petition-day).—Cause Petitions (unopposed first).
Thursday	23		Short Causes, Short Claims, & Causes.

N. B.—Unopposed Petitions, (not exceeding ten), at the sitting of the Court, every day (except Seal Days).

Before Vice-Chancellor STUART, at Lincoln's Inn.

Wednesday ..	Dec. 1	{	First Seal.—Motions.
Thursday	2		Short Causes, Short Claims, and Causes.



Friday	3	{ Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Saturday	4	{ Cause Petitions (unopposed first).
Monday	6	{ Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Tuesday	7	{
Wednesday	8	{ Second Seal.—Motions.
Thursday	9	{ Short Causes, Short Claims, Claims, and Causes.
Friday	10	{ Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Saturday	11	{ Cause Petitions (unopposed first).
Monday	13	{ Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Tuesday	14	{
Wednesday	15	{ Third Seal.—Motions.
Thursday	16	{ Short Causes, Short Claims, Claims, and Causes.
Friday	17	{ Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Saturday	18	{ Cause Petitions (unopposed first).
Monday	20	{ Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Tuesday	21	{ Fourth Seal.—Motions.
Wednesday	22	{ (Petition-day).—Cause Petitions (unopposed first).
Thursday	23	{ Short Causes, Short Claims, Claims, and Causes.

London Gazette.

FRIDAY, NOVEMBER 26.

BANKRUPTS.

JAMES THOMAS WHEATLEY, Cranmer-place, Waterloo-bridge-road, Surrey, formerly of Commercial-road, Lambeth, Surrey, lighterman, Dec. 8 at 2, and Jan. 7 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrence & Co., 14, Old Jewry-chambers, City.—Petition filed Nov. 23.

HENRY FISHER and **EDWARD WILLIAM SELWOOD**, Aldersgate-street, London, wholesale milliners and lacemakers, dealers and chapmen, (trading under the style or firm of Fisher & Selwood), Dec. 7 and Jan. 11 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed Nov. 15.

JAMES GAZLEY, King's Lynn, Norfolk, carpenter and builder, Dec. 3 at 12, and Jan. 7 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Trinder & Eyre, 1, John-st., Bedford-row.—Petition filed Nov. 23.

THOMAS CROSSLEY, Noble-st., London, silk and ribbon warehouseman, commission agent, dealer and chapman, Dec. 1 at half-past 11, and Jan. 8 at half-past 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Cole & Co., 68, Aldermanbury, London.—Petition dated Nov. 23.

HENRY VENNALL, Hastings, Sussex, stonemason, builder, dealer and chapman, Nov. 1 at half-past 12, and Jan. 14 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Scrivers & Young, Hastings; Gregson & Son, 8, Angell-court, London.—Petition dated Nov. 23.

WILLIAM NORTHWOOD, Wigmore-street, Cavendish-square, Middlesex, upholsterer, cabinet maker, dealer and chapman, Dec. 1 at 12, and Jan. 15 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Petition dated Nov. 25.

JOSEPH ICK EVANS, Harrow-road, Paddington, Middlesex, clothier, dealer and chapman, Dec. 9 at half-past 12, and Jan. 13 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Steinberg, Bread-st., Cheapside.—Petition filed Nov. 24.

JOHN TAYLOR, Hoxne, Suffolk, grocer and draper, Dec. 7 at half-past 12, and Jan. 6 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Newbon & Hatton, 44, Noble-street, Cheapside.—Petition filed Nov. 24.

MEETINGS.

Wm. Smith, Bolton-le-Moors, Lancashire, grocer, Dec. 9 at 11, District Court of Bankruptcy, Manchester, pr. d.—**J. Hudson Clarke**, **Chas. Buckles**, and **Hodgson Inchbold**, Manchester and Swinton, Lancashire, contractors, Dec. 13 at 12, District Court of Bankruptcy, Manchester, pr. d.—**Richard Jackson** and **Richard Yale**, Leeds, Yorkshire, engineers,

Dec. 17 at 11, District Court of Bankruptcy, Leeds, pr. d.—**Geo. Freeman**, St. Mary-at-Hill, Eastcheap, London, dealer in colonial produce, Dec. 6 at half-past 1, Court of Bankruptcy, London, ch. ass. and last ex.—**Thos. Staley**, Stockport, Cheshire, grocer, Dec. 8 at 12, District Court of Bankruptcy, Manchester, last ex.—**Jas. Bennett**, Woolwich, Kent, carpenter, Dec. 8 at 2, Court of Bankruptcy, London, and ac.—**Chas. Edw. Bingham**, Mount-street, Grosvenor-square, Middlesex, printer, Dec. 8 at half-past 1, Court of Bankruptcy, London, aud. ac.—**Samuel Churchill**, Christ-street, All Saints, Poplar, and **Thomas Clayden**, St. Thomas-road, Mile-end Old-town, Stepney, Middlesex, builders, Dec. 8 at half-past 1, Court of Bankruptcy, London, aud. ac.—**John Lovell Hopkins**, Star-corner, Bermondsey, Surrey, draper, Dec. 14 at 11, Court of Bankruptcy, London, aud. ac.—**W. Patten**, Feering, Essex, licensed victualler, Dec. 16 at 11, Court of Bankruptcy, London, aud. ac.—**George Clapham**, Whittlesea, Cambridgeshire, watchmaker, Dec. 16 at 2, Court of Bankruptcy, London, aud. ac.—**Henry Miles** and **Charles Miles**, Old-road, Limehouse, and Giles-row, Cambridge-road, Mile-end-road, Middlesex, drapers, Dec. 16 at 1, Court of Bankruptcy, London, aud. ac.—**Henry A. Barker**, Hope Wharf, City-road, Middlesex, coal merchant, Dec. 16 at 1, Court of Bankruptcy, London, aud. ac.—**John Allott**, Sandal Magna, Yorkshire, banker, Dec. 9 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**Wm. Thos. Carr**, Barnsley and Oughtibridge, Yorkshire, ironmonger, Dec. 9 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**Wm. Witty**, Louth, Lincolnshire, draper, Dec. 15 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—**Mary Fouracre**, Wigan, Lancashire, colliery proprietor, April 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**John Crondson**, Wigan, Lancashire, money scrivener, Dec. 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**Charles Edmonstone**, Over Darwen, Lancashire, paper manufacturer, Dec. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**Ralph Darlington**, Wigan, Lancashire, money scrivener, Dec. 8 at 12, Court of Bankruptcy, Manchester, aud. ac.—**Robert Dilkes**, Warrington, Lancashire, innkeeper, Dec. 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**Hiram Williamson**, Manchester, Lancashire, manufacturer, Dec. 6 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**Robert Hardman Parkinson**, Manchester, Lancashire, warehouseman, Dec. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**John Brown**, Kidderminster, Worcestershire, and St. Mildred's-court, Poultry, London, carpet manufacturer, Dec. 16 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 21 at 11, fin. div.—**William Jones Williams**, Wolverhampton, Staffordshire, hosier, Dec. 16 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Jan. 11 at 11, div.—**Benjamin Smith**, Droitwich, Worcestershire, salt manufacturer, Dec. 16 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Samuel Grocock**, Leicester, Leicestershire, hosier, Dec. 17 at 10, District Court of Bankruptcy Nottingham, aud. ac.—**Henry Gladwin**, Nottingham, draper, Dec. 17 at 10, District Court of Bankruptcy Nottingham, aud. ac.—**James Bury** the younger, Sneinton, Nottinghamshire, cotton-waste dealer, Dec. 17 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—**Thomas Chaffers** and **Henry Jones**, Liverpool, Lancashire, brewers, Dec. 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Samuel Mayor**, Liverpool, Lancashire, ship chandler, Dec. 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**George Burgees**, Ramsgate, Kent, coachmaker, Dec. 18 at 12, Court of Bankruptcy, London, div.—**Thomas Delf** and **Nicholas Trübner**, Paternoster-row, London, booksellers, Dec. 20 at 1, Court of Bankruptcy, London, div.—**Richard Cross**, Southampton, watchmaker, Dec. 20 at 11, Court of Bankruptcy, London, div.—**Joseph Hughesdon** and **Alexander Mackay**, Chundernagore, East Indies, Dec. 18 at 11, Court of Bankruptcy, London, div.—**William Abram Cogar**, Newgate-street, London, and Quadrant, Regent-street, Middlesex, boot dealer, Dec. 18 at half-past 11, Court of Bankruptcy, London, div.—**Menahem Levy Bensusan**, **Samuel Levy Bensusan**, **Jacob Levy Bensusan**, and **Joshua Levy Bensusan**, Magdalen-row, Great Prescott-street, Goodman's-fields, Middlesex, merchants, Dec. 17 at 11, Court of Bankruptcy, London, div. sep. est. of **Jacob Levy Bensusan**.—**George Staner** the younger, Margate, Kent, baker, Dec. 21 at 2, Court of Bankruptcy, London, div.—**Henry Sanders**, Upper Thames-street, London, wholesale cheesemonger,

Dec. 20 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Tomlinson*, Winterton, Lincolnshire, corn merchant, Dec. 17 at 11, District Court of Bankruptcy, Leeds, div.—*John Beach*, Bradford, Yorkshire, apothecary, Dec. 17 at 11, District Court of Bankruptcy, Leeds, div.—*William Kedall* and *John Standish*, Leeds, Yorkshire, grocers, Dec. 17 at 11, District Court of Bankruptcy, Leeds, div.—*Amon Lumb* *Stocks*, Huddersfield, Yorkshire, draper, Dec. 17 at 11, District Court of Bankruptcy, Leeds, div.—*William Henry Stafford*, Sheffield, Yorkshire, painter, Dec. 18 at 12, District Court of Bankruptcy, Sheffield, div.—*Luke Palfreyman*, Sheffield, Yorkshire, scrivener, Dec. 18 at 12, District Court of Bankruptcy, Sheffield, div.—*Robert Tomlinson Carlisle*, Sheffield, Yorkshire, and Beighton, Derbyshire, builder, Dec. 18 at 12, District Court of Bankruptcy, Sheffield, div.—*Thomas Moyle*, Deansgate, Manchester, Lancashire, draper, Dec. 21 at 12, District Court of Bankruptcy, Manchester, div.—*Robert Peel*, Blackburn, Lancashire, ironmonger, Dec. 22 at 12, District Court of Bankruptcy, Manchester, div.—*William Goldfisch Williams*, Accrington, Lancashire, draper, Dec. 22 at 12, District Court of Bankruptcy, Manchester, div.—*Samuel Wilkes*, Birmingham, Warwickshire, clock dial maker, Dec. 18 at 10, District Court of Bankruptcy, Birmingham, div.—*Charles Frederick Bailey*, Burslem, Staffordshire, bootmaker, Dec. 18 at 10, District Court of Bankruptcy, Birmingham, div.—*Josiah Perry* and *William Knight Broadhurst*, Fenton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer, Dec. 20 at 10, District Court of Bankruptcy, Birmingham, fin. div.—*Francis Braithwaite*, Hereford, apothecary, Dec. 20 at 10, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. Laird*, Birkenhead, Cheshire, merchant, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*T. M. Harris*, Liverpool, shipowner, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, div.—*Benjamin Tattersall* and *Thomas Tattersall*, Liverpool, corn merchants, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *Thomas Tattersall*.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry N. Brewer, Deptford, Kent, and Bermondsey-wall, Bermondsey, Surrey, mast maker, Dec. 20 at half-past 11, Court of Bankruptcy, London.—*Thomas Delf* and *Nicholas Trübner*, Paternoster-row, London, booksellers, Dec. 17 at half-past 11, Court of Bankruptcy, London.—*James Holmes*, Regent-street, Westminster, Middlesex, shawl warehouseman, Dec. 20 at half-past 12, Court of Bankruptcy, London.—*Joseph P. Sandie*, North Ockendon, Essex, cattle dealer, Dec. 20 at half-past 11, Court of Bankruptcy, London.—*John Strevens*, Bermondsey-wall, Bermondsey, Surrey, sail maker, Dec. 18 at 11, Court of Bankruptcy, London.—*T. Meeson*, Fenchurch-st., London, coal merchant, Dec. 17 at half-past 11, Court of Bankruptcy, London.—*Robert Pitt*, East Donyland, Essex, shipowner, Dec. 17 at 1, Court of Bankruptcy, London.—*Alexander Forfar*, Dunstable, Bedfordshire, straw-bonnet manufacturer, Dec. 21 at 11, Court of Bankruptcy, London.—*Thomas Moyle*, Deansgate, Manchester, draper, Dec. 20 at 12, District Court of Bankruptcy, Manchester.—*Charles S. Harris*, Liverpool, pawnbroker, Dec. 20 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John W. C. Brewer, Gloucester, licensed victualler.—*R. J. Dangerfield*, Dunstable, Bedfordshire, printer.—*William Trego*, Coleman-st., London, builder.—*Richard Brumwell*, Halifax, Yorkshire, draper.—*Joshua Eyre*, Sheffield, Yorkshire, grocer.—*Edward Jones*, Liverpool, linendraper.—*James B. Davies*, Liverpool, provision merchant.—*Hugh Jones*, Chester, grocer.—*Frank James*, Walsall, Staffordshire, iron-founder.

SCOTCH SEQUESTRATION.

Wm. Reid, Edinburgh, builder.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Sears, Hucknall Torkard, Nottinghamshire, tailor, Dec. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*John Hewitt*, Nottingham, baker, Dec. 9 at 9, County

Court of Nottinghamshire, at Nottingham.—*J. Williamson*, Sneinton, Nottinghamshire, butcher, Dec. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*W. Mannera*, Sneinton, Nottinghamshire, clerk, Dec. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*Benjamin Lacey* the younger, Norwich, Norfolk, clerk, Dec. 13 at 10, County Court of Norfolk, at Norwich.—*Robert Gunn* the elder, Great Yarmouth, Norfolk, grocer, Dec. 10 at 10, County Court of Norfolk, at Great Yarmouth.—*William R. Critten*, Great Yarmouth, Norfolk, grocer, Dec. 9 at 10, County Court of Norfolk, at Great Yarmouth.—*Charles Howell*, Cardiff, Glamorganshire, sail maker, Dec. 11 at 10, County Court of Glamorganshire, at Cardiff.—*John Jones*, Talgarth, Breconshire, farmer, Dec. 4 at 10, County Court of Breconshire, at Hay.—*Henry Stevenson*, Ipswich, Suffolk, horse dealer, Dec. 10 at 10, County Court of Suffolk, at Ipswich.—*Richard Taylor*, Kidderminster, Worcestershire, in no business, Dec. 22 at 10, County Court of Worcestershire, at Kidderminster.—*James Wiffen Banyard*, Ipswich, Suffolk, tailor and clothier, Dec. 10 at 10, County Court of Suffolk, at Ipswich.—*Enoch Byham* the younger, Colchester, Essex, jobber, Dec. 13 at 12, County Court of Essex, at Colchester.—*Geo. Fairweather*, Wragby, Lincolnshire, cooper, Dec. 18 at 11, County Court of Lincolnshire, at Market Rasen.—*Robert Williams*, St. Asaph, Flintshire, publican, Dec. 8 at 12, County Court of Flintshire, at St. Asaph.—*Robert Bates*, Buxton, Bakewell, Derbyshire, chemist, Dec. 10 at 10, County Court of Derbyshire, at Chapel-en-le-Frith.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 10 at 11, before the CHIEF COMMISSIONER.

Wm. Rothery, Burlington-arcade, Middlesex, man milliner.—*Thomas Alfred Steer*, Mile-end-road, Stepney, Middlesex, baker.—*Abraham Rankin*, Epping, Essex, grocer's shopman.—*George Paine*, St. George's-road, Surrey, coach builder.—*Henrietta Milson*, widow, Whiskin-street, Clerkenwell, Middlesex, dealer in milk.—*Wm. C. Green*, Amwell-street, Pentonville, Middlesex, hair dresser.—*Frederick Geary*, Acton-vale, Acton, Middlesex, schoolmaster.

Dec. 10 at 10, before Mr. Commissioner LAW.

Edward H. Michael, Maismore-terrace, Park-road, New Peckham, Surrey, assistant woollendraper.

Dec. 11 at 11, before Mr. Commissioner PHILLIPS.

Jos. Reeve, Mill-street, Hanover-square, Middlesex, tailor.—*Thomas Wm. Champion*, Plumstead-place, Plumstead-road, Kent, milk carrier.

Dec. 13 at 10, before Mr. Commissioner LAW.

John Thomas Hicks, Bermondsey New-road, Bermondsey, Surrey, oilman.

Dec. 13 at 11, before Mr. Commissioner PHILLIPS.

Louisa Frances Jane Tale, widow, Wells-row, Upper-st., Islington, Middlesex, stationer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 10 at 11, before the CHIEF COMMISSIONER.

Timothy Bridges, Bowling-green-buildings, Marylebone, Middlesex, cooper.—*Wm. Farmer*, Finchley-common, Middlesex, out of business.

Dec. 10 at 10, before Mr. Commissioner LAW.

John Cramsie, Strand, Middlesex, commission agent.

Dec. 11 at 11, before Mr. Commissioner PHILLIPS.

Wm. Brown, Pickard-street, City-road, Middlesex, out of business.—*J. Haxton*, Cross-street, Mason-street, Old Kent-road, Surrey, baker.—*Charles S. Mitchell*, King Edward-st., Mile-end New-town, Middlesex, cowkeeper.

Dec. 13 at 10, before Mr. Commissioner LAW.

James Thomas Mason, Arthur-street, New Oxford-street, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, Dec. 10.

Andrew Kerr, Bishopwearmouth, common carrier.

At the County Court of Northumberland, at MORPETH, Dec. 10 at 10.

Edward Dodds, Alnwick, manager of a shoe shop.

At the County Court of Norfolk, at NORWICH, Dec. 13.

Charles Robert Cockerill, Reedham, butcher.—J. Barnes, Great Yarmouth, licensed victualler.

At the County Court of Kent, at DOVER, Dec. 14 at 10.

Wm. Elliott, Tenterden, plumber.

TUESDAY, NOVEMBER 30.

BANKRUPTS.

MICHAEL CASEY, Baker-street, Portman-square, Middlesex, juvenile outfitter, dealer and chapman, Dec. 10 at 12, and Jan. 13 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Lowe, 67, Wimpole-street.—Petition filed Nov. 24.

WILLIAM ROBINSON, Maidstone, Kent, linendraper, Dec. 10 at 12, and Jan. 18 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Morgan, Maidstone; Nichols & Doyle, 2, Verulam-buildings, Gray's-inn, London.—Petition filed Nov. 30.

WILLIAM COOKE, Albert-terrace, Bow, Middlesex, formerly of St. Thomas's Mill, Stratford, Essex, miller, Dec. 10 at 1, and Jan. 18 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Ellis, Cowper-court, Cornhill.—Petition filed Nov. 27.

JOHN WARREN, late of the Brass Battery Works, Old Breatford, Middlesex, manufacturer of brass and iron, and now of George-street, Hanover-square, Middlesex, dentist, Dec. 10 and Jan. 14 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Marrough, 7, New-inn, Strand.—Petition filed Nov. 27.

THOMAS PRATT WILLS, Portsea, Hampshire, brewer and wine and spirit merchant, dealer and chapman, Dec. 14 at 1, and Jan. 13 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Hellyer, Portsea, Hampshire; Pownall & Cross, 9, Staple-inn, London.—Petition filed Nov. 21.

GEORGE LESTER, High-street, Poplar, Middlesex, builder, dealer and chapman, Dec. 10 at 1, and Jan. 11 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Steinberg, 32, Bread-street, Cheapside, London.—Petition filed Nov. 27.

RICHARD JONES, Coventry, Shropshire, hatter, dealer and chapman, Dec. 16 and Jan. 13 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Hodgson, Birmingham.—Petition dated Nov. 29.

HENRY HASTINGS, Cheltenham, Gloucestershire, tea dealer, dealer and chapman, Dec. 13 and Jan. 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Sabine, Bristol.—Petition filed Nov. 25.

MEETINGS.

James Crisp the younger, Beccles, Suffolk, corn merchant, Dec. 9 at 11, Court of Bankruptcy, London, pr. d.—*Geo. C. Pauling* and *Robert Chapman Sharp*, Manchester, merchants, Dec. 15 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thomas Barton Lawrence*, Parliament-street, Westminster, Middlesex, and York-place, Lambeth, Surrey, zinc dealer, Dec. 11 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. M. Harker*, Little Moorfields, London, carrier, Dec. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Welington* and *Robert Butterfield*, Brighton, Sussex, lacemen, Dec. 14 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Thomas M. Harris*, Liverpool, shipowner, Dec. 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Crook*, Preston, Lancashire, manufacturer, Dec. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 23 at 12, div.—*John Steele*, Spotland-bridge, near Rochdale, Lancashire, brewer, Dec. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 23 at 12, div.—*John H. Jones*, Manchester, spirit merchant, Dec. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. Swithenbank*, Blackburn, Lancashire, innkeeper, Dec. 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Timothy Duggan*, Cheadle-grove, near Cheadle, Cheshire, calico printer, Dec. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. G. Williams*, Accrington, Lancashire, draper, Dec. 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Peel*, Blackburn, Lancashire, ironmonger, Dec. 15 at

12, District Court of Bankruptcy, Manchester, aud. ac.—*Isaac Hodgkinson*, Bolton-le-Moors, Lancashire, ironfounder, Dec. 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Burnley*, Batley, Yorkshire, cloth manufacturer, Dec. 10 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Isaac Normington*, Bradford, Yorkshire, stuff manufacturer, Dec. 10 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Henry Stafford*, Sheffield, Yorkshire, painter, Dec. 11 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*L. Palfreyman*, Sheffield, Yorkshire, scrivener, Dec. 11 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Robert T. Carlisle*, Sheffield, Yorkshire, and Beighton, Derbyshire, builder, Dec. 11 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Thomas Dixon*, Bradford, Yorkshire, iron merchant, Dec. 10 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Wood* and *Edwin Norton*, Hoyland Nether, Wath-upon-Deane, Yorkshire, corn millers, Dec. 10 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Thomas*, Little Stanhope-street, May-fair, Middlesex, builder, Dec. 21 at half-past 11, Court of Bankruptcy, London, div.—*James Ingram*, Southampton, seedsman, Dec. 20 at half-past 11, Court of Bankruptcy, London, div.—*David F. Kennell*, Oxford-st., St. Marylebone, Middlesex, licensed victualler, Dec. 20 at 11, Court of Bankruptcy, London, div.—*Robert Hunter*, Swansea, Glamorganshire, linendraper, Dec. 23 at 11, District Court of Bankruptcy, Bristol, first and fin. div.—*Samuel Willett Elder*, Cheltenham, Gloucestershire, plumber, Dec. 22 at 11, District Court of Bankruptcy, Bristol, div.—*Charles Lucas R. Wilkinson* and *Edward Bond*, Manchester, and Hayfield, Derbyshire, calico printers, Dec. 22 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Robert Pace* the elder, Liverpool, shipowner, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

S. Bradley, Mark-lane, London, corn factor, Dec. 22 at 1, Court of Bankruptcy, London.—*W. Marshall*, Hay's-wharf, Tooley-st., Surrey, provision agent, Dec. 21 at half-past 11, Court of Bankruptcy, London.—*E. S. Manico*, Mark-lane, London, merchant, Dec. 23 at 2, Court of Bankruptcy, London.—*C. W. Wass*, New Bond-st., Middlesex, picture dealer, Dec. 23 at half-past 11, Court of Bankruptcy, London.—*Samuel Mitchell*, Waterloo House, Stepney-gate, Commercial-road East, Middlesex, shoemaker, Dec. 21 at half-past 2, Court of Bankruptcy, London.—*Isaac Isaacs*, Plymouth, Devonshire, dealer in watches, Dec. 23 at 11, District Court of Bankruptcy, Exeter.—*Thomas Crook*, Preston, Lancashire, manufacturer, Dec. 23 at 12, District Court of Bankruptcy, Manchester.—*Wm. Miller*, Manchester, commission agent, Dec. 22 at 12, District Court of Bankruptcy, Manchester.—*George Blakey*, Lincoln, dealer in perfumery, Dec. 22 at 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Thos. Lamplugh*, Great Driffield, Yorkshire, draper, Dec. 22 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Edward Davis, Northampton, carrier.—*David Gidson*, Minorities, London, and Uxbridge, Middlesex, clothier.—*M. Warren*, Macclesfield, Cheshire, silk dyer.

PARTNERSHIP DISSOLVED.

Charles Hancock and *Henry W. Young*, Tokenhouse-yard, London, solicitors and attorneys.

SCOTCH SEQUESTRATIONS.

Thomas M'Ilwraith, Barr, Ayrshire, farmer.—*Robert Johnston*, Saltcoats, draper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Howell, Cullompton, Devonshire, merchant's clerk, Dec. 23 at 10, County Court of Devonshire, at Tiverton.—*John Hodson*, Chorley, Lancashire, brazier, Dec. 23 at 9, County Court of Lancashire, at Chorley.—*Joseph Morris*, Derby, fishmonger, Dec. 18 at 11, County Court of Derbyshire, at Derby.—*Charles Bancroft*, Derby, beer-house keeper, Dec. 18 at 10, County Court of Derbyshire, at Derby.—*William Davies*, Pembroke Dock, Pembrokeshire, licensed victualler, Dec. 13 at 10, County Court of Pembrokeshire, at Pembroke.—*Thomas Anderson*, North Shields, Northamber-

land, brewer, Dec. 17 at half-past 10, County Court of Northumberland, at North Shields.—*Thomas Widdrington Morrison*, Tyneworth, Northumberland, draper, Dec. 17 at half-past 10, County Court of Northumberland, at North Shields.—*John Genders*, Birmingham, out of business, Dec. 24 at 10, County Court of Warwickshire, at Birmingham.—*William Ractcliffe*, Birmingham, painter, Dec. 11 at 10, County Court of Warwickshire, at Birmingham.—*John English*, Carville, Wallsend, Northumberland, brewer, Dec. 17 at half-past 10, County Court of Northumberland, at North Shields.—*John Evans*, Maesteg, Llangonoyd, Glamorganshire, carrier, Dec. 13 at 10, County Court of Glamorganshire, at Bridgend.—*James Jones*, Bedwranfach, Merthyr Tydfil, Glamorganshire, patchman, Dec. 8 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*William Griffiths*, Merthyr Tydfil, Glamorganshire, out of business, Dec. 8 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*Henry Brookes*, Liverpool, shopkeeper's assistant, Dec. 20 at half-past 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 15 at 11, before the CHIEF COMMISSIONER.

Richard Ward Peckham, Hall-street, City-road, Middlesex, comedian.—*Henry Cock*, Uxbridge, Middlesex, ropemaker.—*John Henry Antoine Cayard*, Stamford-street, Blackfriars-road, Surrey, commercial traveller.—*Robert Plinn*, Phoenix-yard, Oxford-street, St. Marylebone, Middlesex, farrier.—*George Moon*, Hungerford-market, Strand, Middlesex, stonemason.—*Philip Evans*, Queen's-road, Bayswater, Middlesex, out of business.—*Henry Joseph Potts*, Arlington-street, New North-road, Islington, Middlesex, china dealer.—*James M'Mahon*, Pitt-street, St. George's-road, Surrey, attorney's clerk.

Dec. 15 at 10, before Mr. Commissioner LAW.

William Scrivener, Bayham-street, Camden-town, Middlesex, out of business.—*Joseph Cooper*, St. Dunstan's-road, Stepney, Middlesex, out of business.

Saturday, Nov. 27.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Richard Johnson, Southport, Lancashire, attorney-at-law; *John Halfey* and *William Sutton*, assignees.—*George Brown*, Southampton, carpenter, No. 74,959 C.; *Robert Baker*, assignee.—*Francis Curry Lawrence*, Ramsgate, Kent, livery-stable keeper, No. 75,733 C.; *Israel Abraham*, assignee.—*Isabella Teasdale*, Kirkby Stephen, Westmoreland, ironmonger, No. 66,834 C.; *William Whitwell*, assignee.

Saturday, Nov. 27.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Watson Wilson, Bow-churchyard, Cheapside, London, commercial clerk: in the Debtors Prison for London and Middlesex.—*John Holt Bench*, St. John-street-road, Clerkenwell, Middlesex, pastrycook: in the Debtors Prison for London and Middlesex.—*John Patton*, Bedfordbury, Covent-garden, Middlesex, assistant to a licensed victualler: in the Debtors Prison for London and Middlesex.—*Thomas Tanner Bayly*, Swinton-street, Gray's-inn-road, Middlesex, general commission agent: in the Queen's Prison.—*C. A. Parker*, Stanhope-st., Hampstead-road, Middlesex, in no profession: in the Debtors Prison for London and Middlesex.—*John W. Prebble*, Fleet-st., St. Dunstan's-in-the-West, London, manager to a dining-house keeper: in the Debtors Prison for London and Middlesex.—*Wm. Lidgers*, Southampton-street, Pentonville, Middlesex, furrier: in the Debtors Prison for London and Middlesex.—*Edwin Dadds*, Alnwick, Northumberland, manager of a shoe shop: in the Gaol of Morpeth.—*James Stead*, Bradford, Yorkshire, grocer: in the Gaol of York.—*S. Wilkinson Bower*, Newmarket, Cambridgeshire, contractor: in the Gaol of Cambridge.—*Thos. Southern*, Stafford, Staffordshire, grocer: in the Gaol of Stafford.—*John Baldwin*, Warley, near Halifax, Yorkshire, clothier: in the Gaol of York.—*Jas. Booth*, Leeds, Yorkshire, hatter: in the Gaol of

York.—*Samuel Bullock*, Cheltenham, Gloucestershire, cabinet maker: in the Gaol of Gloucester.—*Jas. Garside*, Rushworth, near Halifax, Yorkshire, publican: in the Gaol of York.—*James Letby*, Walmgate, Yorkshire, joiner: in the Gaol of York.—*Wm. Sharp*, Pudsey, near Leeds, Yorkshire, out of business: in the Gaol of York.—*John Skelton*, Kingcross, near Halifax, Yorkshire, stone delver: in the Gaol of York.—*Chas. Robert Cockerill*, Reedham, Norfolk, butcher: in the Gaol of Norwich.—*Luke Booth*, Bolton-le-Moors, Lancashire, painter: in the Gaol of Lancaster.—*Jas. Walsh*, Newton-heath, near Manchester, butcher: in the Gaol of Lancaster.—*Charles Jackson*, Plymouth, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*Louisa Jackson*, Plymouth, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*Leonard Yeo Provo*, East Stonehouse, Devonshire, victualler: in the Gaol of St. Thomas the Apostle.—*Francis Taylor*, Devonport, Devonshire, second master in the Royal Navy: in the Gaol of St. Thomas the Apostle.—*W. Hen. Ginger*, Nantwich, Cheshire, accountant: in the Gaol of Chester.—*Wm. Boot*, Hunslet, Leeds, Yorkshire, letter carrier: in the Gaol of York.—*John Holliday*, Bradford, Yorkshire, stuff manufacturer: in the Gaol of York.—*George Longbottom*, Blackburn Fold, Holbeck-lane, Leeds, Yorkshire, bolt maker: in the Gaol of York.—*David Smith*, Cherryhinton, Cambridgeshire, retailer of beer: in the Gaol of Cambridge.—*Jas. Harper Blackstone*, West Teignmouth, Devonshire, master mariner: in the Gaol of St. Thomas the Apostle.—*Wm. Rowe*, Plymouth, Devonshire, woollendrapery: in the Gaol of St. Thomas the Apostle.—*Chas. Green* the elder, Coventry, Warwickshire, loom maker: in the Gaol of Warwick.—*Edw. Jordan Merry*, Coventry, Warwickshire, watch jeweller: in the Gaol of Warwick.—*Wm. Middleton*, Leeds, Yorkshire, wood turner: in the Gaol of York.—*Jos. Riding*, Leeds, Yorkshire, flock dealer: in the Gaol of York.—*Thomas Arnold*, Windle, near St. Helen's, Lancashire, labourer: in the Gaol of Lancaster.—*R. Bleackley*, Higher Broughton, Manchester, bleacher: in the Gaol of Lancaster.—*Henry Bamber*, Preston, Lancashire, music master: in the Gaol of Lancaster.—*John Gartside*, Cronkey Shaw, Rochdale, Lancashire, excavator: in the Gaol of Lancaster.—*Richard Beaton Nichols*, Hulme, Manchester, attorney-at-law: in the Gaol of Lancaster.—*John Williams*, Red Tom Nook, Oldham, Lancashire, grocer: in the Gaol of Lancaster.—*Wm. Parrott*, Birmingham, retail brewer: in the Gaol of Coventry.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 14 at 11, before the CHIEF COMMISSIONER.

Louis Simon Dufort, Smithfield-bars, Smithfield, London, cook.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Guildhall, NORWICH, Dec. 13 at 10.

Shakespear de Caus, Norwich, cordwainer.—*John Burton*, Thorpe, bricklayer.

At the County Court of Cheshire, at CHESTER CASTLE, Dec. 14.

James Barlow, Chester, assistant to a druggist.

At the County Court of Worcestershire, at WORCESTER, Dec. 15 at 10.

James Marsden, Worcester, bookseller.

INSOLVENT DEBTORS' DIVIDENDS.

Joseph Dennison, Lambeth-walk, Lambeth, Surrey, potato dealer: 6½d. in the pound.—*George F. Cooper*, Church-row, Newington, Surrey, grocer: 2s. 0½d. in the pound.—*John Stoman Lovis*, Tavistock, Devonshire, grocer: 2s. 7½d. in the pound.—*Chas. A. Tassly*, Wellington-st., Southwark, Surrey, hotel keeper: 1s. 4½d. in the pound.—*W. Harrison*, Hartlepool, Durham, draper: 3s. 10½d. in the pound.—*George Heyes*, Blackburn, Lancashire, cloth manufacturer: 2s. 4½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Richard Camlin, Dovaston, Shropshire, gentleman, Dec. 14 at 12, Court-house, Portugal-street, Lincoln's-inn-fields, London, sp. aff.

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BONUS.—Policies effected (on the Profits' Scale) prior to the 31st December, 1853, will participate in FOUR-FIFTHS of the PROFIT, to be declared at the close of the year 1855, and appropriated by addition to the Policy, reduction of Premium, or Payment in Cash, as the Assured may desire.

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Appearance before the Board dispensed with.
Proposals for Loans on Life Interests, &c., and for Sale of Reversions, entertained.
Prospectuses, &c. may be had at the Office, or will be forwarded on application to
JOHN KNOWLES, Actuary and Secretary.

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The Jurist

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LONDON, DECEMBER 11, 1852.

Among other questions which have arisen upon the construction of the Chancery Amendment Act, 15 & 16 Vict. c. 86, is this—what is to be the course of proceeding where it is desired to examine witnesses orally after decree? Before the act the Master had power, under the General Orders, to examine witnesses *vivâ voce*; and in the case of *Kirby's Trusts*, (16 Jur., part 1, p. 758), Sir J. Parker, V. C., held that the late Evidence Act brought parties within that jurisdiction, and therefore that the Master had power to examine parties as witnesses, orally. The 28th section of the Chancery Amendment Act abolishes the old practice; as to the examination of witnesses, it says—“The mode of examining witnesses in causes in the said court, and all the practice of the said Court in relation thereto, so far as such practice shall be inconsistent with the mode hereinafter prescribed of examining witnesses, and the practice in relation thereto, shall, from and after the time appointed for the commencement of this act, be abolished.” The effect of that, without more, would be to take away as much the practice of examining witnesses orally before the Master as any other portion of the antecedent practice, unless the construction of the clause limits its effect to examination by the Court, as distinguished from ex-

amination before the Master, upon which we shall presently observe. The 31st section, in providing for the mode of examining witnesses orally, confines the examination to the examiner of the Court. The 39th section gives power to the Court itself to examine witnesses orally. All the clauses, down to the 39th inclusive, plainly refer to evidence to be taken for the hearing of the cause. The 40th section seems to apply to interlocutory proceedings, but all of them seem confined in their operation to the taking of evidence in a proceeding before the Court, and not in any proceeding before the Master. The 41st section is in the following words:—“In cases where it shall be necessary for any party to any cause depending in the said court to go into evidence subsequently to the hearing of such cause, such evidence shall be taken, as nearly as may be, in the manner hereinbefore provided with reference to the taking of evidence with a view to such hearing.” Now, the question is, whether that clause, taken in connexion with the others, and with the Masters Abolition Act, 15 & 16 Vict. c. 80, was intended to remove, in old suits before the Master, the examination of witnesses *vivâ voce* entirely from the Master, and to transfer it to the examiner. If the 41st section, in using the words in the manner hereinbefore provided, means not merely to point to the mode of examination, but to the person before whom the examination shall

be taken; and if the 28th section, in using the word "court," refers merely to proceedings before or in the hands of the Court, so as to exclude proceedings before the Master, the result would be, to take away from the Masters, not merely the power of oral examination, but the power of examining witnesses at all, because the 26th section includes all the practice of the Court in relation to examining witnesses, and the subsequent sections confine all examination to the Court or the examiner. Now, that cannot have been the intention of the Legislature, regard being had to the Masters Abolition Act. By that act the office of Master is, indeed, abolished; but it is also provided, that, until the Masters are released under the act, they shall, for the performance of their duties, continue to have all the powers conferred upon them by any act of Parliament, or otherwise vested in them. (Sect. 1). Now, this clause alone would almost seem to determine the question, because the power which they had before this act of examining witnesses orally, under references, was vested in them, as to witnesses strictly so called, by General Orders; and as to parties, by force of those Orders, and of the Evidence Act. Again: by the 10th section, referring to the prosecution by the Masters of the business still depending before them, it is expressly declared, "that the powers and authorities now vested in them are hereby reserved to them for the purpose of executing and performing all the duties, matters, and things which may be still referred to them, or which they may be lawfully called upon to perform." The 39th section directs that the business in the Masters' offices is to be conducted as nearly as possible in the manner directed by the General Orders for the proceedings before the judges in chambers. By the 30th section the judges' chief clerks are, when so directed by the judge, to examine parties and witnesses, either upon interrogatories or *viva voce*, as the judge shall direct. Now, this section throws a double light upon the construction of the Chancery Amendment Act: first, it shews that the 41st section of the Chancery Act applies only to the mode of taking the evidence, and not to the person by whom the evidence shall be taken; because, no more mention being made in the clauses referred to in that act, of the judges' clerk than of the Master, it would be inconsistent with the 30th section of the Masters Abolition Act, to treat the Chancery Act as confining the power of examination to the judge and the examiner: secondly, it would be useless for the Legislature to direct that the Masters should proceed in the same manner as the judges in chambers, consistently with the General Orders, if it took away from them a power given to the judges in chambers, the absence of which would make it impossible for the Masters to proceed in a manner at all similar to the proceedings in the judges' chambers. It seems to us that the solution of the difficulty, if difficulty there be, is this—the two acts were passed in *pari materia*, and must be read together. The clauses relating to evidence are intended to refer principally to the mode of taking the evidence, and subordinately only prescribe before whom evidence shall be taken in proceedings under the new system. It does not intend to take away any powers vested or preserved in the Masters by the Masters Abolition Act, and necessary for them to execute the

business left in their hands. The result would be, according to our notion, that the Masters retain, for the purpose of working out their references, all the powers of examining witnesses that they had before the Chancery Amendment Act was passed. If they have not, this singular and almost absurd course of things would become necessary, that in working out a reference before the Master, all oral evidence would have to be taken before the examiner or before the Court itself—thus depriving the parties of the benefit they had under the old system; sending witnesses to be examined upon matters of which the examining judge knows nothing; and then sending the evidence back to be adjudicated upon by a judge who has not had the advantage of seeing the witnesses.

—

WE pass in review a case lately decided on the law relating to the employment of a puffer at an auction. (*Flint v. Woodin*, 9 Hare, 618). The history of the transaction, as stated in the report, was as follows:—The person who afterwards became the purchaser of the property, having gone to the auctioneer on other business previously to the sale, and not knowing him to be the owner, asked him some questions about the premises which were then advertised for sale, and among others, whether they would be sold for about 700*l.* The auctioneer, who was, in fact, the owner, replied that he thought they possibly might, but he did not think they would be sold for less, and recommended the purchaser, in strong terms, to buy. Subsequently the sale took place. The reserved bidding was fixed at 695*l.*, and one person was employed as a puffer to bid up to that sum. Including the purchaser there were four *bonâ fide* bidders and twenty-four biddings. The property was knocked down to the purchaser for 700*l.* It was not till after the sale that he discovered that the auctioneer was the owner. Sir G. Turner, V. C., decided that the purchaser, at the suit of the vendor, was bound specifically to perform his contract, with costs, on the grounds that an auctioneer may properly be the owner of the property without rendering the sale objectionable; that no objection could be taken to the employment of the puffer in this case, nor to the transaction respecting fixing the amount of the reserved bidding. His Honor moreover said, that if any objection could be made on account of the auctioneer being also the owner, he thought it had been waived in this case by the delay of a few months' time, during which the purchaser had treated the contract as subsisting. However, it seems, from the terms of the judgment, that if there had been no such waiver, his Honor's decision would have been the same. To this decision we object, for a very plain reason. Putting all authority apart, it cannot be maintained, upon consideration of the facts which we have stated, that this was a *bonâ fide* sale by auction. The different circumstances of the case might have been unobjectionable if each had stood alone; but the question is, what was the effect of these facts all taken together? The owner, having clandestinely obtained the knowledge how much a certain person was likely to bid, strongly recommended him to buy, and fixed the reserved bid just under that price, and then employed a puffer to raise the biddings up to that point, and by these means procured the property to be sold to that person for the precise

sum which the vendor knew that he was inclined to give. The necessary conclusion is, that the property would not have fetched so much at an open sale; that is, in other words, that the price was in fact "screwed up," and therefore equity surely should not have actively assisted the vendor by compelling the purchaser to a specific performance. Then how is it as to the law? There is authority, which is not without question on principle, that assignees of a bankrupt, having fixed a reserved bidding at what they conceive to be the true value of the property, may employ one bidder to prevent its being sold for less. (*Smith v. Clarke*, 12 Ves. 477). But we believe that there is neither similarity nor even analogy between this and the principal case. The essential difference between them is, that in *Flint v. Woodin* the reserved bidding was not fixed as being the real value of the property, but because the vendor knew that one person was inclined to buy at that price; and, whether the amount represented the value of the property or not, it is clear that the proceeding was a device to compel that person to buy at not less than that particular sum of money, and not merely to prevent a sale at an undervalue. Obviously, if this be within the principle of the authority referred to, so also must a case in which the reserved bidding is knowingly fixed at a sum considerably above the real value. But no one would contend that a bidder might then be employed who was not also prepared to say, that in all cases puffing by one bidder is lawful; and the law cannot be considered at present to authorise that proposition. The general principle, founded upon a strong basis of public policy, is, that no interference should be permitted with the bona fide competition which ought to exist at every sale by auction. It was an innovation on this principle to allow one pretended bidder to compete in order to prevent a sale at an undervalue; and the danger of allowing such an exception is illustrated by the case under consideration, in which it seems to us to have been extended to a state of circumstances not within its meaning.

Correspondence.

WE have been favoured with the following communication, and shall be happy to receive any well authenticated reports of cases decided at chambers under the Common-law Procedure Act, 1852:—

TO THE EDITOR OF "THE JURIST."
Barclay and Another v. Collick.

Sir,—In this matter application was, on the 16th ult., made to Mr. Justice Erie at chambers, for leave to proceed under the new act as if personal service of writ of summons had been effected. The summons was specially indorsed. The application was supported by an affidavit, shewing five attendances at the place of business of the defendant, (his residence could not be ascertained), all of them having been made by appointment. At the fourth attendance the nature of the matter was explained to the person seen, and at the fifth a copy of the writ was left. His Lordship made an order for leave to proceed on the plaintiffs undertaking to serve notice of the judgment at the same place of business of the defendant seven days before they issued execution, as his Lordship was of opinion that the defendant ought to have some notice of what had been done, so as to give him an opportunity of contesting the action in case he had a bona fide defence.

I am, Sir,

Your obedient servant,
JAMES ALLEN, jun.

89, Queen-street, Cheapside.
Dec. 1, 1852.

London Gazette.

FRIDAY, DECEMBER 3.

BANKRUPTS.

- RICHARD COLLS, Charlton, Kent, builder and undertaker, dealer and chapman, Dec. 10 at half-past 12, and Jan. 13 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Co., Aldermanbury.—Petition filed Dec. 1.
- RICHARD EATON NOBLE, Down-street, Piccadilly, Middlesex, plumber, painter, and glazier, Dec. 14 at 1, and Jan. 21 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Collins, 5, Crescent-place, New Bridge-street, Blackfriars.—Petition filed Dec. 1.
- THOMAS CORBY, Lower Eaton-street, Fimlico, Middlesex, builder, Dec. 14 and Jan. 18 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Rixon, 11, King William-street, City.—Petition filed Dec. 1.
- JOHN EDWARD SPICER, Chilworth, near Guildford, Surrey, and Alton, Hampshire, paper manufacturer, dealer and chapman, Dec. 15 at 11, and Jan. 22 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Ivimey, 30, Southampton-buildings, Chancery-lane.—Petition dated Nov. 22.
- HENRY CAPPER, Gravesend, Kent, licensed victualler, Dec. 9 and Jan. 22 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Wilkinson & Co., 2, Nicholas-lane, London.—Petition dated Dec. 2.
- PATRICK COWAN, Skinner-street, Snow-hill, London, brassfounder and gasfitter, Dec. 14 at 2, and Jan. 13 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Appleton, 2, Philpot-lane, London.—Petition filed Nov. 25.
- CHARLOTTE JULIA PICKFORD, Cheltenham, Gloucestershire, upholsterer, and fringe and tassel manufacturer, Dec. 14 and Jan. 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed Nov. 26.
- THOMAS WHEELER the younger, Winstone, near Cirencester, Gloucestershire, cattle dealer, dealer and chapman, Dec. 14 and Jan. 11 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed Nov. 30.
- RICHARD JONES, Oswestry, (and not Coventry, as before advertised), Shropshire, hatter, dealer and chapman, Dec. 16 and Jan. 13 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Hodgson, Birmingham.—Petition dated Nov. 29.
- DANIEL COE, Ardwick, Manchester, grocer, dealer and chapman, Dec. 17 and Jan. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Higgs & Robinson, Manchester.—Petition filed Nov. 24.

MEETINGS.

Theodore Roe, Suffolk-place, Lower-road, Islington, Middlesex, upholsterer, Dec. 13 at 1, Court of Bankruptcy, London, last ex.; Dec. 15 at 11, aud. as.—*George Clarke Pauling* and *Robert Chapman Sharp*, Manchester, merchants, Dec. 15 at 12, District Court of Bankruptcy, Manchester, last ex.—*John Howe*, Felling, Durham, builder, Dec. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Benjamin Salter*, North-end, Fulham, Middlesex, brewer and maltster, Dec. 21 at 1, Court of Bankruptcy, London, aud. ac.—*Augustus Pickett*, Brighton and Keymer, Sussex, brickmaker, Dec. 30 at 1, Court of Bankruptcy, London, aud. ac.—*Alfred Dawson*, Charles-street, Mile-end New-town, Middlesex, engineer, Dec. 23 at 1, Court of Bankruptcy, London, aud. ac.—*Richard Thomas Tubbs*, Holywell-street, Shoreditch, Middlesex, haberdasher, Dec. 30 at 2, Court of Bankruptcy, London, aud. ac.—*Richard Tunstall*, Powis-street, Woolwich, and Bedford terrace, Plumstead, Kent, builder, Dec. 15 at 11, Court of Bankruptcy, London, aud. ac.—*David Furringer Kennett*, Oxford-street, St. Mary-lebone, Middlesex, licensed victualler, Dec. 13 at 12, Court of Bankruptcy, London, aud. ac.—*Robert Pitt*, East Donyland, Essex, shipowner, Dec. 17 at 1, Court of Bankruptcy, London, aud. ac.—*John George Lacy*, Great St. Helen's, Bishopsgate-street, London, saw manufacturer, Dec. 15 at 11, Court of Bankruptcy, London, aud. ac.—*John Broome*, (and not *Brown*, as before advertised), Kidderminster,

Worcestershire, and St. Mildred's-court, Poultry, London, carpet manufacturer, Dec. 16 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 21 at 11, fin. div.—*Frank James*, Walsall, Staffordshire, ironfounder, Dec. 14 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Jan. 11 at 11, div.—*Thomas Townsend*, Bath, Somersetshire, hat manufacturer, Dec. 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Edward Brookfield*, Woodcote, Cheshire, farmer, Dec. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Alexander Smith* and *Thomas Irvine*, Liverpool, Lancashire, merchants, Dec. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 24 at 11, div. joint est., and div. sep. est. of *A. Smith*.—*Benjamin Tattersall* and *Thomas Tattersall*, Liverpool, corn merchants, Dec. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *Thos. Tattersall*.—*Samuel Hodgetts Brookes*, Gwersyllt, Gresford, Denbighshire, wire manufacturer, Dec. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Roberts*, Bootle, Liverpool, Lancashire, grocer, Dec. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Armitage*, *James Armitage*, *William Henry Armitage*, and *Charles Armitage*, Marsden, Almondbury, Yorkshire, woollen-cloth manufacturers, Dec. 13 at 11, District Court of Bankruptcy, Leeds, aud. ac. sep. est. of *Joseph Armitage* and *Wm. Armitage*; Dec. 21 at 11, first and fin. div.—*Thomas Tomlinson*, Winterton, Lincolnshire, corn merchant, Dec. 16 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Beach*, Bradford, Yorkshire, apothecary, Dec. 16 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*W. Kendall* and *John Standish*, Leeds, Yorkshire, grocers, Dec. 16 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Amon Lumb Stocks*, Huddersfield, Yorkshire, draper, Dec. 16 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Richard Jackson* and *Richard Yale*, Leeds, Yorkshire, engineers, Dec. 17 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*John Andrew Christian Reimann* and *John Gerard Gellar*, Liverpool, merchants, Dec. 24 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *John Andrew Christian Reimann*.—*Richard Goolden*, Welchpool, Montgomeryshire, carrier, Dec. 24 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Richard Thos. Tubbs, Holywell-street, Shoreditch, Middlesex, haberdasher, Dec. 30 at 2, Court of Bankruptcy, London.—*Francis Lewin*, Ragland, Monmouthshire, engineer, Dec. 29 at 11, District Court of Bankruptcy, Bristol.—*T. Woodward*, Liverpool, butcher, Dec. 28 at 11, District Court of Bankruptcy, Liverpool.—*Thos. Bentley*, Liverpool, tailor, Dec. 27 at 12, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Thos. Mathewson, Hartlepool, Durham, merchant.—*Nich. Geary*, St. James's-st., Piccadilly, and Oxford-st., Middlesex, stay maker.—*Thos. Footman*, Wolverhampton, Staffordshire, huckster.—*Wm. Mole*, Birmingham, licensed victualler.

PARTNERSHIP DISSOLVED.

A. W. Irwin and *Moreland Taylor*, Verulam-buildings, Gray's-inn, Middlesex, attorneys, solicitors, and conveyancers.

SCOTCH SEQUESTRATIONS.

A. Dunlop Scott, Castlemaims, Douglas, Lanarkshire, commission agent.—*John Heiton*, Paisley, wright.—*Geo. Murray*, Edinburgh, cabinet maker.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Martin, York, baker, Dec. 20 at 10, County Court of Yorkshire, at York.—*W. Carr*, Claxton, Bossall, Yorkshire, schoolmaster, Dec. 20 at 10, County Court of Yorkshire, at York.—*Chas. Slater*, Knaresborough, Yorkshire, poulterer, Dec. 10 at 10, County Court of Yorkshire, at Knaresborough.—*John Hanover*, Bristol, out of business, Jan. 19 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Sampson*, Bristol, butcher, Jan. 19 at 11, County Court of Gloucestershire, at Bristol.—*Jas. Gurner Boardman*, Bristol, retailer of beer, Dec. 22 at 11, County Court of Gloucestershire, at

Bristol.—*Wm. Attwood*, Draycot, Cheddar, Somersetshire, baker, Dec. 16 at 11, County Court of Somersetshire, at Axbridge.—*Francis Evans*, Llandysilio, Montgomeryshire, farmer, Dec. 18 at 10, County Court of Montgomeryshire, at Llanfyllen.—*A. Hall*, South Shields, Durham, upholsterer, Dec. 20 at 11, County Court of Durham, at South Shields.—*Richard Glover*, South Shields, Durham, cast-iron founder, Dec. 20 at 10, County Court of Durham, at South Shields.—*John Sutterby*, Tilney, St. Lawrence, Norfolk, farmer, Dec. 15 at 9, County Court of Norfolk, at King's Lynn.—*Richard Upton*, Calverley-field, Tunbridge Wells, Kent, and Caversham-terrace, Chelsea, Middlesex, carpenter, Dec. 16 at 10, County Court of Kent, at Tunbridge Wells.—*R. Bradshaw*, Liverpool, licensed victualler, Dec. 6 at half-past 10, County Court of Lancashire, at Liverpool.—*Thos. Wilson*, Liverpool, out of business, Dec. 6 at half-past 10, County Court of Lancashire, at Liverpool.—*Joseph William Millan*, Liverpool, hairdresser, Dec. 20 at half-past 10, County Court of Lancashire, at Liverpool.—*W. Cantrell*, Belper, Derbyshire, chemist, Dec. 16 at 10, County Court of Derbyshire, at Belper.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 17 at 11, before the CHIEF COMMISSIONER.

Wm. Jessop, Park-st., Dorset-square, Marylebone, Middlesex, in no profession.—*Robt. Dibble*, Earl-st., Manchester-square, Middlesex, cabinet maker.—*John Gaisford*, Gravel-lane, Southwark, Surrey, baker.

Dec. 17 at 10, before Mr. Commissioner LAW.

Thomas Hazeltine, Cole-street, Dover-road, Southwark, Surrey, porter.—*Samuel Porter*, Newgate-market, London, butcher.

Dec. 18 at 11, before Mr. Commissioner PHILLIPS.

Charles Druffit, Wellington-place, Mile-end Old-town, Stepney, Middlesex, tin-plate worker.—*Henry Notley*, St. John's-lane, St. John-street, Clerkenwell, Middlesex, brush-maker.—*John Catchpole*, Cross-st., Finsbury, Middlesex, out of business.—*Llewellyn Coragio*, Shepherd-st., Oxford-street, Middlesex, barman.—*Robt. Lockwood*, Spring-place, Wandsworth-road, Lambeth, Surrey, manager of the Vauxhall Brewery tap.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 17 at 11, before the CHIEF COMMISSIONER.

Wm. Gurr, West Smithfield, London, out of business.—*Robt. Wilson*, Halton-place, Cross-st., Islington, Middlesex, carpenter.—*Thomas Wardhaugh*, Rahere-st., Goswell-road, Middlesex, out of business.—*John Holt Beach*, St. John-st.-road, Clerkenwell, Middlesex, pastrycook.

Dec. 18 at 11, before Mr. Commissioner PHILLIPS.

Dan John Pickering, Southwark-bridge-road, Southwark, Surrey, clerk.

Dec. 20 at 10, before Mr. Commissioner LAW.

James Harris, Perry-hill, Sydenham, Kent, out of business.—*Wm. Pomfret*, Houndditch, London, out of business.—*Robert P. Pettigrew*, Champion-terrace, City-road, Middlesex, tailor.

Dec. 20 at 11, before Mr. Commissioner PHILLIPS.

Augustus Wm. Bryant, Roberts-mews, Belgrave-square, Middlesex, livery-stable keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Dec. 17 at 11.

Richard Shepherd, Dalton-in-Furness, near Ulverston, carrier.—*John Ibbotson*, Hulme, Manchester, cotton-waste dealer.—*Francis Smith*, Liverpool, out of business.—*Johs Gartrids*, Cronkeyshaw, near Rochdale, excavator.—*Richard B. Nichols*, Hulme, Manchester, attorney-at-law.—*Thomas*

Swift, Wigan, lime dealer.—*Ann Jane de Ridder*, widow, Liverpool, in no business.—*Henry Bamber*, Preston, music master.—*Richard Stanley*, Hulme, Manchester, tailor.—*T. Brown*, Heaton Norris, tailor.—*Thomas Garside*, Ashton-under-Lyne, joiner.—*Isaac Rutter*, Manchester, fruiterer.—*Wm. Nowell*, Manchester, butcher.—*Sarah Taylor*, Rochdale, out of business.—*Daniel Radcliffe*, Liverpool, baker.—*James E. Lister*, Walton-le-Dale, near Preston, chemist.—*Luke Booth*, Bolton-le-Moors, painter.—*Wm. E. Oldham*, Collyhurst, Manchester, general agent.—*J. Williams*, Hulme, Manchester, grocer.—*Robert Bleackley*, Cheetham, Manchester, bleacher.—*Walter Sheppard*, Hulme, Manchester, auctioneer.

At the County Court of Cambridgeshire, at CAMBRIDGE, Dec. 18 at 10.

Urban Feaks, Swaffham Prior, butcher.

At the County Court of Yorkshire, at YORK, Dec. 20.

Wm. Fearnside, Leeds, out of business.—*G. Wilkinson*, Bradford, grocer.—*Joseph Briggs*, Stanley-cum-Wrenthorpe, near Wakefield, farmer.—*John Ward*, Batley, near Dewsbury, general shopkeeper.—*John Beam*, Leeds, labourer.—*Isaac Hughes*, Briggate, Leeds, out of business.—*Noah Nicholson*, Farley, near Leeds, tailor.—*Frederick J. W. Tootal*, Leeds, corn factor.—*John Holliday*, Bradford, out of business.—*G. Longbottom*, Leeds, bolt maker.—*Wm. Middleton*, Leeds, out of business.—*Richard Taylor*, Swinefleet, near Goole, waterman.—*Thomas Walker*, Wentbridge, Thorpe Audlin, near Pontefract, corn miller.—*Charles Marshall*, York, out of business.—*John Baldwin*, Warley, near Halifax, clothier.—*James Booth*, Leeds, hatter.—*James Garside*, Rushworth, near Halifax, publican.—*John Skelton*, King's-cross, near Halifax, stone deliver.—*William Boot*, Hunalet, near Leeds, letter carrier.—*James Letby*, Walmgate, York, joiner.—*J. Armitage*, Huddersfield, out of business.—*Joseph Riding*, Leeds, dealer in flocks.

At the County Court of Devonshire, at EXETER, Dec. 18 at 10.

James Matthews, Topsham, innkeeper.—*Wm. H. Thorne*, Barnstaple, grocer.

TUESDAY, DECEMBER 7.

BANKRUPTS.

JOHN RICHARDSON OATES, Finch-lane, Cornhill, London, tailor, dealer and chapman, (trading under the firm of John Oates), Dec. 15 at half-past 11, and Jan. 22 at half-past 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Colley, 16, Bucklersbury, London.—Petition dated Dec. 3.

WILLIAM HATCHETT SURRIDGE, (known as William Surridge), formerly of Rose and Crown-yard, Lower Sloane-street, Chelsea, horse dealer, afterwards of Lawrence-street, Chelsea, horse dealer and cab proprietor, and late of Harrow-road, Paddington-green, Paddington, Middlesex, horse dealer, and now a prisoner confined for debt in the Debtors Prison for London, Whitecross-street, Dec. 17 at 11, and Jan. 22 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Jones, 9, Quality-court, Chancery-lane.—Petition dated Dec. 2.

WILLIAM BACON, Brentwood, Essex, grocer and draper, dealer and chapman, Dec. 17 at 11, and Jan. 25 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Rawlings, Romford, Essex, and 16, Furnival's-inn, Holborn.—Petition dated Dec. 6.

ROBERT GREAR, Bradley-terrace, Wandsworth-road, Surrey, wax and tallow chandler, dealer and chapman, (carrying on business at Bradley-terrace, and Long-acre, Middlesex), Dec. 17 and Jan. 21 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Rogerson & Ford, 50, Lincoln's-inn-fields.—Petition dated Nov. 26.

DAVID SUTHERLAND, Preston, Lancashire, seed merchant, dealer and chapman, Dec. 20 and Jan. 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Andrew, Manchester; Willmott, London.—Petition filed Nov. 23.

RICHARD BELL and **GEORGE CAMPBELL**, Liverpool, merchants and commission agents, dealers and chapmen, (carrying on business under the style or firm of Bell and Campbell), Dec. 20 and Jan. 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Anderson & Collins, Liverpool.—Petition filed Nov. 25.

MEETINGS.

John Bavin, Wisbeach, Cambridgeshire, draper, Dec. 20 at 12, Court of Bankruptcy, London, last ex.—*Thomas Bull*, Greenwich, Kent, innkeeper, Dec. 20 at half-past 12, Court of Bankruptcy, London, and ac.—*T. W. Richards*, Goswall-road, Middlesex, linendraper, Dec. 21 at 1, Court of Bankruptcy, London, and ac.—*Wm. Austin*, Grove, Guildford-street, Southwark, and New-street, Southwark-bridge-road, Surrey, ironfounder, Dec. 20 at 11, Court of Bankruptcy, London, and ac.—*George Burgess*, Ramgate, Kent, coach-maker, Dec. 17 at half-past 1, Court of Bankruptcy, London, and ac.—*Wm. Abram Cogar*, Newgate-street, London, and Quadrant, Regent-street, Middlesex, shoe dealer, Dec. 17 at half-past 1, Court of Bankruptcy, London, and ac.—*Richard Cross*, Southampton, watchmaker, Dec. 18 at half-past 1, Court of Bankruptcy, London, and ac.—*Robert L. Curtis* and *Edward C. Curtis*, Stratford, Essex, builders, Dec. 18 at 12, Court of Bankruptcy, London, and ac.—*Thomas Delf* and *Nicholas Trübner*, Paternoster-row, London, booksellers, Dec. 18 at half-past 1, Court of Bankruptcy, London, and ac.—*Joseph Hughton* and *Alexander Mackay*, Chundernagore, East Indies, merchants, Dec. 17 at half-past 1, Court of Bankruptcy, London, and ac.—*David Hanney*, Cavendish-square, Middlesex, banker, Dec. 17 at 11, Court of Bankruptcy, London, and ac.—*Alfred J. Swift*, Liverpool, ironfounder, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John A. C. Reimann* and *John G. Geller*, Liverpool, merchants, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of *J. A. C. Reimann*.—*M. N. Raynes*, Birkenhead, Cheshire, timber merchant, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas C. Perritt*, Kingston-upon-Hull, money scrivener, Dec. 22 at 12, District Court of Bankruptcy, Kingston-upon-Hull, and ac.; Dec. 29 at 12, div.—*A. W. Bellairs*, Stamford, Lincolnshire, and *James Bellairs*, Derby, bankers, Dec. 17 at 10, District Court of Bankruptcy, Birmingham, and ac.—*S. Bradley*, Mark-lane, London, cornfactor, Dec. 29 at half-past 1, Court of Bankruptcy, London, div.—*Fred. C. Christy*, *Fred. Adams*, and *James P. Hill*, Rotherhithe, Surrey, engineers, Dec. 29 at 2, Court of Bankruptcy, London, fin. div. sep. est. of *J. P. Hill*.—*Arthur Hills*, Woodside, near Croydon, Surrey, and *Iale of Dogs*, Poplar, Middlesex, oil manufacturer, Dec. 29 at half-past 1, Court of Bankruptcy, London, div.—*J. Ruffy*, Gerrard-street, Soho, Middlesex, draper, Dec. 29 at half-past 2, Court of Bankruptcy, London, div.—*Wm. Buckle*, Pall-mall, Westminster, Middlesex, and *Leadenhall-street*, London, master mariner, Jan. 4 at 11, Court of Bankruptcy, London, div.—*Andrew Atkinson*, Dalton-in-Furness, Lancashire, tanner, Dec. 28 at 12, District Court of Bankruptcy, Manchester, div.—*Edward Hall*, Manchester, packer, and *Staleybridge*, Ashton-under-Lyne, Lancashire, innkeeper, Dec. 28 at 12, District Court of Bankruptcy, Manchester, div.—*Thomas Fray*, Wigan and Manchester, check manufacturer, Dec. 28 at 12, District Court of Bankruptcy, Manchester, div.—*James Cooper*, Liverpool, butcher, Dec. 28 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Freeman, White-cottage, Southampton-street, Camberwell, Surrey, dealer in Colonial produce, Dec. 29 at 1, Court of Bankruptcy, London.—*John Fry Reeves*, *John Frederick Reeves*, *Orlando Reeves*, and *Archibald Reeves*, Taunton, Somersetshire, scriveners, Jan. 12 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

J. Hall and *Henry Hall*, Hartshorne, Derbyshire, earthenware manufacturers.—*George Gilbert*, Nottingham, builder.—*Enos Dibb*, Idle, Calverley, Yorkshire, grocer.

SCOTCH SEQUESTRATION.

John Hislop, Leith, timber merchant.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Lancaster, Wilby, Suffolk, farmer, Dec. 17 at 10, County Court of Suffolk, at Framlingham.—*Robert Fleet*,

Methwold, Norfolk, farmer, Dec. 23 at 11, County Court of Norfolk, at Thetford.—*James Hands*, Corley-moor, near Coventry, Warwickshire, licensed victualler, Dec. 22 at 12, County Court of Warwickshire, at Coventry.—*J. Tomlinson*, Beveley, Wombidge, Shropshire, gardener, Dec. 17 at 10, County Court of Shropshire, at Wellington.—*M. Griffith*, Bangor, Carnarvonshire, attorney, Dec. 16 at 10, County Court of Carnarvonshire, at Bangor.—*John Barratt*, Swaffham, Norfolk, plumber, Dec. 16 at 10, County Court of Norfolk, at Swaffham.—*P. M. Smith*, Newcastle-upon-Tyne, billiard marker, Dec. 23 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Thomas Bewe*, Newcastle-upon-Tyne, tailor, Dec. 23 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*T. Smale*, Kingsbridge, Devonshire, working jeweller, Feb. 9 at 11, County Court of Devonshire, at Kingsbridge.—*James Gooden*, Midhurst, Sussex, saddler, Dec. 23 at 12, County Court of Sussex, at Midhurst.—*Samuel Pipe*, Halesworth, Suffolk, plumber, Dec. 16 at 12, County Court of Suffolk, at Halesworth.—*F. Tricker*, Scole, Norfolk, grocer, Dec. 24 at 11, County Court of Suffolk, at Eye.—*James Dison*, Carlisle, Cumberland, joiner, Dec. 20 at 10, County Court of Cumberland, at Carlisle.—*Wm. Humphrey Richardson*, Bledlow, Buckinghamshire, shoemaker, Dec. 14 at 11, County Court of Buckinghamshire, in High Wycombe.—*George Bassett Jones*, New Romney, Kent, gentleman, Dec. 20 at 11, County Court of Kent, at Romney.—*Richard Saville*, Manchester, provision dealer, Dec. 27 at 11, County Court of Lancashire, at Manchester.—*William Tims*, Eccles, Lancashire, bricklayer, Dec. 27 at 11, County Court of Lancashire, at Manchester.—*John Thos. Dawson*, Wolverhampton, clerk to a druggist, Dec. 21 at 9, County Court of Staffordshire, at Wolverhampton.—*Edward Pepper*, Little Hampton, Sussex, grocer, Dec. 16 at 10, County Court of Sussex, at Arundel.—*David Hiddleston*, Cambridge, tea dealer, Dec. 18 at 10, County Court of Cambridgeshire, at Cambridge.

Saturday, Dec. 4.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Thompson, Liverpool, licensed victualler, No. 75,452 C.; *George Mason*, assignee.—*Thomas Farmery Wilmet*, Harby, Nottinghamshire, butcher, No. 74,449 C.; *Robert Johnson*, assignee.—*Robinson Wordsworth*, Dover-court, near Harwich, Essex, collector of her Majesty's Customs, No. 1723 T.; *Samuel Sturgis*, now assignee; *Anthony Cox*, late assignee, deceased.

Saturday, Dec. 4.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

David Bowen, Chester-terrace, Brompton-road, South-wark, Surrey, commission traveller: in the Queen's Prison.—*George Goldsmith*, Back Church-lane, Commercial-road, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Thomas Howell*, Milford-place, Vassal-road, Brixton-road, Surrey, commercial traveller: in the Queen's Prison.—*Thomas Fisher*, Palace-street, Westminster, Middlesex, clerk in the Audit Office, Somerset House: in the Debtors Prison for London and Middlesex.—*Thomas Howard*, Heath-place, Cambridge-heath, Hackney, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*John Steadman*, Bull and Mouth-street, Newgate-street, City, smith: in the Debtors Prison for London and Middlesex.—*William Thompson*, High-street, Poplar, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Edmund William Fraser*, Westbourne Nursery, Westbourne-grove, Bayswater, Middlesex, nurseryman: in the Debtors Prison for London and Middlesex.—*William Pritchard*, Halsey-street, Chelsea, Middlesex, clerk to a West India merchant: in the Debtors Prison for London and Middlesex.—*Richard Wallis*, Banner-street, Banner-square, St. Luke's, Middlesex, shopman to a cheesemonger: in the Debtors Prison for London and Middlesex.—*George Birch*, Willington-road, Stockwell, Surrey, surgeon in the Navy, on half-pay: in the Debtors Prison for London and Middlesex.—*Wm. Joseph Tuck*, Church-street, Hackney, Middlesex, pastrycook: in the Debtors Prison for London and Middlesex.—*Wm. Duri*,

South-terrace, Brompton, Middlesex, lieutenant in the Royal Navy: in the Queen's Prison.—*Charles Bridault*, Hamilton-place, Hyde-park, Middlesex, gentleman's cook: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition.)

Jane Trotter, Seymour-street, Euston-square, Middlesex, widow: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Joseph Catherall, Mann's-field, Holbeck, Leeds, Yorkshire, bricklayer: in the Gaol of York.—*Thomas Garide*, Ashton-under-Lyne, joiner: in the Gaol of Lancaster.—*John Burton*, Bishopgate-bridge, Thorpe, Norwich, bricklayer: in the Gaol of Norwich.—*John Beadel*, Plaistow, Essex, out of business: in the Queen's Prison.—*Shakespeare de Caus*, St. Augustine, Norwich, cordwainer: in the Gaol of Norwich.—*Richard Stanley*, Hulme, Manchester, tailor: in the Gaol of Lancaster.—*Walter Sheppard*, Hulme, Manchester, auctioneer: in the Gaol of Lancaster.—*Thos. Swift*, Wigan, line dealer: in the Gaol of Lancaster.—*Thos. Brown*, Heaton, Lancashire, tailor: in the Gaol of Lancaster.—*Jas. Ebenezer Lister*, Walton-le-Dale, near Preston, Lancashire, chemist: in the Gaol of Lancaster.—*Wm. Edwin Oldham*, Headham Vale, Collyhurst, Manchester, general agent: in the Gaol of Lancaster.—*Edward Evans*, Birmingham, out of business: in the Gaol of Coventry.—*William Heath*, Cheltenham, Gloucestershire, tailor: in the Gaol of Gloucester.—*Thomas Layton*, Brewood, Staffordshire, builder: in the Gaol of Stafford.—*William Marshallay*, Warminster, Wiltshire, farm bailiff: in the Gaol of Fisherton Anger.—*William Staveley*, Clifton, Yorkshire, farmer: in the Gaol of York.—*J. Hobbs Wright*, Norwich, captain in the Royal Marines: in the Gaol of Norwich.—*Wm. Clinton Taylor*, Winchester, Hampshire, milliner: in the Gaol of Winchester.—*Wm. Cruise*, Newton Abbot, Devonshire, coal agent: in the Gaol of St. Thomas the Apostle.—*Charles Cole*, Devonport, Devonshire, builder: in the Gaol of St. Thomas the Apostle.—*Paul Pollen*, King's-road, Brighton, Sussex, milliner: in the Gaol of Lewes.—*Harry Spears*, Burworth, Sussex, farmer: in the Gaol of Lewes.—*Alexander Spence*, Woolwich, Kent, licensed victualler: in the Gaol of Maidstone.—*Geo. Sterling*, Gateshead, Durham, builder: in the Gaol of Newcastle-upon-Tyne.—*Wm. Eiches*, Briggate, Leeds, Yorkshire, watchmaker: in the Gaol of York.—*William Scaife*, Philiskirk, near Thirk, Yorkshire, farmer's servant: in the Gaol of York.—*James Webster*, Thriplow, Cambridgeshire, out of business: in the Gaol of Cambridge.—*William Henry Buckland*, Littleport, Cambridgeshire, surgeon's assistant: in the Gaol of Cambridge.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 21 at 11, before the CHIEF COMMISSIONER.

John Smith Benfold, Upper Thames-st., London, assistant classical tutor.—*Wm. Richardson*, High-st., Mortlake, Surrey, road contractor.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, Dec. 21 at 10.

Henry Church Moody, Mier, near Ashley, in no business.—*John Parkes Cooper*, Wolverhampton, general agent.—*Thos. Southern*, Stafford, grocer.—*Thos. Layton*, Brewood, builder.—*Jas. Christopher*, Common-side, near Brierly-hill, Kingswinford, licensed victualler.

At the County Court of Hampshire, at WINCHESTER, Dec. 21.

Wm. Clinton Taylor, Winchester, milliner.

At the County Court of Warwickshire, at COVENTRY, Dec. 22.

Edw. Evans, Birmingham, out of business.—*Wm. Frost*, Birmingham, nail cutter.—*Geo. Blowidge*, Birmingham, nail cutter.

At the County Court of Northumberland, at NEWCASTLE, Dec. 23 at 10.

George Sterling, Gateshead, builder.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Penney, Mile-town, Sheerness, Kent, foreman in her Majesty's Dockyard, Sheerness: 3s. 8½d. in the pound.—*Chas. Howse*, Devonport, Devonshire, superannuated clerk in her Majesty's Stamp Office, Somerset House: 3s. 9d. (making 6s. 5½d.) in the pound.—*W. Gilder*, Welchpool, Montgomeryshire, captain in the Royal Montgomeryshire Militia: 5s. (making 15s. 6½d.) in the pound.—*John Parker*, Dearham-row, Dearham, Cumberland, retired coast officer: 6s. 2½d. (making 20s.) in the pound.—*Richard Henry Morgan*, Bath-st., Old-st., St. Leonard's, Shoreditch, Middlesex, barman to a licensed victualler: 20s. in the pound.—*James Corrigan*, Liverpool, master of the barque Saxon: 20s. in the pound.

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LONDON, DECEMBER 18, 1852.

UNDER the Common-law Procedure Act the death of either the plaintiff or the defendant, or the survivor of several plaintiffs or defendants, will not abate the action, where the cause of action survives, but it may be continued either by suggestion or by writ of revivor, according to the stage of the action at which the death occurs. If it is before verdict or judgment by default, the mode of proceeding will be by entering a suggestion; if after verdict, the judgment may be entered up within two terms, without any intermediate proceeding; if between interlocutory and final judgment, a writ of revivor must issue. (Sects. 135—140). It will be observed, that by sect. 137 the "legal representative" (which would include the heir, where the cause of action descends to him) may, by leave, enter a suggestion of the death, and that he is such legal representative; and if made before the trial, the truth of the suggestion shall be tried thereat, although, as it seems, neither of those facts may be put in issue. The 138th section refers to the death of a defendant, and here the words "executor or administrator" are used instead of the words "legal representative." Under this section it appears that only a copy of the writ and suggestion, together with a notice to appear, is to be served; and no provision is made for his obtaining a copy of the pleadings where the plaintiff has already declared;

although, doubtless, it is intended that a copy of the pleadings should be delivered. No time is mentioned for the defendant to plead in this section, but probably it will be eight days, as under sect. 63. Where the plaintiff has not declared, he is to serve the declaration with the suggestion, and, it seems, also a notice to appear; but in such case a notice to plead, although not mentioned in the section, should also be served after the executor, &c. has appeared. The judgment in such a case will be, as to the debt and costs, prior to the suggestion de bonis testatoris; and in respect of the costs subsequent to the suggestion, de bonis testatoris et si non de bonis propriis. It has been said that there is probably an omission in the latter part of this section relating to the judgment. (See Wise's edition, p. 155, and Quain & Holroyd's edition, p. 99. See 2 Arch. Prac. 1079, as to an executor pleading a plea false within his own knowledge). Marriage of a woman, plaintiff or defendant, is no longer to be pleadable in abatement. (Sect. 141). Bankruptcy or insolvency of a plaintiff, in an action which the assignees might maintain for the benefit of the creditors, is not to be pleaded in bar, unless the assignees shall decline to continue it, and give security for costs upon a judge's order, to be obtained for that purpose; but the proceedings may be stayed until such election is made; and if they refuse to continue, &c., the defendant may, within eight days after such refusal, plead the bankruptcy. (Sect. 142). For

merly the assignees in such a case would have had to bring a fresh action in their own names. (*Swans v. Sutton*, 10 Ad. & El. 623). This provision does not affect a replication of bankruptcy to a plea of set-off.

Upon motion in arrest of judgment, or for judgment non obstante veredicto, by reason of the non-averment of some material fact, the omitted fact may, by leave, be suggested, and such suggestion may be pleaded to within eight days after notice, and be tried as an ordinary action. If such suggestion be found to be true, the party suggesting shall have such judgment as he would have had if it had been originally stated and found for him, together with the costs occasioned by the suggestion; but if the suggestion be found untrue, the opposite party shall have the costs occasioned by the suggestion, in addition to any other costs to which he may be entitled. Upon an arrest of judgment, or judgment non obstante, the party against whom judgment is given shall have the costs of any issues of fact arising out of the defective pleading on which he shall have succeeded. (Sects. 143—145).

Formerly, when judgment was arrested, each party paid his own costs, and on judgment non obstante neither party was entitled to the costs of the immaterial issues. Motions for these judgments will now be seldom made, where the ground is the omission of some material fact, which may be suggested; but the enactment does not apply to a motion in arrest of judgment for the misjoinder of causes of action in different rights, (see sect. 41 as to the joinder when in the same right), or to a motion for a venire de novo, or to proceedings in error. A party may, therefore, still bring error, instead of moving in arrest of judgment, or for judgment non obstante, and there will be then, as it seems, no mode of remedying the defect by suggestion or otherwise.

The next class of provisions relate to proceedings in error, and may be held to apply to all proceedings, both criminal and civil*. Error henceforth is to be brought within six years (instead of twenty) after the judgment shall have been signed or entered of record. (Sect. 146). There is no saving of judgments which have been signed six years before the act came into operation; but the construction will probably be, that the act does not apply to such judgments, or at all events it applies only so far as to allow six years from the act coming into operation for error to be brought upon them, provided that six or more of the twenty years formerly allowed remained on the 24th October, 1852. If a less number than six years of the twenty remained, probably such less number only would be allowed, as the enactment is restrictive, and could not have been intended to give more than twenty years for error from the time when judgments were signed, previously to the act. (See *Pinhorn v. Sonster*, 16 Jur., part 1, p. 1001, as to the application of the act to pending proceedings).

The proceeding to error is to be a step in the cause, and not, as formerly, in the nature of a new action. The writ of error is abolished, and in cases of error in law, a simple memorandum is substituted. This is to

be filed, a note of its receipt is to be given by the Master, and a copy of such note, together with a statement of the grounds of error, may be served on the opposite party, and from the time of such service the proceedings in error in law are to be deemed a super-seedes of execution until default in putting in bail, &c.

Bail is to be put in as before. Assignment of and joinder in error are abolished in proceedings in error in law, and a suggestion, to the effect that error is alleged and denied, is to be entered on the judgment roll, unless the defendant intends to rely upon the Statute of Limitations, or a release, or other like matter of fact, in which case he is to give the plaintiff notice to assign error, as heretofore. One of several persons against whom judgment has been given may bring error, but the others may join if they think proper. Instead of returning a transcript of the record to the Court above, the judgment roll itself is to be brought in, and the judgment, as altered or affirmed, is to be entered on the original record.

The Court of Error formerly could quash the writ only for defects apparent on its face, or for the record brought up being inconsistent with it; but now it may quash the proceedings in error in all cases in which error does not lie, or where they are taken against good faith, and in all cases may give such judgment and award such process as the Court below ought to have done. Formerly, the Court of Error could not have given a judgment *against* the party suing out the writ, after reversing an erroneous judgment against him. (See *Pollitt v. Forrest*, 11 Q. B. 973). It would seem that the Court may now award a repleader or writ of inquiry. (See *Wise's* edition, p. 174, and *Quain & Holroyd's* edition, p. 115). Error in fact is to be brought in the same manner as error in law, except that an affidavit of the fact must be delivered, together with the memorandum, and there must be an assignment of errors. The plaintiff in error may in all cases discontinue his proceedings by giving notice thereof, in which case he will be liable to the costs of the proceedings in error, and the defendant may confess the error by giving notice thereof. Neither death nor marriage is to abate the proceedings, but they may be continued by suggestion, and substantially in the same manner as where these events occur at earlier stages of the record. (Sects. 146—167)*.

Revisions.

A Practical Treatise of the Law of Evidence. By THOMAS STARKIE, Esq., of the Inner Temple, one of her Majesty's Counsel. Fourth Edition, by GEORGE MORLEY DOWDESWELL and JOHN GEORGE MALCOLM, Esqrs., of the Inner Temple, Barristers-at-Law. Royal 8vo., pp. 1013. [Stevens & Norton.]

THE first edition of this Treatise appeared in 1824, and that which is presented to us at the end of the year 1852 is only the fourth. Yet no work on the subject stands so high in esteem as this; and though the best article has not always the most extensive sale, even among so intelligent a class of customers as the lawyers, we have no doubt that in this case the defect was rather in the supply than in the demand.

* This is the opinion of Mr. Wise in his edition of the act, (p. 169), upon the ground that several of these sections use the word "cause," although "action" is found in some of them.

* The former article upon the Common-law Procedure Act will be found ante, p. 437.

Mr. Starkie's time was much engrossed by his labours on the Criminal Code, and his fastidiousness would not easily consent to a slovenly performance of the editorial duties; though in the last edition which was published in his lifetime we fancy we detect traces of a consciousness that he had rashly engaged in a task beyond the strength and time at his command, and a consequent perfunctory treatment of the more practical details of the work. Fortunately for the Profession the new edition has been entrusted to gentlemen, of whom one is well known, not only as a ripe and accomplished lawyer, (*doctrinâ madidus*), but as a judicious editor, knowing how to withhold as well as how to apply his hand. Amid the present plague of reports mere industry is not sufficient to qualify even a second-rate editor; unless his course is guided by sound learning and judgment, and fortified by confidence and firmness, he can produce nothing but a digest, that is to say, an *indigest*, of no value even to the discriminating lawyer in the hurry of practice, and mere confusion and a snare to the mass who consult a text-book as they would an oracle. Few text-writers of the day are clear of the sin of over-citation; few seem to remember, that, even as a guide to further research, it is sufficient to cite the leading case, and the latest case in which the point has received any elucidation, since in the reports of those cases a clue will be found to all the others*. In consulting Mr. Dowdeswell's edition of John William Smith's *Mercantile Law*, we have always admired the combined parsimony and completeness of the references, and wished that the reporters and many of the editors of the last half century had acted with the like judgment and self-command, instead of repelling every one from the pleasant gardens of the law by their annual surplussage of "five hundred additional lamps," redolent of oil in no good sense. The editors of Starkie have evidently agreed on this point, and the consequence is, that not only is the text readable, but the references are usable; which is not the case where the editor cites cases by the dozen, and leaves the reader to guess which may be the leading one.

The volume now published does not include the digest of proofs; but it is complete in itself as a practical treatise on the law of evidence generally; and, from the power of compression which it displays, we presume that the editors will have no difficulty in completing the digest of proofs in another volume. Of the work now before us, the editors say, that they "have used their best endeavours to render the volume, which contains the principles of the law of evidence, perfect in itself, and available for the purposes, not only of the student, but also of the practitioner. They have subdivided it into chapters, so as to render it more easy for perusal and reference." [This is a small thing to do, but a great comfort when done.] "They have introduced into it those heads from the second and third volumes which relate to parol evidence and presumptions, and have relieved it of much matter which more properly belonged to the digest of proofs contained in those volumes. They have also added a copious index, still retaining the full analysis of the matter contained in the table of contents; and have thus, they trust, rendered this volume as complete a treatise in itself as the present state of the law will permit."

Of the practical spirit in which the work has been edited a single example will suffice. In the third edition (vol. 1, p. 609) Mr. Starkie thus notices the stat. 3 & 4 Vict. c. 92:—

"As to non-parochial registers made evidence, and

'the mode of giving those registers and extracts from them in evidence in the courts of common law and at sessions, and the places of deposit of the registers of the Jews, the India registers, and the registers of British embassies and factories abroad, see 3 & 4 Vict. c. 92."

In the new edition, on the contrary, after a statement of the old rule as to such registers, the substance of the new enactment is stated so exactly as to render a reference to the act, for ordinary purposes, unnecessary:—

"But by stat. 3 & 4 Vict. c. 92, certain registers of births, baptisms, deaths, burials, and marriages are directed to be deposited with the Registrar-General, and, subject to certain provisions as to giving notice to the opposite party, are made evidence in all cases; and certified extracts, subject to similar provisions, are likewise, except in criminal proceedings, rendered evidence in every court of justice." And in a note a detailed list of the registers thus made evidence, with the dates from which they commence, is given; and the provision as to notice is stated.

Throughout the work we find similar marks of careful revision as well as of addition. It is evident that the editors have not been blinded by their respect for the author, but have altered, corrected, and amended wherever they have seen occasion. Such a course could not be pursued safely upon a small stock of learning or of judgment; and in our opinion it has been pursued, not only with safety, but with manifest advantage to the book; so that the fourth edition of Starkie is to the existing law what the first edition was to the law in 1824.

It is to be hoped, that those who are compelled, by the numerous recent alterations in the law of evidence, to give some attention to a treatise on the subject, will not confine themselves to the chapters on the admissibility of the evidence of parties and interested witnesses, the proof of quasi public documents, &c., but will seize the opportunity of systematically studying the whole of this important and interesting branch of the law, which hitherto the junior branch of the Profession (or what was the junior branch) has been too apt to neglect, trusting to experience and their pleaders.

We wish we had some means of identifying Mr. Malcolm's portions of the work. As it is, being hitherto unknown in authorship, he must be content with the praise of having borne a part where all was good.

—♦—

The Common-law Procedure Act, arranged in a Practical Form, with an Introductory Analysis of the Changes effected by the Statute, Explanatory Notes, and copious Index. By EDWARD WISE, Esq., Barrister at Law. [Sweet, 1852.]

A PERUSAL of this work has strengthened the favourable impression which we had formed of Mr. Wise as a legal author, from his edition of the "Bankrupt Law Consolidation Act," and his laborious compilation of the "Index to Meeson and Welsby's Reports." It bears the same signs of unflagging industry and of well-stored legal learning. Instead of presenting a mere dry collection of enactments and decisions, the editor has adopted the bolder and more useful course of offering suggestions where the act is deficient or obscure, and of stating the probable interpretation that will be put upon it by judicial authority. The want of logical arrangement in the statute has prevented him from pursuing the usual plan of placing his annotations beneath each section, and he has very judiciously divided the act, and his treatment of it, into the different stages of an action. Thus, after an introduction, in which the alterations effected by the statute are pointed out, the second part of the work is subdivided into the following titles:—

* This remark is not intended to apply to treatises on the construction of wills and other writings, which, so long as the Courts adhere to the practice of constraining one man's nonsense by the light of another man's nonsense, must be practically useful in proportion to the fullness of their citations.

Extent and operation of the act.

Writ of summons—

generally.

against defendant within the jurisdiction, but not specially indorsed.

with special indorsement.

against a British subject out of the jurisdiction.

against a defendant out of the jurisdiction not being a British subject.

Appearance.

Declaration.

Plea, and so on to execution.

Abatement of suit.

Revivor.

Error.

Ejectment.

Amendment, and miscellaneous provisions.

Each of these heads is fully and carefully treated with reference to the practice under the new law, illustrated by statutes, rules of Court, and numerous decisions bearing upon the respective subjects.

The act itself is then given in smaller type; and here we would suggest an addition for the purpose of facilitating reference, namely, that on the margin of each section the page in the former part of the work in which it is commented upon should be inserted. Thus, under the marginal note of sect. 2, we would insert "p. 11;" of sect. 3, "p. 7," &c. It is true this is done in effect in the index, but it would, we think, be a decided improvement to have it in connexion with the act in its complete form.

As examples of the great care bestowed by Mr. Wise upon this work, we may refer to the note upon the question whether the act affects pending proceedings, and if so, to what extent, (pp. 1—4, 87); to the note which relates to the necessary steps for obtaining an order to proceed as if personal service had been effected, (pp. 15—19); and to the note upon declarations, (pp. 52—57). The remarks upon pleading are succinct and practical. (Pp. 81—106).

Mr. Wise has foreseen many of the difficulties which will arise under the act, and which will doubtless involve much discussion. Thus, upon the omission of the form of action in the writ, and the joinder of several causes of action in one declaration, he says, (p. 50)—

"The commissioners in their report foresaw that if the forms of action were actually abolished, it would be necessary to make provision for the application of the numerous Statutes of Limitations, statutes relating to costs, and statutes giving actions, and many rules of court in which the forms of action are specifically mentioned. But although it is manifest that the forms are virtually abolished, since objections to misjoinder can no longer be made, and no technical language will in future distinguish the causes of actions ex contractu from those ex delicto, (see sect. 40), no such provision has been made, and the practitioner is left to guess at the solution of the various questions that will arise. To give a single example. The 13 & 14 Vict. c. 16, s. 11, enacts, 'that if in any actions commenced after the passing of this act in any of her Majesty's superior courts of record, in covenant, debt, detainue, or assumpsit, not being an action of breach of promise of marriage, the plaintiff shall recover a sum not exceeding 20*l.*, or if in any action commenced after the passing of this act in any of her Majesty's superior courts of record, in trespass, trover, or case, not being an action for malicious prosecution, &c., the plaintiff shall recover a sum not exceeding 5*l.*, the plaintiff shall have judgment to recover such sum only, and no costs, except in the cases hereinafter provided, and except in the case of a judgment by default, and it shall not be necessary to enter any suggestion on the record to deprive such

'plaintiff of costs, nor shall any such plaintiff be entitled to costs by reason of any privilege as attorney or officer of such court or otherwise.' How is this statute to be applied, since no action is now commenced in assumpsit, debt, trespass, &c.? It may be said that the declaration will shew what the cause of action is, and it will be deemed to have been commenced in that form within which the subject-matter may be brought. This may solve the difficulty in some cases, but where the cause of action might have been sued for in assumpsit or case, and more than 5*l.* and less than 20*l.* is recovered, is the plaintiff to be entitled to costs or not? So, again, what is to be the effect of joining causes of action ex contractu and ex delicto in one declaration? In that case the common sense view would be to treat each count as a separate declaration; and it will facilitate this if one of the rules to be issued should direct that each cause of action shall be written in a separate paragraph, and numbered. Numerous other cases of a like kind might be put, which must await judicial decision."

Upon the subject of the general traverse allowed by sect. 76 he says—

"An important point of practice is suggested by this and the similar enactments in sects. 77, 78, and 79, by which the whole of any plea or subsequent pleading may be traversed by a general denial, or the substance of the plea or other pleading may be denied by a joinder of issue. It would have been well if these sections had been more explicit; for on the perusal of them in connexion with sect. 71, the question at once arises whether the use of such general form of traverse is within the latter section, so as to require the leave of a court or judge. It is, in effect, permitting a traverse of all the material allegations in the plea; and the reason for having the power to require an affidavit when the traverses are separate applies just as strongly when the cumulative traverse is used. In one sense, there are several matters 'proposed to be traversed;' but on the other hand, as the general issue was only one plea, although it put many facts in issue, and the general denial of the plea or subsequent pleading is a substitute for, as well as an extension of, *de injuria*, and as the sections by which the power of thus pleading is conferred make no mention of leave being necessary, there is the strongest argument for construing the 77th, 78th, and 79th sections as substantive enactments altogether, independently of the 81st, and therefore holding that these are cases of double pleading 'specifically provided for,' and therefore within the 86th section, so as not to make the leave of the court or judge essential. Such a construction, indeed, will enable either party, without any restriction, to impose upon the other the necessity of proving every material allegation, so that one great object of the act to disencumber the pleadings of matters not really in dispute will be frustrated, except so far as the parties are deterred by the fear of the costs which may be incurred under the rules to be issued under sect. 223, for apportioning the costs of issues, or may follow a verdict, being found distributively under sect. 75. It is, in truth, to a great extent, nullifying by one section what is enacted by another."

See also the difficulties stated as to damages being 'substantially a matter of calculation under sect. 94,' (p. 75); taking money out of court under sect. 72, (p. 69); joining issue under sect. 122, (p. 79); inspection of deeds under sects. 55 and 56, (p. 119); summoning a special jury under sect. 112, (p. 138); signing judgment, (p. 144); and the interpretation clause, (p. 213).

We feel warranted in saying that this is altogether a most carefully executed edition of the important sta-

tute in question, and that, together with Mr. Chitty's valuable Forms, it will constitute a complete code of practice according to the new system.

London Gazettes.

FRIDAY, DECEMBER 10.

BANKRUPTS.

HENRY STAGG, Croydon, Surrey, grocer, Dec. 21 at 1, and Jan. 25 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Russell & Burgon, 23, Martin's-lane, Cannon-street, City.—Petition filed Dec. 9.

CHARLES RHODES, Terrace, Kensington, Middlesex, milliner, Dec. 22 at half-past 1, and Jan. 25 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Clarke, Reading, Berkshire; Holmes, 25, Great James-street, Bedford-row.—Petition filed Dec. 6.

WILLIAM JOHN BOWDEN, Ware, Hertfordshire, apothecary, dealer and chapman, Dec. 20 at 12, and Jan. 20 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Hall, 1, Brunswick-row, Queen's-square, Bloomsbury.—Petition filed Dec. 8.

WILLIAM THORNTON, St. John's-hill, Battersea-rise, Battersea, Surrey, carpenter and builder, dealer and chapman, Dec. 16 at half-past 1, and Jan. 20 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, 9, Quality-court, Chancery-lane.—Petition filed Dec. 7.

THOMAS BARNSHAW, Brunswick-street, Poplar, Middlesex, licensed retailer of beer, dealer and chapman, Dec. 20 at half-past 1, and Jan. 20 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Piercy & Hawks, Three Crown-square, Southwark.—Petition filed Dec. 2.

JAMES GILL, Calvert's-buildings, High-street, Southwark, Surrey, hop factor, dealer and chapman, Dec. 16 at 2, and Jan. 24 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Gregson & Son, Angel-court, Throgmorton-street.—Petition filed Dec. 10.

ALEXANDER BAIN, Old Bond-street, Middlesex, electric clock maker, dealer and chapman, Dec. 15 at 12, and Jan. 21 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Desborough & Co., Sise-lane, Bucklersbury.—Petition dated Dec. 3.

JOHN GOULDIN, Outwell, Norfolk, potato dealer, dealer and chapman, Dec. 20 at 11, and Jan. 21 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Ollard, Upwell, Cambridgeshire; Hensman, College-hill, London.—Petition dated Nov. 26.

EMILIO PISTRUCCI, Salisbury-street, Strand, Middlesex, lithographic artist and printer, now a prisoner in the Debtors Prison for London and Middlesex, Dec. 23 and Jan. 25 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Rushbury, 4, Surrey-st., Strand, London.—Petition filed Dec. 2.

ROBERT HAMILTON MURRAY, Alfred-place, Camden-road, Islington, Middlesex, baker, dealer and chapman, Dec. 23 at 11, and Jan. 21 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. G. & E. Hilleary, 63, Fenchurch-street, London.—Petition filed Dec. 7.

EDMUND ENGLISH and **EDMUND FRANCIS ENGLISH**, Bath, auctioneers and upholsterers, dealers and chapmen, Dec. 24 and Jan. 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. T. & R. Crutwell, Bath; Bevan, Bristol.—Petition filed Dec. 1.

JOHN CRIDLAND, Sidmouth, Devonshire, grocer and china dealer, dealer and chapman, Dec. 21 at 11, and Jan. 13 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Coleridge & Son, Ottery St. Mary; Terrell, Exeter.—Petition filed Dec. 7.

JAMES KERON, Altrincham, Cheshire, builder, dealer and chapman, Dec. 20 and Jan. 17 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Nichols & Worthington, Altrincham; Stirke, Manchester.—Petition filed Nov. 30.

JAMES NESS, Newcastle-upon-Tyne, grocer, Dec. 17 at 11, and Jan. 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Watson, St. Nicholas-churchyard; Shield & Harwood, 10, Clement's-lane, Lombard-street, London.—Petition filed Dec. 3.

DAVID WILLIAMS, Dowlais, Glamorganshire, grocer, dealer and chapman, Dec. 23 and Jan. 26 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed Nov. 26.

THOMAS SPEED the elder, Liverpool, butcher, Dec. 23 and Jan. 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Greatley, Liverpool.—Petition filed Dec. 7.

MEETINGS.

John Hogarth, Thames Tunnel Iron-wharf, and Rotherhithe-street, Rotherhithe, Surrey, iron merchant, Jan. 6 at 2, Court of Bankruptcy, London, and ac.—*Andrew Atkinson*, Dalton-in-Furness, Lancashire, tanner, Dec. 21 at 12, District Court of Bankruptcy, Manchester, and ac.—*Edward Hall*, Manchester, packer, Dec. 21 at 12, District Court of Bankruptcy, Manchester, and ac.—*Eden Clark* and *Henry Blackley*, Chorlton-upon-Medlock, Lancashire, ironmonger, Dec. 21 at 12, District Court of Bankruptcy, Manchester, and ac.—*Richard Kaye*, Liverpool, butcher, Dec. 23 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Robert Preston*, Liverpool, merchant, Dec. 23 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas Tuffield*, Hoxton Old-town, Middlesex, tallow chandler and grocer, Jan. 25 at 1, (and not Dec. 17, as before advertised), Court of Bankruptcy, London, div.—*Richard Fuller*, Cambridge, innkeeper and brewer, Jan. 6 at half-past 12, Court of Bankruptcy, London, div.—*John Carruthers*, Manchester, distiller, Jan. 6 at 1, Court of Bankruptcy, London, div.—*Abraham Provoost*, Peterborough, linendraper, Jan. 7 at 11, Court of Bankruptcy, London, fin. div.—*William Blossam*, Abingdon-street, Westminster, merchant, Jan. 7 at 1, Court of Bankruptcy, London, div.—*Edward Hindley*, Liverpool, coal merchant, Jan. 4 at 11, District Court of Bankruptcy, Liverpool, div.—*Francis Joule Smith*, Eccleshall, Staffordshire, currier, Jan. 12 at 11, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Philip Summers, Tabernacle-walk, Finsbury, Middlesex, fancy printer, Jan. 7 at 11, Court of Bankruptcy, London.—*Richard Tamsett*, Powis-street, Woolwich, and Bedford-terrace, Plumstead, Kent, builder, Jan. 7 at half-past 11, Court of Bankruptcy, London.—*Chris. Greenfield*, Brighton, Sussex, chemist, Jan. 7 at 1, Court of Bankruptcy, London.—*Edward Winstanley* and *Henry Geo. Winstanley*, Poultry, London, chemists, Jan. 7 at 11, Court of Bankruptcy, London.—*Jas. Ferry Sibby*, Poole, timber merchant, Jan. 7 at 12, Court of Bankruptcy, London.—*David Marriott*, Oxford-street, Middlesex, draper, Jan. 4 at 11, Court of Bankruptcy, London.—*Robt. Westley*, London-street, Greenwich, Kent, shoemaker, Jan. 4 at 12, Court of Bankruptcy, London.—*Thos. Forshaw*, Birkenhead, Cheshire, master mariner, Jan. 4 at 11, District Court of Bankruptcy, Liverpool.—*Charles White Cross*, Birmingham, surgeon, Jan. 12 at 11, District Court of Bankruptcy, Birmingham.—*James Marlow*, Walsall, Staffordshire, ironfounder, Jan. 12 at 11, District Court of Bankruptcy, Birmingham.—*Howard James* and *Thomas James*, Roshall-mills, Roshall, Staffordshire, millers, Jan. 12 at 11, District Court of Bankruptcy, Birmingham.—*Thos. Roberts*, Hunslet near Leeds, Yorkshire, glass-bottle maker, Jan. 10 at 12, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

James Fairman, Great St. Helen's, London, commission agent.—*Thomas W. Sharland*, Liverpool, tea broker.—*H. James*, Ruahall, Staffordshire, miller.—*John Meek*, Wolverhampton, Staffordshire, victualler.

PARTNERSHIP DISSOLVED.

Peter Catterall and *Paul Catterall* the younger, Preston, Lancashire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

John Cuthbertson, deceased, Pollockshaws, surgeon.—*John M' Laren*, Blairgowrie, Perthshire, draper.—*Peter Sharp*, Jedburgh, brewer.—*Henry Donovan & Co.*, Leith, commission merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Sprosen, Stoke Pogis, Buckinghamshire, grocer,

Jan. 12 at 10, County Court of Berkshire, at Windsor.—*James Holcroft*, Dudley, Worcestershire, mechanical engineer, Dec. 23 at 9, County Court of Worcestershire, at Dudley.—*Edward Emery*, Walsall, Staffordshire, bridle cutter, Dec. 16 at half-past 9, County Court of Staffordshire, at Walsall.—*Jack T. Whatford*, Brighton, Sussex, surgeon dentist, Jan. 1 at 10, County Court of Sussex, at Brighton.—*John Andrew Hewish*, Brighton, Sussex, tailor, Dec. 18 at 10, County Court of Sussex, at Brighton.—*Wm. Twynson*, Colne, Lancashire, licensed innkeeper, Dec. 29 at 12, County Court of Lancashire, at Colne.—*Thos. Dix*, Liverpool, dealer in boots and shoes, Dec. 20 at half-past 10, County Court of Lancashire, at Liverpool.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Shropshire, at SHREWSBURY, Dec. 21 at 10.

Daniel Herbert, Shrewsbury, innkeeper.

At the County Court of Sussex, at LEWES, Dec. 28.

Harry Spears, Burwash, farmer.—*Paul Pohlen*, Brighton, milliner.—*James Fiddeman*, Brighton, out of business.

TUESDAY, DECEMBER 14.

BANKRUPTS.

JOHN SPRATT, Sloane-st., and Exeter-st., Sloane-street, Chelsea, Middlesex, coachbuilder, Dec. 23 at half-past 12, and Jan. 24 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Chidley, Gresham-street.—Petition presented Nov. 9.

WILLIAM ROBINSON, Grand Junction-terrace, Edgeware-road, Middlesex, upholsterer, Dec. 28 at 1, and Jan. 25 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sole & Co., 68, Aldermanbury, London.—Petition filed Dec. 8.

ALFRED BUNNETT, Bridgehouse-place, Newington-causeway, Surrey, window blind manufacturer, dealer and chapman, Dec. 27 at 11, and Jan. 28 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Teague, 5, Crown-court, Cheapside.—Petition filed Dec. 13.

JOHN ASKEY, Shelton, Staffordshire, timber merchant, dealer and chapman, Jan. 8 and 31 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Llewellyn, Tunstall; Hodgson, Birmingham.—Petition filed Dec. 9.

WILLIAM WALTON, Leamington Priors, Warwickshire, baker, dealer and chapman, Dec. 30 and Jan. 19 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Poole & Son, Southam; Hodgson, Birmingham.—Petition filed Dec. 1.

STEPHEN DUDGEON, Litchurch, Derbyshire, builder, and retailer of beer, Jan. 7 and 21 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Bowley, Nottingham; Hodgson, Birmingham.—Petition filed Dec. 13.

GEORGE HIRST, Horncot, Foolstones, Kirkburton, Yorkshire, manufacturer, dealer and chapman, Jan. 10 at half-past 11, and Jan. 31 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Turner, Huddersfield; Bond & Barwick, Leeds.—Petition filed Dec. 4.

MEETINGS.

John Robinson, Nassau-place, Commercial-road East, and Cannon-st.-road, Middlesex, wholesale clothier, Dec. 22 at 12, Court of Bankruptcy, London, last ex.—*Jas. Fred. Lawrence*, Wookey Hole, near Wells, Somersetshire, paper maker, Dec. 31 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Jan. 7 at 11, div.—*Mary Pouracre*, Wigan, Lancashire, innkeeper, Dec. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. Miller*, Conduit-st. West, Paddington, Middlesex, corn dealer, Jan. 7 at half-past 12, Court of Bankruptcy, London, div.—*Henry Tinsch*, Hatton-garden, Middlesex, dealer in bibles, Jan. 11 at 11, Court of Bankruptcy, London, div.—*Rich. Jas. Dangerfield*, Dunstable, Bedfordshire, printer, Jan. 11 at 12, Court of Bankruptcy, London, div.—*Philip Rufford*, *Francis Rufford*, and *Chas. John Wragge*, Stourbridge, Worcestershire, bankers, Jan. 8 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*John*

Crowdson, Wigan, Lancashire, money scrivener, Jan. 4 at 12, District Court of Bankruptcy, Manchester, div.—*Henry M'Grotty*, Liverpool, merchant, Jan. 6 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry M'Grotty, Liverpool, merchant, Jan. 6 at 12, District Court of Bankruptcy, Liverpool.—*Thomas Bell* and *Ambrose Champ*, Liverpool, provision dealers, Jan. 7 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Roger Upton, Dawlish, Devonshire, grocer.—*John Bell Armstrong*, Manchester, tailor.—*Henry Addis* and *William Onions*, Gloucester, vinegar manufacturers.—*William Watson*, Craven-street, Strand, Middlesex, wine merchant.

SCOTCH SEQUESTRATIONS.

John White, Slayhill, Shotts, Lanarkshire, ironstone contractor.—*Thos. Thompson*, Perth, china merchant.—*Michael Quigley*, Glasgow, general dealer.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edwin Rowe, Teignmouth, Devonshire, grocer, Jan. 15 at 10, County Court of Devonshire, at Newton Abbot.—*William Parker*, Teignmouth, Devonshire, grocer, Jan. 15 at 10, County Court of Devonshire, at Newton Abbot.—*John Monday*, Gunville, Carisbrooke, Isle of Wight, Hampshire, out of business, Dec. 31 at 10, County Court of Hampshire, at Newport.—*Thomas Melville*, Petworth, Sussex, tailor, Dec. 24 at 12, County Court of Sussex, at Petworth.—*Harry Davis White*, Melcombe Regis, Dorsetshire, upholsterer, Jan. 13 at 10, County Court of Dorsetshire, at Weymouth.—*R. Travis*, Oldham, Lancashire, bricklayer, Dec. 17 at 11, County Court of Lancashire, at Oldham.

Saturday, Dec. 11.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

George Henry Pritchard, Bristol, out of business, No. 75,747 C.; *Henry A. Salmon*, assignee.—*Manuel E. Durg*, Stamford-street, Blackfriars-road, Surrey, in no trade, No. 63,264 T.; *Thomas Phipps*, assignee.—*G. B. Baker*, Combs, near Stowmarket, Suffolk, in no business, No. 75,479 C.; *E. Oxborrow*, assignee.—*James Lessiter*, Whitley, Melksham, Wiltshire, cheese dealer, No. 75,699 C.; *Edward Hoskins*, assignee.—*Richard Place*, Hinckley, Leicestershire, book-keeper, No. 75,721 C.; *P. Dudley*, assignee.—*W. Southworth*, Chorley, Lancashire, licensed victualler, No. 75,560 C.; *James Heyworth*, assignee.—*Patrick Campbell*, Bishop Auckland, Durham, innkeeper, No. 75,666 C.; *Edward Dodds* and *John Robson*, assignees.—*Henry Wilkinson*, Hadleigh, Suffolk, bricklayer, No. 74,724 C.; *John Clary*, assignee.—*Jacob Schwarz*, Bedford, dealer in German clocks; *John Westhorn* and *James Loghan*, assignees.—*Peter Hammond*, York, baker, No. 75,779 C.; *John C. Fawcett*, assignee.—*Jas. Clarke*, Bradford, Yorkshire, cigar dealer, No. 75,775 C.; *T. Milner*, assignee.

Saturday, Dec. 11.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Peter Burrell, Park-place, Camberwell-grove, Surrey, accountant; in the Gaol of Surrey.—*George Godden*, Goodge-street, Tottenham-court-road, Middlesex, tallow chandler; in the Queen's Prison.—*J. B. Townsend*, Counter-st., Borough-market, Surrey, fruit salesman; in the Queen's Prison.—*John Donaldson*, North Cumming-street, Pentonville, Middlesex, land steward; in the Debtors Prison for London and Middlesex.—*Elias Wise*, Mortimer-house, Battersea-fields, Battersea, Surrey, out of employ; in the Debtors Prison for London and Middlesex.—*Thos. Wm. Allen*, St. George's-road, Southwark, Surrey, out of business; in the Debtors Prison for London and Middlesex.—*James Green*, Nichols-square, Hackney-

road, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*Sir H. Elphinstone*, Bart., Perceval's Hotel, Arundel-street, Haymarket, Middlesex, barrister at law: in the Queen's Prison.—*John Walter Dowlin*, Market-place, Finchley, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*John Lloyd*, Earl's-terrace, Kensington, Middlesex, in no profession: in the Queen's Prison.—*Alfred Eldret*, Russell-court, Drury-lane, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*J. Bishop*, Cottenham-rd., Upper Holloway, Middlesex, licensed retailer of beer: in the Debtors Prison for London and Middlesex.—*Henry Woolcott*, New Oxford-street, Middlesex, fringe manufacturer: in the Debtors Prison for London and Middlesex.—*Thomas Terrey*, Horne, near Godstone, Surrey, beer-shop keeper: in the Gaol of Surrey.—*John Bullen*, Jonson's-place, Harrow-road, Paddington, Middlesex, labourer: in the Debtors Prison for London and Middlesex.—*R. Newman*, Union-road, Coburg-road, Old Kent-road, Surrey, out of business: in the Gaol of Surrey.—*J. Nurton*, Clarges-st., Piccadilly, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Richard George Curnick*, Chapel-place, Lower Norwood, Surrey, stonemason: in the Gaol of Surrey.—*James Booth*, Ovensden, near Halifax, Yorkshire, joiner: in the Gaol of York.—*John Rawson*, Halifax, Yorkshire, hatter: in the Gaol of York.—*James Turner*, Leeds, Yorkshire, grocer: in the Gaol of York.—*W. Thomas*, Capelnewydd, Llanelly, Carmarthenshire, builder: in the Gaol of Carmarthen.—*Daniel Herbert*, Frankwell, Shrewsbury, Shropshire, innkeeper: in the Gaol of Shrewsbury.—*Edwin Baker*, Broughton, near Kettering, Northamptonshire, saddler and harness maker: in the Gaol of Northampton.—*Samuel G. Read*, Norwich, coal merchant: in the Gaol of Norwich.—*William Knight*, Hereford, dealer in cattle: in the Gaol of Hereford.—*Patrick Corcoran*, Leeds, Yorkshire, whitesmith: in the Gaol of York.—*Robert S. Holroyd*, Hulme, Manchester, out of business: in the Gaol of Lancaster.—*E. Price*, Liverpool, tailor: in the Gaol of Lancaster.—*Richard H. Howe*, Ipswich, Suffolk, tailor: in the Gaol of Ipswich.—*Isaac Holt*, Ashton-under-Lyne, Lancashire, hosier: in the Gaol of Lancaster.—*John M. Little*, Manchester, plumber: in the Gaol of Lancaster.—*W. T. Clark*, Swaffham Bulbeck, Cambridgeshire, victualler: in the Gaol of Cambridge.—*G. French*, Melbourn, Cambridgeshire, bricklayer: in the Gaol of Cambridge.—*George Court*, Timberscombe, near Dunster, Somersetshire, cattle doctor: in the Gaol of Wilton.—*Wm. Johnson*, Walton, near Liverpool, coal proprietor: in the Gaol of Lancaster.—*James Whittle*, Chorley, Lancashire, joiner: in the Gaol of Lancaster.—*Simon Rendall*, Sherwood, near Newton, St. Cyres, Devonshire, attorney: in the Gaol of St. Thomas the Apostle.—*Frederick H. Cooper*, Wolverhampton, Staffordshire, commission agent: in the Gaol of Stafford.—*James Thompson*, Lanchester, Durham, druggist: in the Gaol of Durham.—*John Wood*, Liversedge, Yorkshire, machine maker: in the Gaol of York.—*Samuel Wood*, Liversedge, Yorkshire, machine maker: in the Gaol of York.—*William Wood*, Liversedge, Yorkshire, machine maker: in the Gaol of York.—*Joseph Thornton*, Kirkheaton, near Huddersfield, Yorkshire, innkeeper: in the Gaol of York.—*Edwin Bate*, Manchester, printer: in the Gaol of Lancaster.—*Thos. Kell*, Hulme, Manchester, printer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, Dec. 30 at 10.

Wm. Heath, Cheltenham, tailor.—*Samuel Bullock*, Charlton Kings, near Cheltenham, cabinet maker.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Hill, Somerset-place, Somerset House, Strand, Middlesex, office keeper: 2s. 6d. (making 4s. 2½d.) in the pound.—*Robert Tait*, Skelton-st., Greenwich, Kent, saddler: 3s. 6d. (making 5s. 7d.) in the pound.—*Adam Grinton*, Prospect-row, Woolwich, Kent, clerk in the Royal Arsenal, Woolwich: 8d. (making 1s. 4d.) in the pound.—*Edward Barr*, Bridport-place, New North-road, Hoxton, Middlesex, collecting clerk to an upholsterer: 1s. 8½d. (making 5s. 8½d.) in the pound.—*John Allen*, Downing-street, Westminster, captain in her Majesty's Navy: 2s. 6½d. (making 13s. 10½d.)

in the pound.—*Thos. Riddell*, Kennington-street, Walworth-road, Surrey, out of business: 4s. 2d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Thomas F. Wilmot, Harby, Nottinghamshire, butcher, Dec. 31 at 3, Saracen's Head, Lincoln, sp. aff.

WILLIAMS'S LAW OF REAL PROPERTY.

Just published, in 1 vol. 8vo., 3rd edit., 18s. cloth boards, PRINCIPLES OF THE LAW OF REAL PROPERTY, intended as a First Book for the use of Students in Conveyancing. By JOSHUA WILLIAMS, Esq., of Lincoln's-inn, Barrister at Law. S. Sweet, 1, Chancery-lane.

And also,

BEAUMONT'S NEW COPYHOLD ENFRANCHISEMENT ACT.

Just published, 12mo., price 2s. sewed, THE NEW COPYHOLD ENFRANCHISEMENT ACT, 15 & 16 Vict. c. 51, with Notes, and full Abstract of the preceding Acts; including also Plain Directions for Copyhold Valuers, and Short Tables of Values of Life Estates. By G. D. BARBER BEAUMONT, Esq., Barrister at Law.

WISE'S COMMON LAW PROCEDURE ACT.

Just published, price 10s. 6d. cloth boards, THE COMMON-LAW PROCEDURE ACT, 15 & 16 Vict. c. 76, arranged in a Practical Form, with an Introductory Analysis of the Changes effected by the Statute; Explanatory Notes, and copious Index. By EDWARD WISE, Esq., of the Middle Temple, Barrister at Law.

NEW BANKRUPTCY RULES AND ORDERS.

Just published, in 12mo., price 3s. 6d., THE NEW RULES AND ORDERS made in pursuance of the Bankrupt Law Consolidation Act; with the Schedules of Forms in full, useful Notes, and a copious Index. By a BARRISTER of the Middle Temple. S. Sweet, 1, Chancery-lane.

Also, preparing for publication, a Second Edition of the BANKRUPT LAW CONSOLIDATION ACT, 1849, with the Decisions thereon; all the Rules, Notes, and Index. By EDWARD WISE, Esq., of the Middle Temple, Barrister at Law.

NEW LAW REFORMS.

Just published, THE NEW COUNTY COURT ACT.—An Act to facilitate and arrange Proceedings in the County Courts, 15 & 16 Vict. c. 54, with Notes, containing Practical Observations upon its Provisions, and some of the recent Decisions upon Points of Practice; together with the Absconding Debtors Act, 14 & 15 Vict. c. 52, being a Supplement to the Practice of the County Courts. By CHARLES EDWARD POLLOCK, Esq., of the Inner Temple. Price 1s. 6d. sewed. S. Sweet, 1, Chancery-lane.

BANKRUPTCY NEW RULES AND ORDERS.—SECOND EDITION.

Now ready, price 2s. sewed, THE NEW RULES AND ORDERS in BANKRUPTCY, under "The Bankrupt Law Consolidation Act." Second Edition, with an Index. By a BARRISTER. Stevens & Norton, 26, Bell-yard, Lincoln's-inn.

This day is published, in 12mo., price 8s. cloth, BRAITHWAITE'S EPITOME OF THE NEW CHANCERY PRACTICE.

AN EPITOME OF THE NEW CHANCERY PRACTICE, containing the Acts 15 & 16 Vict. cc. 80, 86, and 87, and all the General Orders hitherto made in pursuance thereof; so arranged as to give a connected reading to the Acts and Orders. With an Appendix containing the Acts and Orders. By THOMAS W. BRAITHWAITE, of the Record and Writ Clerks' Office. Stevens & Norton, Bell-yard, Lincoln's-inn.

STARKIE'S LAW OF EVIDENCE.—FOURTH EDITION.

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The Jurist

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LONDON, DECEMBER 25, 1852.

It is well known to be the settled practice of conveyancers, on the winding up of a trust, whether under an express trust or under an executorship, to require on the one side, and to concede on the other, that the trustees should have a release under seal. Their legal right to this, however, in all cases and under all circumstances, was denied in *Chadwick v. Heatley*, (2 Coll. 137). In that case there was a sum of money invested in the names of trustees, upon trust, in the events which had happened at the time of the institution of the suit, for two persons, Adam Chadwick and Frances Chadwick. There had been an annuity charged upon, and a life interest in, this fund, and transactions in respect to realising the trust funds, and the administration of the trusts. The Court held that it was justifiable in the cestuis que trust to refuse to execute a general release by deed. The Vice-Chancellor said, "I am not of opinion that it was competent to the surviving trustee to insist upon having that deed executed, in the circumstances of this case, or of any such case." This case establishes a clear rule, so far as regards the case of what is commonly called winding up a trust or executorship account—that is, where the trusts have been regularly worked out, all that remains to be done is to hand over the fund to those who are then actually entitled under the ultimate trust; but it does not go further. We should have inferred from it, however, that, as a general rule, wherever the trust fund is called for by those who, under or by

the effect of the trusts, make an absolute title to it, the trustee would not be entitled to a release under seal, but only to an examination of his accounts, and a receipt sufficiently certifying that those accounts are correct, and that the sum received is all that the cestuis que trust are entitled to. Indeed, it is not easy to see what is the substantial difference in equity between a release under seal, and an acknowledgment under hand, admitting a correct settlement of accounts; for it is perfectly certain, that in a suit against a trustee for an account, specifically alleging unfair accounts and dealings, a plea of release by deed is no more a defence to the discovery, and to the re-opening of the account, than a plea of a settled account. In either case the Court will compel discovery, and, if the discovery justifies it, will take the account over again. To say that a release under seal is a better protection for the trustee, because a release might be pleaded at law by way of estoppel, and that no evidence could be let in to falsify it, seems to be of little weight, because, generally speaking, an action at law will not lie against a trustee for a trust fund. However, whatever may be the intrinsic value, to a trustee, of a release, as compared with a receipt and certificate of the accounts having been examined and found correct, a very recent case of *King v. Mullins*, before Sir R. T. Kindersley, V. C., has decided in what cases a trustee may in equity insist upon having a release under seal. In that case a trust had been created for A. for life, remainder to B. for life, and to provide for the expenses of her funeral, remainder to the two children of B. absolutely. A. was dead, and B. and her two

children called upon the trustee to pay the money to them. The Court held that the rule was this—that where there is a clearly declared trust, and the fund is ascertained, and the trustee is paying the trust fund in accordance with the strict terms of the trust, there he is not entitled to a release; but where, as in the case before him, upon the very terms of the trust, they cannot be completely carried out till some future event—in other words, where, although the claimants shew a title, joining together to receive the fund, they do not do so in strict accordance with the tenor of the trusts, there the trustee has a right to require a release by deed. The rule thus laid down is clear, and does not seem open to observation on principle; but it does seem open to doubt whether, in strictness, it would apply to the mere case of a trust for A. for life, remainder to B., and A. and B. join in requiring the fund; for inasmuch as A. and B. have a clear right, by merging the life estate, to accelerate the vesting in possession of the remainder—and such right is an incident to the estate created by the trust—it seems to follow, that in such a case, when the tenant for life and the remainderman choose to accelerate the remainder, payment to them both, or to either by the direction of the other, is as much a payment in strict accordance with the tenor of the trust, as the payment of the income to the tenant for life, and of the principal at his death to the tenant in remainder.

PUBLIC EXAMINATION.—HILARY TERM, 1853.

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treasurer's office of the Inn of Court to which he belongs on or before Wednesday, the 12th day of January next, and he will further be required to state in writing whether his object in offering himself for examination is to compete for a studentship or other honourable distinction, or whether he is merely desirous of obtaining a certificate preliminary to a call to the Bar.

The examination will commence on Saturday, the 22nd of January next, and will be continued on the Monday and Tuesday following.

Each of the three days of examination will be divided as under:—

From half-past nine A.M. to half-past twelve.

From half-past one P.M. to half-past four.

The examination will be partly oral and partly conducted by means of printed questions, to be delivered to the students when assembled for examination, and to be answered in writing.

The oral examination and printed questions will be founded on the books below mentioned, regard being had, however, to the particular object with a view to which the student presents himself for examination.

In determining the question whether a student has passed the examination in such a manner as to entitle him to be called to the Bar, the examiners will principally have regard to the general knowledge of law and jurisprudence which he has displayed.

The READER ON CONSTITUTIONAL LAW and LEGAL HISTORY proposes to examine on the following books:—

Hallam's Constitutional History, vols. 1 and 2; Clarendon's History of the Rebellion, vols. 1 and 2; May's History of Parliament; Rapin's History of the Reigns of Elizabeth to James the Second, inclusive.

Those who present themselves to obtain distinction will be examined more minutely, and expected to answer more difficult questions, drawn from the same sources, and to be acquainted with the important statutes and trials of the period; and also to answer questions relating to the progress and alterations of English law during the aforesaid reigns.

The READER ON EQUITY will examine in the following books:—

1. Mitford on Pleadings in the Court of Chancery; Calvert on Parties to Suits in Chancery, chaps. 1 and 2; Story on Equity Jurisprudence, vol. 1, and chaps. 17 and 18, vol. 2; the Act for the Improvement of Equity Jurisdiction, 15 & 16 Vict. c. 86.

2. Sir James Wigram's Points in the Law of Discovery, “Defence by Plea;” the remainder of Story's Equity Jurisprudence, vol. 2; the principal cases in White and Tudor's Leading Cases, vols. 1 and 2.

Candidates for certificates of fitness to be called to the Bar will be expected to be well acquainted with the books mentioned in the first of the above classes.

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Candidates for a certificate will be examined exclusively in Bowyer—Modern Civil Law, chaps. 1—12; Mackintosh—Law of Nature and Nations; Spence—Equitable Jurisdiction of Court of Chancery, part 1, book 1, chap. 7; Story—Conflict of Laws, chapter on "Capacity of Persons."

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BOOKS.—Class I.

2 Blackst. Com., or 1 Steph. Com., book 2; 1 Spence, Eq. Jur., book 2, chap. 4; book 3, chaps. 1—7; Cru. Dig., tit. 11, 12, 16; Butler's Notes to Co. Litt., 191 a., ss. 2, 5; 271 b.

Class II.

Shelford on Mortmain, chap. 3; Roper on Legacies, chap. 19; Lewis on Perpetuity; and Jarman on Wills, with reference to the 1 Vict. c. 26, ss. 28, 29.

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Students offering themselves for the public examination, and not going out in honours, will be expected to be well acquainted with the books and subjects comprised in Class I.

Students offering themselves for the public examination, and who are candidates for studentships or honours, will be expected to answer questions drawn from the books and subjects comprised in Class I and Class II.

The READER on COMMON LAW proposes to examine in the following subjects and books:—

Class I.

As to the Nature of the Common Law generally, (Steph. Com., vol. 1, Introd., s. 3).

The Law of Principal and Agent, and of Bills of Exchange and Promissory Notes, (so far as treated of in Smith's Merc. Law, 4th ed., book 1, chap. 5, and book 3, chap. 1).

The Law respecting Tenancies from Year to Year, and for shorter periods, (Woodfall on Landlord and Tenant, 6th ed., book 1, chap. 5, ss. 1, 2).

The Law respecting Larceny and Obtaining Money by False Pretences, (Arch. Cr. Pl., 12th ed., book 2, part 1, chap. 1, ss. 1, 3).

Class II.

The Law of Partnership and Corporations, (so far as treated of in Smith's Merc. Law, 4th ed., book 1, chaps. 2 and 4).

The Law of Distress, (Woodfall on Landlord and Tenant, 6th ed., book 2, chap. 2, ss. 1, 2, 3).

The cases of *Ashby v. White* (1 Smith's L. C. 105) and *Marriott v. Hampton*, (2 Smith's L. C. 237), with the notes thereto.

The Common-law Procedure Act, 15 & 16 Vict. c. 76, so far as it treats of the writ, appearance, joinder of parties, and of causes of action, (ss. 1—41).

Students desiring merely to obtain a certificate to be called to the Bar will be examined in the books and subjects comprised in Class I.

Candidates for studentships or honours will be expected to be familiar with the books and subjects specified in both the above classes, and also with leading cases, if any, bearing upon the several branches of law therein enumerated, decided since the last editions of the books above mentioned.

By order of the Council,

RICHARD BETHELL, Chairman.

Council Chamber, Lincoln's Inn,

December 11, 1852.

REGULA GENERALIS.

ORDER OF COURT.—Dec. 16, 1852.

The Right Honourable EDWARD BURTENSHAW Lord ST. LEONARD's, Lord High Chancellor of Great Britain, doth hereby, in pursuance of an act of Parliament passed in the fifteenth and sixteenth years of the reign of her present Majesty, intituled "An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court," and in pursuance and execution of all other powers enabling him in that behalf, order and direct as follows:—

I. The business to be referred to the conveyancing counsel nominated by the Lord Chancellor, under the 15 & 16 Vict. c. 80, s. 41, is to be distributed among such counsel, in rotation, by the first clerk to the Registrars for the time being, and during his occasional or necessary absence by the second clerk to the Registrars for the time being, and during the occasional or necessary absence of both such clerks, then by such one of the other clerks to the Registrars as the first Registrar for the time being may nominate for the purpose.

II. The clerk making such distribution as aforesaid is to be responsible that the business is distributed according to regular and just rotation, and in such manner as to keep secret from all persons the rota or succession of conveyancing counsel to whom such business is referred; and it shall be his duty to keep a record of such references, with proper indexes, and to enter therein all such references.

III. When the Court, or a Judge sitting at chambers, shall direct any business to be referred to any such conveyancing counsel, a short memorandum or minute of such direction is to be prepared and signed by the Registrar, if the same shall have been given in court, or by the Judge's Chief Clerk if given in chambers, and the party prosecuting such direction, or his solicitor, is to take such memorandum or minute to the Registrar's clerk, whose duty it shall be to make such distribution as aforesaid; and such clerk is to add at the foot thereof a note specifying the name of the conveyancing counsel in rotation to whom such business is to be referred, and such memorandum or minute is to be left by the party prosecuting such direction, or his solicitor, with such conveyancing counsel, and shall be a sufficient authority for him to proceed with the business so referred.

IV. In case the conveyancing counsel in rotation shall, from illness or from any other cause, be unable or decline to accept any such reference, the same shall be offered to the other conveyancing counsel appointed as aforesaid successively, according to their seniority at the Bar, until some one of them shall accept the same.

V. The preceding Orders are not to interfere with

the power of the Court, or of the Judge sitting at chambers, to direct or transfer a reference to any one in particular of the said conveyancing counsel, where the circumstances of the case may, in his opinion, render it expedient.

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Court of Queen's Bench.

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2nd sitting,	Wednesday	19	
3rd sitting,	Wednesday	26	
			} For undefended causes only.

After Term.—Tuesday, Feb. 1.

LONDON.—In Term.

1st sitting	Monday	Jan. 17
2nd sitting	Monday	24

[Any common jury cause may be taken in term.]

After Term.—Saturday, Feb. 12.

The Court will sit at ten o'clock on every day. The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Thursday Jan. 13	Monday Jan. 17
Thursday 20	Monday 24

After Term.

Tuesday Feb. 1	Saturday Feb. 12
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The Court will sit during and after term at ten o'clock. The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Wednes., Jan. 12	1st sitting, Monday .. Jan. 17
2nd sitting, Wednesday .. 19	2nd sitting, Monday 24
3rd sitting, Wednesday .. 26	

After Term.

Tuesday Feb. 1	Wednesday Feb. 2
	(To adjourn only).

The Court will sit during and after term at ten o'clock. The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of. In each of the London Sittings, during term, there will be two days for the trial of causes.

London Gazettes.

FRIDAY, DECEMBER 17.

BANKRUPTS.

ROBERT SEWELL BOULTER, Mount-row, Westminster-road, Lambeth, Surrey, tailor, dealer and chapman, Jan. 1 at half-past 2, and Jan. 28 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Pain, 5, Gresham-street, London.—Petition dated Dec. 18.

JAMES KENT VOTE, Albion-square, Dalston, Middlesex, builder, Dec. 30 at 11, and Jan. 24 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Taylor, 15, South-street, Finsbury.—Petition filed Dec. 11.

CHARLES JACOB, Ingram-court, Fenchurch-street, London, merchant, dealer and chapman, Jan. 1 and 29 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Marten & Co., Commercial Sale-rooms, Mincing-lane.—Petition dated Dec. 14.

WILLIAM WELLINGTON, Brindley-street, Harrow-road, Paddington, Middlesex, builder, Dec. 28 and Jan. 28 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Wilson, 16, Gresham-st., London.—Petition filed Dec. 14.

SAMUEL SALTER, Hunton-bridge, Abbots Langley, Hertfordshire, maltster and mealman, Jan. 1 at 2, and Jan. 28 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Cowley, Watford, Hertfordshire; Sanger, 4, Essex-court, Temple.—Petition dated Dec. 14.

WILLIAM SHOBERL, Great Marlborough-street, and St. John's-wood-terrace, St. John's-wood, Middlesex, publisher, bookseller, dealer and chapman, Dec. 28 at 2, and Jan. 28 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrance & Co., 14, Old Jewry-chambers, London.—Petition filed Dec. 7.

BENJAMIN JAMES, Newport, Monmouthshire, builder, Dec. 28 and Jan. 25 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Philippotts, Newport; Bevan, Bristol.—Petition filed Dec. 14.

JOHN ATKINSON, Kingston-upon-Hull, seed crusher, Jan. 12 and Feb. 2 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Shackles & Son, Kingston-upon-Hull.—Petition dated Dec. 9.

COLLINGWOOD TULLY, Sunderland, Durham, ship-owner and merchant, Dec. 30 at 12, and Feb. 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed Dec. 4.

CHRISTIAN BRUCE REID, Newcastle-upon-Tyne, common brewer and maltster, Dec. 30 at 11, and Feb. 11 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hodge, Newcastle-upon-Tyne; Sedlows & Co., 38, Bedford-row, London.—Petition filed Dec. 11.

COLE HARRISON, Sunderland-by-the-Sea, Durham, linen-draper, Dec. 24 and Jan. 31 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Rawson & George, Bradford, Yorkshire; J. J. & G. W. Wright, Sunderland; Parker, 18, St. Paul's-churchyard, London.—Petition dated Dec. 4.

MEETINGS.

Frederick Loader, Berkhamstead, Hertfordshire, tailor, Jan. 11 at 12, Court of Bankruptcy, London, and. sc.—Charles Clarke, Percy Cross Nursery, Waltham-green, Fulham, Middlesex, market gardener, Jan. 7 at 12, Court of Bankruptcy, London, and. sc.—Joseph M'Murray, Liverpool, merchant, Dec. 30 at 11, District Court of Bankruptcy, Liverpool, and. sc.—Henry M'Groddy, Liverpool, merchant, Dec. 30 at 11, District Court of Bankruptcy, Liverpool, and. sc.—Anson Hardy, Liverpool, commission merchant, Dec. 30 at 11, District Court of Bankruptcy, Liverpool, and. sc.—Charles O'Neill, Birmingham, metal dealer, Jan. 12 at 11, District Court of Bankruptcy, Birmingham, and. sc.; Jan. 19 at 11, div.—Thomas Bentley Andrew, Ashton-under-Lyne, Lancashire, tea dealer, Dec. 28 at 12, District Court of Bankruptcy, Manchester, and. sc.—John Moulton, Hulme, Manchester, joiner, Dec. 28 at 12, District Court of Bankruptcy, Manchester, and. sc.; Jan. 10 at 12, div.—Thos. Staley, Stockport, Cheshire, grocer, Dec. 29 at 12, District Court of Bankruptcy, Manchester, and. sc.; Jan. 10 at 12, div.—Joseph Ashworth, Bury, Lancashire, gardener, Dec. 28 at 12, District Court of Bankruptcy, Manchester, and. sc.; Jan. 10 at 12, div.—Thos. Lawson, Bury, Lancashire, draper, Dec. 28 at 12, District Court of Bankruptcy, Manchester, and. sc.; Jan. 10 at 12, div.—Wm. Taylor and Jas. Wylds, Wood-st., London, and Lock's-fields, Walworth, Surrey, flock wadding manufacturers, Jan. 8 at half-past 12, Court of Bankruptcy, London, div.—Walter Yonge, Strand, Middlesex, watchmaker, Jan. 8 at half-past 1, Court of Bankruptcy, London, div.—John Stevens, Bermondsey-wall, Bermondsey, Surrey, mill-maker, Jan. 8 at half-past 11, Court of Bankruptcy, London,

div.—*George Ball*, Fenchurch-st., London, wine merchant, Jan. 8 at 11, Court of Bankruptcy, London, div.—*J. Darby*, Dorset-mews, Dorset-square, Middlesex, horse dealer, Jan. 7 at half-past 11, Court of Bankruptcy, London, fin. div.—*Skute Barrington Moody*, Fenchurch-street, London, and George-town, Demerara, British Guiana, colonial engineer, Jan. 7 at 1, Court of Bankruptcy, London, div.—*John Sculthorpe*, Brickhill-lane, Upper Thames-st., London, colourman, Jan. 11 at 1, Court of Bankruptcy, London, div.—*Wm. Milner Harker*, Little Moorfields, London, currier, Jan. 14 at 11, Court of Bankruptcy, London, div.—*Thomas Crocker*, Wisbeach, Isle of Ely, Cambridgeshire, sailmaker, Jan. 13 at 11, Court of Bankruptcy, London, div.—*Robert Willson*, Cambridge, grocer, Jan. 13 at 1, Court of Bankruptcy, London, div.—*Frederick Wale*, Leicester, draper, Jan. 14 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*Chas. Wm. Williamson*, Birmingham, baker, Jan. 10 at 10, District Court of Bankruptcy, Birmingham, first and fin. div.—*Samuel Boyle*, Fenton, Staffordshire, manufacturer of china, Jan. 10 at 10, District Court of Bankruptcy, Birmingham, div.—*Wm. Cox Buchanan*, Dursley, Gloucestershire, money scrivener, Jan. 21 at half-past 11, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Robert Willson, Cambridge, grocer, Jan. 13 at 1, Court of Bankruptcy, London.—*Richard Whittaker*, Landport, Hampshire, outfitter, Jan. 10 at 11, Court of Bankruptcy, London.—*Wm. Milner Harker*, Little Moorfields, London, currier, Jan. 14 at 11, Court of Bankruptcy, London.—*Wm. Wellington and Robert Butlerfield*, King's-road, Brighton, Sussex, lacemen, Jan. 11 at 1, Court of Bankruptcy, London.—*Geo. Clarke Pauling and Robert Chapman Sharp*, Manchester, merchants, Jan. 10 at 12, District Court of Bankruptcy, Manchester.—*Alfred Newbold and Edw. Newbold*, Birmingham, drapers, Jan. 18 at 11, District Court of Bankruptcy, Birmingham.—*Charles Henry Canning*, Birmingham, draper, Jan. 10 at 10, District Court of Bankruptcy, Birmingham.—*Edward Nicholls*, Stourbridge, Worcestershire, licensed victualler, Jan. 15 at 10, District Court of Bankruptcy, Birmingham.—*William Knight Broadhurst*, Fenton, Staffordshire, earthenware manufacturer, Jan. 8 at 10, District Court of Bankruptcy, Birmingham.—*Robert Shelton*, Wellington, Shropshire, saddler, Jan. 10 at 10, District Court of Bankruptcy, Birmingham.—*Thomas Staley*, Stockport, Cheshire, grocer, Jan. 10 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Robert Johnston, Macclesfield, Cheshire, silk manufacturer.—*Matthew Holmes*, Bilston, Staffordshire, victualler.—*S. Boyle*, Fenton, Stoke-upon-Trent, Staffordshire, china manufacturer.

PARTNERSHIP DISSOLVED.

John Gaskell and Thos. Frederick Taylor, Wigan, Lancashire, attorneys and solicitors.

SCOTCH SEQUESTRATION.

Joseph Leith, Portmahomack, Ross-shire, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Walter Phipps the elder, Birmingham, wholesale provision dealer, Dec. 24 at 10, County Court of Warwickshire, at Birmingham.—*Jacob Beesley*, Ashted New-town, near Birmingham, hinge manufacturer, Dec. 24 at 10, County Court of Warwickshire, at Birmingham.—*Edward Hopwood*, Birmingham, coach-spring maker, Dec. 24 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Marshall*, Aston, Warwickshire, managing clerk to an attorney, Dec. 24 at 10, County Court of Warwickshire, at Birmingham.—*William Townson*, Colne, Lancashire, licensed innkeeper, Dec. 29 at 12, County Court of Lancashire, at Colne.—*Benjamin Wood*, *John Firth*, *Jonas Wood*, and *Thomas Wood*, Lindley, near Huddersfield, Yorkshire, stonemasons, Dec. 30 at 10, County Court of Yorkshire, at Huddersfield.—*Samuel Broscob*, Huddersfield, Yorkshire, confectioner, Dec. 30 at 10, County Court of Yorkshire, at Huddersfield.—*J. Davy* the younger,

Exeter, shoemaker, Jan. 1 at 10, County Court of Devonshire, at Exeter.—*Frederick C. Vaughan*, Cardiff, Glamorganshire, grocer, Jan. 14 at 10, County Court of Glamorganshire, at Cardiff.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 1 at 10, before Mr. Commissioner LAW.

Henry Mountain, George's-place East, Russell-st., Bermondsey, Surrey, carman.—*Isaac John Murray*, Wellington-place, Lower-road, Deptford, Kent, boatswain.—*Walter D. Fuller*, Waterloo-road, Surrey, furniture japanner.—*William Wisbey*, Edmonton, Middlesex, out of business.—*H. Willis*, Chadwell Heath, Barking, Essex, hay dealer.—*Henry Morse*, Bridge-road, Hammermith, Middlesex, printer.—*George Pound*, Dean-street, Soho-square, Middlesex, lodging-house keeper.

Jan. 3 at 10, before Mr. Commissioner LAW.

Augustus Grafton, Sheffield-terrace, Kensington, Middlesex, major on the retired list of the Bombay Army, in the Honourable East India Company's Service.—*Richard Bentley*, High-street, Shadwell, Middlesex, pork butcher.—*Matthew Smith*, Nelson-place, Upper Fountain-place, City-road, Middlesex, bedstead maker.—*Charles Dowley*, Hill-st., Peckham, Surrey, artist.

Jan. 3 at 11, before Mr. Commissioner PHILLIPS.

Wm. Webb, Bermondsey-st., Southwark, Surrey, cheesemonger.—*Josiah J. Looejoy*, Tooting-common, Surrey, farm servant.—*James Randall*, Wellington-road, Bethnal-green, Middlesex, timber merchant.—*Wm. N. Dent*, Olive-terrace, Camberwell, Surrey, dealer in fancy goods.—*Adolphus Kaul*, Long-acre, Middlesex, watchmaker.—*G. Craven*, Robert's-place, Ball's Pond-road, Islington, Middlesex, out of business.—*Thomas Goddard*, London-road, Southwark, Surrey, baker.—*Charles Smith*, Alfred-terrace, Alfred-st., White Horse-lane, Stepney, Middlesex, deputy corn meter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 31 at 11, before the CHIEF COMMISSIONER.

Anthony Bernard Von Rathen, Putney, Surrey, engineer.—*George Birch* the elder, Wellington-road, Stockwell, Surrey, surgeon in the Royal Navy on half-pay.—*William Starking*, Upper Ebury-st., Fimlico, Middlesex, milk carrier.—*Charles Bridault*, Hamilton-place, Hyde-park, Middlesex, gentleman's cook.—*George Goldsmith*, Back Church-lane, Commercial-road East, Middlesex, beer-shop keeper.

Dec. 31 at 10, before Mr. Commissioner LAW.

Adrien Jacques Gandois, Portland-terrace, Victoria-road, Dalston, Middlesex, fancy box maker.—*John Walter Dowden*, Finchley, Middlesex, grocer.—*J. Blaster Townsend*, Counter-street, Borough, Surrey, potato salesman.—*John Patton*, Bedfordbury, New-street, Covent-garden, Middlesex, assistant to a licensed victualler.

Dec. 31 at 11, before Mr. Commissioner PHILLIPS.

Thomas Tanner Bayly, Swinton-street, Gray's-inn-road, Middlesex, ship agent.—*Wm. Burt*, South-terrace, Brompton, Middlesex, lieutenant in the Royal Navy.—*D. Bowen*, Chester-terrace, Borough-road, Southwark, Surrey, commission agent.—*Peter Burrell*, Park-place, Camberwell-grove, Camberwell, Surrey, accountant.—*John Donaldson*, North Cumming-st., Pentonville, Middlesex, land steward.—*Wm. Lidars*, Southampton-street, Pentonville, Middlesex, farrier.—*R. Wallis*, Banner-square, Banner-street, St. Luke's, Middlesex, shopman to a cheesemonger.

Jan. 3 at 10, before Mr. Commissioner LAW.

Wm. Joseph Tuck, Church-street, Hackney, Middlesex, pastrycook.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Richard Kaye, Tranmere, near Liverpool, butcher; *Sylvester Matison*, assignee.—*Mathew Taylor*, Hutton, near

Preston, farmer; Robert Willacy, assignee.—*William Morrison*, Everton, Liverpool, out of business; P. G. Wilson, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Dec. 31 at 11.

James Walsh, Newton-beath, Manchester, out of business.—*Thos. Arnold*, Highland's Brow, near St. Helens, labourer.—*Nathaniel Maude*, Mossley, Ashton-under-Lyne, out of business.—*Isaac Holt*, Ashton-under-Lyne, out of business.—*Thomas Goodier*, Preston, mechanic.—*Robert Stangfeld Holroyd*, Manchester, out of business.—*Wm. Johnson*, Walton, near Liverpool, out of business.—*Thomas Kelley*, Hulme, Manchester, painter.—*Edward Price*, Liverpool, tailor.—*Jas. Whittle*, Chorley, joiner.—*John Mark Little*, Manchester, out of business.—*Samuel Worsley*, Manchester, wheelwright.—*John Neild*, Lees, near Oldham, woollen manufacturer.—*Thomas Morris*, Manchester, out of business.—*John Cryer*, Manchester, lath dealer.—*Wm. D. Grey*, Liverpool, joiner.—*Thomas Davies*, Liverpool, beerseller.—*Wright Wilde*, Ashton-under-Lyne, pork butcher.—*David Elias Hesse*, Liverpool, dealer in watches.

At the County Court of Cambridgeshire, at CAMBRIDGE, Dec. 31 at 10.

Wm. Thurgood Clark, Swaffham Bulbeck, grocer.—*James Webster*, Thriplow, out of business.—*Wm. Henry Buckland*, Littleport, Isle of Ely, surgeon's assistant.

At the County Court of Devonshire, at EXETER, Jan. 1 at 10.

James Harper Blackstone, West Taignmouth, master mariner.—*William Cruse*, Newton Abbot, upholsterer.—*Charles Cole*, Devonport, builder.—*Charles Jackson*, Plymouth, out of business.—*Louisa Jackson*, Plymouth, dealer in druggist's sundries.—*Wm. Rowe*, Plymouth, woollendrapery's assistant.—*Daniel Courtney*, Ashburton, clothier.

TUESDAY, DECEMBER 21.

BANKRUPTS.

JULES ARTIGUES, Mark-lane, London, general merchant, dealer and chapman, Jan. 7 at 11, and Feb. 5 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Brewer, 3, Philip-lane, London.—Petition dated Dec. 17.

FREDERICK WILLIAM THOMAS, Leadenhall-street, London, auctioneer, dealer and chapman, Dec. 29 and Jan. 31 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Cole, 28, Leadenhall-st.—Petition filed Dec. 14.

THOMAS MANLEY, Exeter, late cattle salesman, but now dealer in wool, Dec. 29 at 1, and Jan. 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Turner, Exeter.—Petition filed Dec. 17.

WILLIAM BATE, Camelford, Cornwall, butcher, dealer and chapman, Dec. 29 at 1, and Jan. 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. King, Camelford; Stogdon, Exeter.—Petition filed Dec. 10.

FLETCHER PEARSON, Liverpool, painter, paperhanger, and decorator, Jan. 5 and 31 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Payne, Liverpool.—Petition filed Dec. 17.

MEETINGS.

Joseph Osborne, Leigh, Essex, butcher, Jan. 1 at 12, Court Bankruptcy, London, last ex.—*Ralph Tilcomb*, Highgate, Middlesex, butcher, Jan. 13 at half-past 11, Court of Bankruptcy, London, div.—*Isaac Bryant*, Victoria-grove, Stoke Newington, Middlesex, builder, Jan. 13 at 12, Court of Bankruptcy, London, div.—*Richard Tamssett*, Powis-st., Woolwich, and Bedford-terrace, Plumstead, Kent, builder, Jan. 13 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Burnip*, Newcastle-upon-Tyne, draper, Jan. 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Nathaniel Cobb, Colchester, Essex, auctioneer, Jan. 20 at half-past 11, Court of Bankruptcy, London.—*James Keeley*

and *Edwin Williams*, Strand, Middlesex, and Fleet-street, London, tailors, Jan. 13 at 11, Court of Bankruptcy, London.—*James Heathwaite*, New-street, Covent-garden, Middlesex, cheesemonger, Jan. 13 at 11, Court of Bankruptcy, London.—*Robert P. Stephens*, Liverpool, shipowner, Jan. 11 at 11, District Court of Bankruptcy, Liverpool.—*John Guest*, Burnlem, Staffordshire, victualler, Jan. 15 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas Delf and *Nicholas Trübner*, Paternoster-row, London, booksellers.—*John Bell*, Ludgate-hill, London, tailor.—*Daniel Sparks*, Cirencester, Gloucestershire, surgeon.—*John Strevens*, Bermondsey-wall, Bermondsey, Surrey, sailmaker.—*Thomas Meeson*, Fenchurch-street, London, coal merchant.—*James Ogle Holmes*, Sunderland, Durham, timber merchant.—*Henry George Quiller*, Birmingham, grocer.—*Maurice Richards*, Birmingham, grocer.

SCOTCH SEQUESTRATION.

Robert Rutherford, Jedburgh, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Vaughan, Carnarvon, grocer, Jan. 17 at 10, County Court of Carnarvonshire, at Carnarvon.—*Josephus Wilson Procter*, Kingston-upon-Hull, out of business, Jan. 12 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Chas. Dickinson Langley*, Kingston-upon-Hull, portrait painter, Jan. 12 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George Thompson*, Kingston-upon-Hull, innkeeper, Jan. 12 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*James Abraham*, Alverstoke, Southampton, out of business, Jan. 14 at 11, County Court of Hampshire, at Portsmouth.—*Thomas Donnelly*, Sheffield, Yorkshire, grocer, Jan. 20 at 12, County Court of Yorkshire, at Sheffield.—*Thomas Oakes*, Sheffield, Yorkshire, out of business, Jan. 20 at 12, County Court of Yorkshire, at Sheffield.—*Samuel Colenzo*, Penzance, Cornwall, painter, Jan. 12 at 10, County Court of Cornwall, at Penzance.—*Hillier Gibbons*, Rochester, Kent, out of business, Jan. 13 at 10, County Court of Kent, at Rochester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 5 at 11, before the CHIEF COMMISSIONER.

James Thomas, Backhill, Hatton-garden, Middlesex, general ironmonger.—*Thomas Harper*, Row-bank Cottage, Hanwell, Middlesex, market gardener.—*William Rothery*, Buckingham-place, Pimlico, Middlesex, assistant to a hosier.—*T. Woods Mackay*, Gloucester-place, Portman-square, Middlesex, artist.—*John Wm. Yell*, Blackman-street, Borough, Surrey, tailor.—*T. Elms Gunton Taylor*, Trinity-terrace, Borough, Surrey, commission agent.—*Robert Escreet Lindsay*, Hackney-road, Middlesex, jeweller.

Jan. 5 at 10, before Mr. Commissioner LAW.

Richard Mellor Ball, Waltham-cross, Cheshunt, Hertfordshire, stationer.

Saturday, Dec. 18.

An Assignee has been appointed in the following Case. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

James Lowe, Pendleton, Salford, Lancashire, corn merchant, No. 75,668 C.; Thomas Johnson, assignee.

Saturday, Dec. 18.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Viner, Douglas-place, Queen's-road, Bayswater, Middlesex, commercial traveller: in the Queen's Prison.—*Charles Miles*, Walthamstow, Essex, ironmonger: in the Debtors Prison for London and Middlesex.—*Stephen Austin*, Dover-road, Southwark, Surrey, coffee-house keeper: in the

Queen's Prison.—*Philip Cohen*, Heneage-lane, Bevis Marks, City, dealer in clothes: in the Debtors Prison for London and Middlesex.—*Wm. Colley*, Strood, Kent, butcher: in the Debtors Prison for London and Middlesex.—*E. V. Vliet*, Sherard-st., Golden-square, Middlesex, bootmaker: in the Queen's Prison.—*George West*, Brentford, Middlesex, assistant to a grocer: in the Debtors Prison for London and Middlesex.—*Thos. Woodman*, Wood-st., Exmouth-st., Clerkenwell, Middlesex, out of business: in the Queen's Prison.—*Jas. Bennett France*, Albany-st., Regent's-park, Middlesex, milliner: in the Queen's Prison.—*Henry Timbrell*, Lower-marsh, Lambeth, Surrey, beer-shop keeper: in the Queen's Prison.—*R. Hackworthy*, Northumberland-place, Westbourne-grove, Paddington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*S. Smith Mickleburgh*, Addington-square, Camberwell, Surrey, foreman in a brewery: in the Debtors Prison for London and Middlesex.—*Samuel Millbourn*, High-st., Shadwell, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*James Hall*, West Holbourn, South Shields, Durham, hosier: in the Gaol of Durham.—*John Cryer*, Pendleton, near Salford, Lancashire, lath dealer: in the Gaol of Lancaster.—*Thos. Davies*, Liverpool, wheelwright: in the Gaol of Lancaster.—*Wm. D. Grey*, Liverpool, joiner: in the Gaol of Lancaster.—*David Elias Hesse*, Liverpool, auctioneer: in the Gaol of Lancaster.—*Nathaniel Maude*, Mossley, near Ashton-under-Lyne, Lancashire, woollen-cloth manufacturer: in the Gaol of Lancaster.—*Wright Wilde*, Staley-wood, near Ashton-under-Lyne, Lancashire, cotton doubler: in the Gaol of Lancaster.—*Jas. Smith*, Darlington, Durham, shoemaker: in the Gaol of Durham.—*David Laing*, Bishopwearmouth, Durham, manager of the Bishopwearmouth Iron Company: in the Gaol of Durham.—*Thos. Howard*, Bowling, near Bradford, Yorkshire, chemist: in the Gaol of York.—*George Pearson*, Newland, Cottingham, near Hull, Yorkshire, farmer's assistant: in the Gaol of York.—*Thomas Morris*, Manchester, corn dealer: in the Gaol of Lancaster.—*John Neild*, Lees, near Oldham, Lancashire, woollen manufacturer: in the Gaol of Lancaster.—*Samuel Worsley*, Manchester, wheelwright: in the Gaol of Lancaster.—*John Cowan*, Springfield-place, Leeds, Yorkshire, commission agent: in the Gaol of Warwick.—*William Wilcox Baker*, Birmingham, engraver: in the Gaol of Coventry.—*Richard Bates*, Birmingham, commission agent: in the Gaol of Coventry.—*James Walker*, Leeds, salesman to a flour dealer: in the Gaol of York.—*Richard Salt*, Birmingham, cutler: in the Gaol of Coventry.—*John Smith*, Aston-juxta-Birmingham, carpenter: in the Gaol of Coventry.—*John Trevor*, Birmingham, assistant to a provision dealer: in the Gaol of Coventry.—*Cornelius Elphick*, Hastings, Sussex, baker: in the Gaol of Dover.—*John Mathew*, Redruth, Cornwall, tailor: in the Gaol of Bodmin.—*Thomas Edwards*, Liverpool, grocer: in the Gaol of Lancaster.—*Henry Jones*, Halling Farm, Mangotsfield, Gloucestershire, farmer: in the Gaol of Bristol.—*Peter Driver*, Bradford, Yorkshire, auctioneer: in the Gaol of York.—*Thomas Rayner*, Crofts, Rotherham, Yorkshire, schoolmaster: in the Gaol of York.—*H. G. Darling*, Folkestone, Kent, doctor of medicine: in the Gaol of Dover.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 4 at 11, before the CHIEF COMMISSIONER.

George Godden, Gooedge-st., Tottenham-court-road, Middlesex, tallow chandler.—*Edmund Wm. Fraser*, Westbourne-grove, Bayswater, Middlesex, nurseryman.

Jan. 6 at 11, before Mr. Commissioner PHILLIPS.

O. R. Pelter, Gracechurch-street, London, merchant.—*T. Fisher*, Palace street, Westminster, Middlesex, messenger in the Audit-office, Somerset-house, Strand.—*James Green*, Nichols-square, Hackney-road, Middlesex, hair dresser.—*Charles Viner*, Douglas-place, Queen's-road, Bayswater, Middlesex, commercial traveller.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Wiltshire, at SALISBURY, Jan. 7.
Wm. Marshallsay, Warminster, farm bailiff.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Jan. 12.

Thomas O. Empson, Kingston-upon-Hull, general dealer.—*John Kirk*, New Village, licensed victualler.

INSOLVENT DEBTORS' DIVIDENDS.

Jas. F. Bulkeley, Middlesex, Lieutenant in the Royal Navy, on half-pay: 1s. 7d. (making 2s. 2½d.) in the pound.—*Henry Clode*, Albion-street, Rotherhithe, Surrey, coal meter: 5s. (making 20s.) in the pound.—*Wm. Alex. Holmes*, Mendip-road, Battersea, Surrey, clerk in the Ordnance-office, Tower of London: 2s. 11d. in the pound.—*Robert Brackenbury*, Richmond-green, Richmond, Surrey, gentleman, in no trade: 1s. 2d. in the pound.—*William Linguist*, Strand, Middlesex, commander in the Hon. East India Company's Bengal Marine Service, on half-pay: 5s. 1d. (making 20s.) in the pound.—*J. G. Wilkinson*, Coborn-road, Bow-road, Middlesex, landing waiter in her Majesty's Customs: 2s. 4½d. (making 18s. 8½d.) in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Isabella Trasdale, Kirkby Stephen, Westmoreland, iron-monger, Jan. 7 at half-past 10, Commercial Inn, Kendal, sp. aff.

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LONDON, JANUARY 1, 1853.

THE case of Mr. Kirwan, against whom it is reported that sentence of death will not be carried into effect, shews, in a more vivid light than any modern case, the necessity of introducing, among other reforms in the law, the possibility of a new trial in criminal cases.

In this case a man is tried for murder; the jury come to the conclusion that he is guilty; the evidence, being published, is critically examined, and turns out, to the apprehension of almost every lawyer, and of most reasoning men, so very inconclusive, that it is matter of the profoundest mystification to the public mind how the jury ever came to give such a verdict, or how the judge who tried the case could have been satisfied with it. It is not that any one who has read the published evidence is satisfied that Mrs. Kirwan was *not* murdered; or that, if she was, Mr. Kirwan did *not* murder her; but no one is satisfied that the evidence establishes either of the affirmatives—that she *was* murdered, or that Mr. Kirwan murdered her. It is not that the result of the trial is clearly against evidence, but that the evidence is insufficient to establish

either guilt or innocence. Numerous inquiries, which, if made, might have thrown light on the subject, appear to have been wholly neglected; numerous conclusions appear to have been arrived at as founded upon evidence, while the evidence would have warranted just as well half a dozen other conclusions.

Thus, no inquiry appears to have been made about the state of the sword-stick so much spoken of; no inquiry appears to have been made as to the possibility of death having been produced in the horrible way which some portions of the evidence appear to have pointed at, and of which, if it had taken place, post mortem examination must have afforded some indication; no inquiry was made as to other probable causes of the appearances from which that horrible supposition was drawn. In short, not to multiply objections, the trial appears to have proceeded according to the terms of the confession used in our Liturgy—they did those things that they ought not to have done, and they left undone those things that they ought to have done. There was abundance of conclusion from small and immaterial circumstances, and abundant absence of inquiry into circumstances very material.

The result, however, is, that the man was found guilty; and a jury having so found him, what is to be done? Supposing the Crown, as advised by the Home Secretary, to come to something like the same conclusion that has pressed upon the public mind—viz. that though it is not at all clear that Mr. Kirwan is guilty, neither is it at all clear that he is innocent—what is her Majesty to do? She must either grant a free pardon to a man who may have been guilty of a horrible murder, or she must commute the sentence into one of more or less of imprisonment, and thus shut up for years or for life a man who may be quite innocent. The means of further effective investigation are not at her disposal. A new trial, with a fresh jury, meeting the subject with more minute inquiry, with better and more numerous clues to the truth, and less of horror, generating prejudice, might possibly establish by satisfactory evidence something positive, or so far approaching certainty as to satisfy ordinary minds. But that is impossible. The case must remain where it is; that is, it must be judged upon the existing evidence, and upon that the Home Secretary must be indeed a clever man if he can come to any other conclusion, than that he can come to no conclusion one way or the other on the question of guilt. It is not often that one could expect a case to occur of so marked a character as that of Mr. Kirwan; that is, a case exhibiting so strongly the utter failure of a trial for the purpose of arriving at any satisfactory conclusion. But there are in every year dozens of trials in which a greater or less degree of uncertainty affects the result of the evidence, and in which injustice is done either to the public by an unfounded acquittal, or to the accused by an unfounded condemnation.

What good reasons exist against permitting a new trial on the facts, as well as on the law, in criminal cases, it is exceedingly puzzling to understand. A criminal trial is as much exposed as any other to the consequences of hurry, oversight, neglect, or mistake in the conduct of it; a jury, in such a case, is just as liable to the influence of ignorance, and much more liable than in any other to the influence of passion and prejudice. Every cause of error is as likely to occur in a criminal trial as in any other. The only objection which we have ever heard against new trials in criminal cases, having in it anything real and substantial, is that which is founded upon the expense. It is said, that in civil cases the check of costs operates to prevent them being frivolously attempted; but that, in criminal cases, whenever a person was found guilty, he would always insist upon a new trial. That objection does not, however, seem to present any insurmountable difficulty, as the granting or refusing a new trial might, in criminal as in civil cases, be subject to the judicial discretion of the Court in banc, and there would then be no very great danger of new trials being improperly granted, while cases of the Kirwan class would no longer be at once a disgrace to the judicature of the country, and an embarrassment to the Sovereign in the exercise of her prerogative.

So long ago as 1779, Sir Thomas Sewall, M. R., declared it to be a rule of equity, "that money directed

to be employed in the purchase of land, and land directed to be sold and turned into money, are to be considered as that species of property into which they are directed to be converted, and this in whatever manner the direction is given, whether by will, by way of contract, marriage articles, settlement, or otherwise, and whether the money is actually deposited, or only covenanted to be paid—whether the land is actually conveyed or only agreed to be conveyed; the owner of the fund or the contracting parties may make land money, or money land."

This doctrine applies very strongly to the case of money paid into court for the purchase of land which has been taken under the compulsory powers of an act of Parliament for public purposes, and is liable, under the provisions of the statute, to be re-invested in the purchase of other lands, free of expense to the persons to whom it beneficially belongs. These acts of Parliament, authorising, for the public advantage, the execution of works which cannot be effected without extraordinary powers, necessarily interfere with private property to some extent; but their chief purpose is to advance some project of general utility, which the Legislature has considered of sufficient importance to justify what is confessedly an evil—the forcible alienation of the possessions of individuals. Obviously it is impossible to presume, of a statute passed *tam diversis intuitu*, that it can intend to alter the nature of property taken under its provisions, so as to render it subject to different rules of descent, and to bring it in other respects under the operation of new and diverse laws. Accordingly, these acts generally contain a clause empowering the persons beneficially interested in the land, or in the money so paid into court for the purchase of it, to compel the persons who are authorised to take the land to re-invest, at their expense, the money in the purchase of other land in the place of the land so taken.

The money, while in court, is, therefore, liable at any moment to be turned again into land, and must accordingly be considered to be impressed with real uses, and to possess, in the estimation of a Court of equity, all the qualities and incidents of real estate.

This is the *prima facie* presumption, and it cannot, in reason, make any difference if the particular statute contains provisions for the interim investment of the money in stock, because this is merely to prevent its lying unproductive until a suitable purchase on which to lay it out has been found.

This is all very plain when the land which has been taken was in the possession of a tenant for life under a settlement, or other person having only a partial interest, because such an owner could not have changed the nature of the land himself, as against those entitled in remainder. It seems to have been considered a different case where the land of a tenant in fee simple has been taken, and the money paid into court, under compulsory powers exercised *in invitum*; and some of the cases are scarcely intelligible on any principle, except that such a taking of the land operates as a conversion.

But this state of circumstances is on precisely the same footing as the other with regard to the rule of law. The owner has a right still to have the money re-invested in land at the expense of the company.

He is, no doubt, able to elect to take the proceeds as money; and very slight acts on his part, shewing such an intention, would be sufficient evidence of an election. While, however, he suffers the money to remain in court, it is not "at home," as it would be considered if it were in his own hands; and, *prima facie*, the presumption must be against such election, and the onus of proof must lie on those who seek to treat the fund as money, and not land.

The very question has arisen in the case of *In re Stewart's Estate*, (16 Jur., part 1, p. 1063), and it has been decided entirely in accordance with that view of the law which we have here stated. The Vice-Chancellor there said—"I think that in a case of this kind, where money is paid into court, where real estate is converted, by the compulsory powers of these acts, into personal estate, and remains in court subject to the rights of the parties interested in it to have it re-invested in land, it is to be considered as money or personal estate in the hands of this Court impressed with the trusts of real estate. That is a sound principle, and there must be strong words in the act to induce the Court to act on the assumption that it is personalty." In so deciding, Stuart, V. C., partly relied upon a decision of Sir G. Turner, V. C., in *Re Taylor's Settlement*, (9 Hare, 896), which, though not identical in its circumstances, proceeded upon the principle that land so taken from persons competent to sell, was not necessarily converted, but that the purchase money paid into court "was impressed with real uses," under the section of the statute which directed a re-investment. Upon such authority the question may be considered satisfactorily settled.

Reviews.

1. *Practical Remarks on the present State of the Law of Patents: addressed to Inventors.* By WILLIAM SPENCE, Assoc. Inst. C. E.; Author of "A Treatise on the Specification of a Patent," "Patentable Invention and Scientific Evidence," "Copyright of Designs as distinguished from Patentable Invention." 8vo., pp. 31. [Stevens & Norton.]
2. *The New Patent Law: its History, Objects, and Provisions. The Protection of Inventions Acts, 14 Vict. c. 8, and 15 Vict. c. 6; and the Patent-law Amendment Act, 15 & 16 Vict. c. 83. The Rules of the Commissioners of Patents; and Practical Forms and Pleadings.* By THOMAS WEBSTER, Esq., M.A., F.R.S., Barrister at Law. 8vo., pp. 94. [Elnororth.]

MR. SPENCE'S pamphlet is addressed to inventors, and will be very useful to them, but it contains suggestions which deserve the attention also of those who are professionally engaged in the practice relating to patents. The first chapter of the publication contains a statement, in two columns, of the essential points of difference between the old and the new practice and laws; and this is done very clearly and pointedly.

In the second chapter are some sensible remarks on the present state of the law for practical purposes. After stating the first step in the process of obtaining patent protection, by depositing a petition, declaration, and provisional or complete specification, Mr. Spence observes—

"In either case there is no difficulty in taking this 'initiatory step. Professional aid is not required ex-

cept to draw the title of the patent, and the provisional or the complete specification.

"But it is well for inventors to pause before they venture to depend upon their own unaided skill in drawing their titles and specifications. The provisional specification is a document which bears an important relation both to the title of the patent and to the complete specification afterwards to be filed; and if it be at length found that the two documents (the provisional and complete specifications) are not in accordance one with the other, the patent cannot be supported. Every title of a patent must contain only one substantive invention; every provisional specification 'must state distinctly and intelligibly the whole nature of the invention, so that the law officer may be apprised of the improvement, and of the means by which it is to be carried into effect;' and every complete specification must 'particularly describe and ascertain the nature of the invention, and in what manner the same is to be performed.'

"There must be one consistent order of development of the invention throughout, otherwise the patent cannot be supported. The great liability of failure, however, is not so much to be apprehended from a discrepancy between the title and the provisional specification as between the latter and the complete specification, because the inspection of the former by the law officer is at the least a check upon informality and palpable inconsistency: besides, it is comparatively easy to draw the provisional specification merely in conformity with the title. The great test will lie in the comparison of the provisional with the complete specification; and the future will shew how many specifications drawn by inexperienced persons will stand this test.

"Some inventors, conscious of the danger of a probable discrepancy between their provisional and complete specifications, (and others desirous of avoiding the inspection of the law officer), seem inclined to adopt the course of depositing the complete specification in the first instance. But experience in drawing specifications and advising on patents suggests that there is greater danger in following this course: for, in all but a few instances, the complete specification prepared in the first instance would be necessarily defective; while the preparation of a provisional, and afterwards a complete specification, consistent one with the other, presents no great difficulty to the man who is accustomed to such work. He can apprehend the spirit of the invention, and embody it, in language indicating its true nature and scope, in the provisional specification; and he can, after due experiment on the part of the inventor, make evident in the complete specification the most approved forms, proportions, arrangement, and combination of the various elements of which the invention is composed. He can also define with precision what is the leading idea, the real point, in the invention so stated and elucidated. Whoever cannot do this in a consistent manner from the beginning to the end is not competent to draw specifications.

"And it is probable that inventors require to be cautioned against running risks in this way, since what seems likely to be the practice under the new law dispenses with very much of what has been formerly regarded as constituting patent agency, or the passing of patents; and inventors may hence infer, that as they can readily go to the office of the commissioners and make application for a patent on their own behalf, so they can also with safety draw the necessary documents."

This is very sound advice, although it comes from a patent agent. There is another great risk in dispensing with professional advice in the first instance or altogether—that the inventor incurs the risk of in-



cluding in his claim some known invention, which the experience of the agent, or the searches which he could make, might disclose.

In speaking of the provisions for extending patents which have been already granted for one of the three kingdoms to the others, Mr. Spence suggests that the principle of *Brown v. Annandale* (Webst. Pat. Cas. 433) may not extend to invalidate a Scotch patent obtained after the enrolment of the specification in England. But we conceive that it is clear and settled law, that the enrolment of a specification is a publication of the contents of the specification, and that prior publication is equivalent to prior user, which was the ground of decision in *Brown v. Annandale*. And *Samuda's case*, cited by Mr. Spence from Hindmarsh on Patents, 534, appears to be a direct decision on the point.

Mr. Webster does not address himself so much to inventors as to practitioners and legislators—giving the history of the recent alterations in the law, with remarks on the policy of them, and the statutes, rules, and forms at length. In a note on the petition are some useful remarks on the framing of the title of the invention for which protection is sought, and notices of the decisions.

London Gazettes.

FRIDAY, DECEMBER 24.

BANKRUPT.

WILLIAM JOHN KERRIDGE, Deptford, Kent, cheesemonger, dealer and chapman, Jan. 4 at 12, and Feb. 8 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Pocock & Poole, 58, Bartholomew-close, London.—Petition filed Dec. 15.

MEETINGS.

Henry Miles and *Charles Miles*, Old-road, Limehouse, and Giles-row, Cambridge-rd., Mile-end-rd., Middlesex, drapers, Jan. 4 at 1, Court of Bankruptcy, London, last ex.—*Thomas W. Richards*, Goswell-road, Middlesex, linendraper, Jan. 18 at 11, Court of Bankruptcy, London, last ex.—*Thos. Young*, Hartlepool, Durham, grocer, Jan. 17 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Lowcock*, Bootle, Lancashire, butcher, Jan. 6 at 11, District Court of Bankruptcy, Liverpool, last ex.—*George Page*, James-street, Bethnal-green, Middlesex, coach proprietor, Jan. 14 at 1, Court of Bankruptcy, London, aud. ac.—*Richard Warren*, Nelson-place, Remington-st., City-road, Middlesex, coachmaker, Jan. 13 at 11, Court of Bankruptcy, London, aud. ac.; Jan. 14 at half-past 12, div.—*Richard Whittaker*, Landport, Hampshire, outfitter, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.—*Lewis Worms* and *M. Worms*, Queen-st., Cheapside, London, merchants, Jan. 11 at 11, Court of Bankruptcy, London, aud. ac.—*O. E. Teasel*, Norwich, timber merchant, Jan. 11 at 11, Court of Bankruptcy, London, aud. ac.—*John Webb*, Rugby, Warwickshire, brazier, Jan. 6 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Burnip*, Newcastle-upon-Tyne, draper, Jan. 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thos. Young*, Hartlepool, Durham, grocer, Jan. 17 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 21 at half-past 1, div.—*David Gibson*, Newcastle-upon-Tyne, grocer, Jan. 19 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 21 at 12, div.—*W. Peverley* and *J. A. Charlton*, Sunderland-near-the-Sea, Durham, shipbuilders, Jan. 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*George Rowell* the younger, Carlisle, Cumberland, painter, Jan. 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 21 at 11, div.—*Edward Matthew Hadaway*, Newcastle-upon-Tyne, grocer, Jan. 19 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 21 at 1, fin. div.—*Ann Royston*, Chorlton-upon-Medlock, Manchester, brewer, Jan. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Henry Booth* and *James Booth*, Houghton, and *Thomas Booth*, Denton, Lancashire, hat manufacturers, Jan.

4 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Lockyer*, Old-street, St. Luke's, and King-street, St. Giles-in-the-fields, Middlesex, baker, Jan. 14 at 12, Court of Bankruptcy, London, div.—*Sosiah Westley*, Playhouse-yard, London, bookbinder, Jan. 18 at 11, Court of Bankruptcy, London, div.—*Geo. Bolton*, Albany-street, Regent's-park, Middlesex, coachmaker, Jan. 18 at 11, Court of Bankruptcy, London, div.—*Thos. Linsell* and *Wm. Linsell*, Piccadilly, Middlesex, tailors, Jan. 21 at 11, Court of Bankruptcy, London, fin. div.—*John Brown Drew*, Wittam's-buildings, Old-street-road, Middlesex, carpenter, Jan. 21 at 11, Court of Bankruptcy, London, div.—*John Thompson*, Piccadilly, Middlesex, linendraper, Jan. 18 at 1, Court of Bankruptcy, London, div.—*Edward Steward*, Broughton, Norfolk, corn merchant, Jan. 14 at 12, Court of Bankruptcy, London, div.—*Theodore Roe*, Suffolk-place, Lower-road, Islington, Middlesex, upholsterer, Jan. 14 at half-past 11, Court of Bankruptcy, London, div.—*David French* and *Arch. Sands*, Coal Exchange, London, and Chatham, Kent, coal factors, Jan. 15 at 2, Court of Bankruptcy, London, div. sep. est. of *A. Sands*.—*Richard Green* the younger, Brighton, Sussex, ironmonger, Jan. 15 at half-past 1, Court of Bankruptcy, London, div.—*Amos Dean*, Brighton, Sussex, clothier, Jan. 15 at 1, Court of Bankruptcy, London, div.—*Thomas Harris* and *John Burlis*, Hampstead-road, Middlesex, brewers, Jan. 15 at 11, Court of Bankruptcy, London, div. sep. est. of *Thomas Harris*.—*Samuel Walter Gillam*, Tarlington-place, Edgeware-road, Middlesex, wine merchant, Jan. 15 at half-past 1, Court of Bankruptcy, London, div.—*Joseph P. Sande*, North Ockendon, Essex, cattle dealer, Jan. 15 at half-past 12, Court of Bankruptcy, London, div.—*Jan. Heathwaite*, New-street, Covent-garden, Middlesex, cheesemonger, Jan. 15 at 1, Court of Bankruptcy, London, div.—*Henry Newson*, Deptford, Kent, brewer, and Bermondsey-wall, Bermondsey, Surrey, mast maker, Jan. 15 at half-past 1, Court of Bankruptcy, London, div.—*Samuel Adams*, *Wm. Bridges Adams*, and *Gerard Ralston*, Bow, Middlesex, engineers, Jan. 15 at 2, Court of Bankruptcy, London, div. joint est. of *Wm. Bridges Adams* and *Gerard Ralston*, and div. sep. est. of *Wm. B. Adams*.—*Jean Baptiste Dauplain*, Wharf-road, City-road, Middlesex, colour merchant, Jan. 15 at 12, Court of Bankruptcy, London, div.—*Edw. Halford Dalby*, Hornsey-road, Middlesex, butcher, Jan. 14 at half-past 1, Court of Bankruptcy, London, div.—*Robert Sewell*, Swaffham, Norfolk, scrivener, Jan. 14 at half-past 1, Court of Bankruptcy, London, div.—*Thomas Meeson*, Fenchurch-street, London, coal merchant, Jan. 15 at half-past 11, Court of Bankruptcy, London, div.—*Philemon Augustine Morley*, Great Bridge, Staffordshire, iron manufacturer, Jan. 19 at 11, District Court of Bankruptcy, Birmingham, div.—*Samuel Grocock*, Leicester, hosier, Jan. 14 at 10, District Court of Bankruptcy, Nottingham, div.—*Abel Walford Bellairs*, Stamford, Lincolnshire, and *James Bellairs*, Derby, bankers, Jan. 14 at 10, District Court of Bankruptcy, Nottingham, div.—*Richard Eminson*, Grantham, Lincolnshire, scrivener, Jan. 14 at 10, District Court of Bankruptcy, Nottingham, div.—*Henry Gladwin*, Nottingham, draper, Jan. 14 at 10, District Court of Bankruptcy, Nottingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Dobson, High Holborn, Middlesex, mathematical drawing instrument maker, Jan. 21 at 1, Court of Bankruptcy, London.—*John G. Harrison*, Liverpool, dealer in locks, Jan. 14 at 11, District Court of Bankruptcy, Liverpool.—*William Fackner*, Kidderminster, Worcestershire, licensed victualler, Jan. 15 at 10, District Court of Bankruptcy, Birmingham.—*George Edwin James*, Brierly-hill, Kingswinford, Staffordshire, draper, Jan. 18 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Samuel Bradley, Mark-lane, London, corn factor.—*Wm. Winch*, Coal-hole Tavern, Fountain-court, Strand, licensed victualler, and North-mews, Gray's-inn-lane, Middlesex, ivory cutter.—*Henry Newson Brewer*, Amersham-villa, Counter-hill, Deptford, Kent, and Bermondsey-wall, Bermondsey, Surrey, mast maker.—*Charles Davey*, Brixton, Surrey, linendraper.—*Joseph P. Sande*, North Ockendon, Essex, cattle dealer.—*Charles Brady*, Rood-lane, Fenchurch-street, London, merchant.—*Wm. Meane*, Brighton, Sussex,

brewer.—*Robert Wall Ogilvie*, Newcastle-upon-Tyne, ship broker.—*Charles W. Wass*, New Bond-street, Middlesex, picture dealer.—*John B. Boon*, Burslem, Staffordshire, woollendrapery.—*John Wood and Edwin Norton*, Hoyland Nether, Wath-upon-Deerne, Yorkshire, corn millers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Evans, Liverpool, tailor, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—*J. Whitaker*, Rochdale, Lancashire, butcher, Jan. 13 at 12, County Court of Lancashire, at Rochdale.—*David Hepworth*, Skipton, Yorkshire, licensed innkeeper, Jan. 14 at 10, County Court of Yorkshire, at Skipton.—*Jackson V. Tuthill*, Shenfield, Essex, out of business, Jan. 14 at 11, County Court of Essex, at Brentwood.—*Thos. Gidley*, Chipping Ongar, Essex, butcher, Jan. 14 at 11, County Court of Essex, at Brentwood.—*Thos. Knowles*, Aylesford, Kent, plumber, Jan. 11 at 12, County Court of Kent, at Maidstone.—*James Gibbons*, Maidstone, Kent, collector of the poor-rate, Jan. 11 at 12, County Court of Kent, at Maidstone.—*John Short Vickery*, Bridgwater, Somersetshire, beer-house keeper, Jan. 22 at 10, County Court of Somersetshire, at Bridgwater.—*Thomas Hodgson*, Burgh, Cumberland, farmer, Jan. 17 at 10, County Court of Cumberland, at Carlisle.—*Joseph Bastow*, Wibsey, near Bradford, Yorkshire, joiner, Jan. 11 at 11, County Court of Yorkshire, at Bradford.—*Thornton Muschamp*, Bradford, Yorkshire, warehouseman, Jan. 11 at 11, County Court of Yorkshire, at Bradford.—*Charles G. Hodgson*, Bradford, Yorkshire, assistant druggist, Jan. 17 at 11, County Court of Yorkshire, at Bradford.—*William C. Stow*, Great Grimbsy, Lincolnshire, out of employment, Jan. 12 at 10, County Court of Lincolnshire, at Great Grimbsy.—*James Plant*, Frith Ville Township, Lincolnshire, farmer, Jan. 6 at 10, County Court of Lincolnshire, at Boston.—*Thomas Lane*, Pontnewnydd, Trevechin, Monmouthshire, haulier, Jan. 13 at 10, County Court of Monmouthshire, at Pontypool.—*Thomas James Pontymoile*, Pantegau, Monmouthshire, sawyer, Jan. 13 at 10, County Court of Monmouthshire, at Pontypool.—*Owen Edwards*, Aberffraw, Anglesey, watchmaker, Jan. 14 at 10, County Court of Anglesey, at Llangefni.—*John Moody*, Bath, Somersetshire, clerk to an engineer, Jan. 1 at 11, County Court of Somersetshire, at Bath.—*James Huggell*, Magor, Monmouthshire, butcher, Jan. 11 at 12, County Court of Monmouthshire, at Newport.—*Charles Johns*, Pillgwenly, Newport, Monmouthshire, painter, Jan. 11 at 12, County Court of Monmouthshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 7 at 11, before the CHIEF COMMISSIONER.

Wm. Penrose, Charlotte-street, Blackfriars-road, Surrey, manager to a soda-water manufacturer.—*John Anthony Tinsington*, Canterbury-place, West-st., Walworth, Surrey, clerk to a builder.—*Samuel Hezekiah Cole*, Wandsworth, and Waterloo-road, Surrey, assistant to a pawnbroker.—*Charles Christian Moller*, Fenton-place, Walworth, Surrey, clerk to merchants.—*Augustus Templeton Bunnell*, Terrace, Kilburn, Middlesex, clerk in the Inspector-general's Department of the Inland Revenue, Somerset-house.

Jan. 7 at 10, before Mr. Commissioner LAW.

Chas. Wm. Levens, Herring's-cottages, West Dulwich, St. Giles's, Camberwell, Surrey, grocer.

Jan. 8 at 11, before Mr. Commissioner PHILLIPS.

James Gordon, Jewry-st., Aldgate, London, teacher of mathematics.—*Jeremiah Stiles*, Queen's-place, Kennington-common, Lambeth, Surrey, licensed retailer of beer.—*Mary Ann Harris*, widow, Norland-road, Notting-hill, Middlesex, dressmaker.—*Wm. Roberts*, Beckford-row, Walworth, Surrey, tailor.

Jan. 10 at 10, before Mr. Commissioner LAW.

Wm. Frederick Donaldson, St. Martin's-court, St. Martin's-in-the-fields, Middlesex, hat maker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 7 at 11, before the CHIEF COMMISSIONER.

Thomas Howard the younger, Heath-place, Cambridge-heath, Hackney, Middlesex, grocer.—*Elias Wise*, Mortimer-house, Battersea-fields, Battersea, Surrey, out of business.—*Charles Abraham Parker*, Stanhope-street, Hampstead-road, Middlesex, gentleman.—*Charles Miles*, Walthamstow, Essex, tin-plate worker.

Jan. 7 at 10, before Mr. Commissioner LAW.

Thos. Howell, Milford-place, Vassal-road, Brixton, Surrey, commercial traveller.—*Richard George Curnick*, Chapel-place, Lower Norwood, Surrey, stonemason.—*John Beadell*, Richmond-row, Plaistow, Essex, dealer in railway shares.—*John Wm. Prebble*, Fleet-street, London, refreshment-house keeper.—*Wm. Pritchard*, Halsey-st., Chelsea, Middlesex, clerk at a warehouse.

Jan. 10 at 10, before Mr. Commissioner LAW.

Stephen Austen, Dover-road, Southwark, Surrey, coffee-house keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Berkshire, at READING, Jan. 11.

John Champ, Drayton, near Abingdon, agricultural labourer.

At the County Court of Gloucestershire, at BRISTOL, Jan. 12 at 11.

Adjourned Hearing.

Henry James Braham, Bristol, optician.

At the County Court of Kent, at DOVER, Jan. 14 at 10.
Cornelius Blphick, Hastings, out of employment.

At the County Court of Durham, at DURHAM, Jan. 14.

David Lang, Bishopwearmouth, foreman to an iron company.—*James Thompson*, Lankester, druggist.

INSOLVENT DEBTOR'S DIVIDEND.

James Hill, Exeter, cattle doctor, Hodgson's, Exeter: 2s. in the pound.

TUESDAY, DECEMBER 28.

BANKRUPTS.

WESTBY HAWKSHAW PERCIVAL, Bloomsbury-sq., Bloomsbury, and Edwardes-square, Kensington, Middlesex, bookseller and publisher, Jan. 6 at 11, and Feb. 10 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Rose, Great Prescott-street, Goodman's-fields. — Petition filed Dec. 4.

GEORGE COLLIER, Hatton-garden, Middlesex, book-binder and pocket-book maker, (trading in partnership with Louisa Collier and Matilda Collier, under the firm of George Collier & Son), Jan. 11 and Feb. 11 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Starling, 7, Sackville-st., Piccadilly. — Petition filed Dec. 23.

WILLIAM M'GEORGE, St. John-street-road, Middlesex, draper, dealer and chapman, Jan. 5 at 1, and Feb. 8 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrence & Co., Old Jewry-chambers, City. — Petition dated Dec. 13.

JOSEPH TALL and JOHN MINGAY, Crawford-street, Bryanstone-square; Wellstead-yard, Seymour-place, Bryanstone-sq.; and Titchbourne-st., Edgware-road, Middlesex, mechanical tool manufacturers, builders, and cabinet makers, (carrying on business under the name, style, or firm of Moon & Mingay), Jan. 10 at 11, and Feb. 8 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Moss, 4, Skinner's-place, Sise-lane, London. — Petition filed Dec. 27.

WILLIAM TANNER, Alcester, Warwickshire, draper, clothier, dealer and chapman, Jan. 11 and Feb. 2 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Lane, jun., Stratford-upon-Avon; Hodgson, Birmingham. — Petition dated Dec. 27.

ABRAHAM SKELTON, Mount Tabor, Ovenden, Halifax, Yorkshire, stone deliver, dealer and chapman, Jan. 20 and Feb. 18 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Wavell & Co., Halifax.—Petition dated and filed Dec. 23.

MEETINGS.

Daniel M. Ford, Laurence-lane, Cheap-side, London, carrier, Jan. 11 at 11, Court of Bankruptcy, London, last ex.—*B. T. Desley*, Buckley-st., Whitechapel, Middlesex, engineer, Jan. 7 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Thos. Hannam*, Marine-parade and New Steyne, Brighton, Sussex, wine merchant, Jan. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—*James Keeley* and *Edwin Williams*, Strand, Middlesex, and Fleet-st., London, tailors, Jan. 8 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Henry George Woolcott*, Everitt-street, Russell-square, Middlesex, fringe manufacturer, Jan. 8 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thomas Harris* and *John Burls*, Hampstead-road, Middlesex, brewers, Jan. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Henry Newson Brewer*, Amersham Villa, Counter-hill, Deptford, Kent, and Bermondsey-wall, Bermondsey, Surrey, mast maker, Jan. 7 at half-past 12, Court of Bankruptcy, London, aud. ac.—*J. P. Sandie*, North Ockendon, Essex, cattle dealer, Jan. 7 at 12, Court of Bankruptcy, London, aud. ac.—*John B. Dauplain*, Wharf-road, City-road, Middlesex, colour merchant, Jan. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Edward H. Dalby*, Hornsey-road, Middlesex, butcher, Jan. 8 at 12, Court of Bankruptcy, London, aud. ac.—*Robert Sewell*, Swaffham, Norfolk, scrivener, Jan. 8 at half-past 1, Court of Bankruptcy, London, aud. ac.—*G. Ball*, Fenchurch-st., London, wine merchant, Jan. 7 at 1, Court of Bankruptcy, London, aud. ac.—*W. Yonge*, Strand, Middlesex, watchmaker, Jan. 7 at 2, Court of Bankruptcy, London, aud. ac.—*J. Stevens*, Bermondsey-wall, Bermondsey, Surrey, sailmaker, Jan. 7 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Wm. Taylor* and *James Wyld*, Wood-street, London, and Lock's-fields, Walworth, Surrey, wadding manufacturers, Jan. 7 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Benjamin Axford*, Devonport, Devonshire, victualler, Jan. 20 at half-past 10, District Court of Bankruptcy, Exeter, aud. ac.—*Betsy Davo*, Lumborne-mills, near Tavistock, Devonshire, miller, Jan. 20 at half-past 10, District Court of Bankruptcy, Exeter, aud. ac. and div.—*John Hayman*, Carbeale-mills, near Torpoint, Cornwall, miller, Jan. 20 at half-past 10, District Court of Bankruptcy, Exeter, aud. ac. and div.—*Isaac Isaacs*, Plymouth, Devonshire, dealer in watches, Jan. 20 at half-past 10, District Court of Bankruptcy, Exeter, aud. ac. and div.—*W. G. Moss*, Guildford-place, Kennington, Lambeth, Surrey, clerk in the General Post-office, Jan. 18 at 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Alfred Dawson, Charles-street, Mile-end New-town, Middlesex, engineer, Jan. 20 at half-past 1, Court of Bankruptcy, London.—*Edw. Butt*, Newcastle-place, Edgeware-road, Middlesex, laceman, Jan. 17 at half-past 12, Court of Bankruptcy, London.—*Charles Weismann* and *Henry J. Michael Meyers*, Philpot-lane, Fenchurch-street, London, commission merchants, Jan. 21 at half-past 1, Court of Bankruptcy, London.—*Caroline Lee*, Park-street, Oxford-street, Middlesex, baker, Jan. 17 at 12, Court of Bankruptcy, London.—*Frank Castelli*, Bury-court, St. Mary-axe, London, merchant, Jan. 20 at 11, Court of Bankruptcy, London.—*Robert Pritchard*, Bangor, Carnarvonshire, ale dealer, Jan. 20 at 12, District Court of Bankruptcy, Liverpool.—*John Williams*, Plymouth, Devonshire, dealer in Berlin wools, Jan. 20 at half-past 10, District Court of Bankruptcy, Plymouth.

To be granted, unless an Appeal be duly entered.

William Richardson, Lombard-street, London, merchant.—*Isaac Isaacs*, Plymouth, Devonshire, dealer in watches.—*Charles Sewell Harris*, Liverpool, pawnbroker.—*Wm. Miller*, Manchester, commission agent.—*Thos. Crook*, Preston, Lancashire, manufacturer.—*Thomas Lamplugh*, Great Driffield, Yorkshire, draper.—*George Blakey*, Lincoln, dealer in perfumery.

SCOTCH SEQUESTRATIONS.

Robert Smart, Leith, printer.—*Alexander Turnbull*, Glasgow, tea merchant.

DECLARATION OF INSOLVENCY.

George Lee, Liverpool, saddler, Jan. 10 at 11, County Court of Lancashire, at Liverpool.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Wm. Millan, Liverpool, hairdresser, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—*Joseph Parisà*, Liverpool, out of business, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—*R. W. Cepstick*, Liverpool, warehouseman, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—*Joseph Morgan*, Lanwanno, Glamorganshire, grocer, Jan. 11 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*John Morgan*, Balderton, Newark-upon-Trent, Nottinghamshire, labourer, Jan. 14 at 9, County Court of Nottinghamshire, at Newark.—*Robt. Jenkins*, Merthyr Tydfil, Glamorganshire, quarryman, Jan. 11 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*Wm. Rogers*, Stapleton, Gloucestershire, licensed victualler, Feb. 9 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 12 at 11, before the CHIEF COMMISSIONER.

Benjamin Cohen, Liverpool-buildings, Bishopgate-street Without, Middlesex, cap maker.—*John Lemon*, Clerkenwell-close, Clerkenwell, Middlesex, lamp maker.—*Wm. Souter*, Penton-place, Walworth, Surrey, comedian.—*Edward Paine*, Stamford-street, Blackfriars-road, Surrey, law writer.—*R. G. Lawrence*, Upper Seymour-street, Middlesex, clerk to a contractor.

Jan. 12 at 10, before Mr. Commissioner LAW.

Charles Rogers Hooper, Smart's-terrace, Addington-street, York-road, Lambeth, Surrey, shopman to shirt maker.

Friday, Dec. 24.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's Inn-fields, on giving the Number of the Case.

Wm. Morison, Everton, Liverpool, draper, No. 75,798 C.; *P. G. Wilson*, assignee.—*Michael Hudson*, Sunderland-near-the-Sea, Durham, greengrocer, No. 75,718 C.; *W. Dordford*, assignee.—*Frederick Reeves*, Birmingham, coal dealer, No. 75,811 C.; *John Spittle*, assignee.—*John W. Bette*, Hastings, Sussex, beer retailer, No. 75,823 C.; *W. Ginner*, assignee.—*Margaret Storey*, widow, Hedley-hill, near Durham, No. 63,301 T.; *Wm. Wheatley*, assignee.—*Wm. Halliwell*, Oldham, Lancashire, out of business, No. 75,704 C.; *Benjamin Smith*, assignee.

Friday, Dec. 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Sarah Jane Stabbins, Lodge-road, Park-road, Regent's-park, Middlesex, in no employ: in the Queen's Prison.—*Wm. Hughes*, Newman's-row, Bermondsey-street, Southwark, Surrey, out of business: in the Gaol of Surrey.—*Philip DeFosse*, Queen-street, Golden-square, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*John Ibbotson*, Harrow-road, Paddington, Middlesex, saddler: in the Debtors Prison for London and Middlesex.—*Edwin Joseph Clark*, Queen's-terrace, Barnsbury-road, Pentonville, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*G. H. O. Shove*, Torriano-cottages, Camden-town, Middlesex, decorative artist: in the Debtors Prison for London and Middlesex.—*H. A. Manganon*, Quadrant, Regent-street, Middlesex, Court milliner: in the Debtors Prison for London and Middlesex.—*B. W. Wigan*, Castle-st. East, Oxford-st., Middlesex, in no profession: in the Queen's Prison.—*John Packer*, Cheltenham, Gloucestershire, farmer: in the Gaol of Gloucester.—*Jeremy Hodgetts*, Handsworth, Staffordshire, parochial constable: in the Gaol of Stafford.—*D. Fisher*, Winchester, Hampshire, gunner: in the Gaol of Winchester.

—*Hugh Jones*, Peulon, Pwllheli, Carnarvonshire, tin-plate worker: in the Gaol of Carnarvon.—*F. Asprey*, Dover, Kent, attorney: in the Gaol of Dover.—*Chas. Myers Creagh*, Westbourne-grove, Hyde-park, Middlesex, in no business: in the Gaol of Springfield, Essex.—*David Cowling*, Silsden, near Kaighley, Yorkshire, wheelwright: in the Gaol of York.—*Alfred Davies*, Worcester, cabinet maker: in the Gaol of Worcester.—*Jas. Baker Moorman*, of her Majesty's steamship Encounter, paymaster: in the Gaol of Winchester.—*S. Treadgett*, Hempstead, Essex, labourer: in the Gaol of Springfield.—*Geo. Hall*, Birmingham, working upholsterer: in the Gaol of Coventry.—*Wm. Lightfoot*, Leeds, Yorkshire, dealer in malt: in the Gaol of York.—*John Rowcroft Macfarlane*, Manchester, manufacturing chemist: in the Gaol of Lancaster.—*Wm. Best Newnton*, Great Yarmouth, Norfolk, baker: in the Gaol of Norwich.—*Jos. Tonge*, Manchester, carter: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 11 at 11, before the CHIEF COMMISSIONER.

John Norton, Clarges-st., Piccadilly, Middlesex, licensed victualler.

Jan. 12 at 10, before Mr. Commissioner LAW.

John Bishop, Cottenham-road, Grove-road, Upper Holloway, Middlesex, licensed retailer of beer.

Jan. 13 at 11, before the CHIEF COMMISSIONER.

Thomas Terrey, Harnes, near Godstone, Surrey, farmer.

Jan. 13 at 10, before Mr. Commissioner LAW.

John Bullen, Jonson's-place, Harrow-road, Paddington, Middlesex, labourer.

Jan. 13 at 11, before Mr. Commissioner PHILLIPS.

Emanuel Van Vliet, Sherrard-st., Golden-square, Middlesex, boot maker.—*Philip Cohen*, Heneage-lane, Bevis Marks, London, dealer in clothes.—*Henry Woolcott*, New Oxford-st., Middlesex, gyp manufacturer.—*Samuel Smith Mickleburgh*, Addington-square, Camberwell, Surrey, common brewer.—*James Bennett France*, Albany-st., Regent's-park, Middlesex, licensed dealer in beer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Jan. 11.

Alexander Spence, Woolwich, licensed victualler.

At the County Court of Essex, at CHELMSFORD, Jan. 13.

Stephen Treadgett, Hempstead, licensed victualler.—*Chas. Myers Creagh*, Westbourne-grove, Hyde-park, Middlesex, in no trade.—*Samuel Tillitt*, Inner Temple-lane, London, certificated conveyancer.

At the County Court of Worcestershire, at WORCESTER, Jan. 12 at 10.

Alfred Davies, Worcester, cabinet maker.

At the County Court of Kent, at DOVER, Jan. 14 at 10.

Henry Gilman Darling, Folkestone, doctor of medicine.—*Frederick Asprey*, Dover, attorney.

At the County Court of Carnarvonshire, at CARNARVON, Jan. 17 at 10.

Hugh Jones, Peulon, Pwllheli, tin-plate worker.

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LONDON, JANUARY 8, 1853.

IN no branch of common-law practice has greater improvement been effected than in the old clumsy action of ejectment. Tortured and twisted by successive judges, so as to comprehend, by means of fictions, that to which it was not equal in reality or in original intention, it had become a complicated mass of absurdity. As compared with such a proceeding, the new system presents many and striking advantages; but, as may be said of the rest of the Common-law Procedure Act, if compared with what might have been done while the work of reform was in hand, the alteration does not go far enough. The form of the remedy is now made simple and sensible enough, but the vice in it, as in the old action, is, that it leaves the question to be tried too much at large, and thus enables the one party to take the other by surprise at the trial, and greatly to increase the expenses of oral and documentary proof. In the introduction to the edition of the new act by Messrs. Morris and Finlason we find the following remarks upon the subject:—"Notwithstanding that the commissioners strongly maintained the practical importance of *pleading*, for the purpose of disclosing the facts, eliciting the real matter in dispute, furnishing information to the parties, and often, by separating the law from the facts, discovering that

there is no question of fact to be tried at all, and thus saving the expense of a trial, or, if a trial takes place, greatly diminishing the expense of proof, and risk of failure for want of proof, they recommend the substantial retention of the action of ejectment as the only means of recovering real property; and though they certainly suggested something like a sensible commencement to the action in the shape of a *writ*, they did not suggest that it should give any information at all as to the ground of the claim, nor that any declaration disclosing it should be delivered, but, upon appearance, *an issue should be made up without any pleadings at all!* The practical result will be the same as it always has been, that the parties proceed to trial without any knowledge of the grounds of each other's title." In framing a system of pleading, the great desideratum appears to be, on the one hand, not to allow mere technicalities and matters of form to overcome the merits and substance of the case; and on the other, to narrow the risk and expense of a trial, by affording full information as to the question to be tried between the parties. The former object has been kept in view by the framers of the new act; the latter has frequently been lost sight of in this measure, and no doubt it is disregarded in the system adopted in our county courts. It would have been very easy, and in accordance with the requirements in many other actions, to

have rendered it necessary for the claimant and defendant in ejectment to state substantially the grounds of their respective titles to the property, or to have enabled either party to obtain particulars of such titles. As it is, however, the writ, which is henceforth to commence an ejectment, simply states that "A., B., and C., some or one of them, claim to be entitled to the possession of certain property," and to eject all other persons therefrom;" upon an appearance thereto being entered, an issue may *once** be made up without any pleadings, and "the question at the trial shall be, whether the statement in the writ of the title of the claimants is true or false;" and if true, whether they are entitled to the whole or to part; but the jury may find ouster or no ouster as between joint tenants, tenants in common, and co-parceners. (Sects. 169, 178, 180, 188, Sched. A., No. 13).

While the statement of title to the property is left thus at large, provision is made for greater certainty in the description of the property itself. Thus, it is to be described in the writ with "reasonable certainty," and a judge may order "better particulars of the land claimed or defended," and "the particulars of the claim and defence, if any, shall be annexed to the record." The defence may be limited, by notice, to a part only of the property, describing that part with reasonable certainty. (Sects. 168, 174, 175, 180). By consent, a special case may be stated, (sect. 179), in which, of course, the facts would be set out specially, both as to the title and the property; but a special case would be wholly unnecessary if the title was to be stated with "reasonable certainty" in the writ and the subsequent pleadings; and it must be remembered, that no writ of error can be brought upon a special case in ejectment.

The writ is to be served as the old declaration in ejectment was served, or as otherwise ordered; and in case of vacant possession, a copy is to be posted on the door of the house, or other conspicuous part of the property. (Sect. 170). The nature and meaning of the service should probably be explained to the person on whom it is served. There is nothing in the act requiring an affidavit of the service of the writ before signing judgment by default for non-appearance, (see sect. 177), or otherwise; although, it will be remembered, such affidavit is required before judgment can be signed for non-appearance in other actions. (See sects. 27, 28).

The writ is to state the names of all the persons in whom the title is alleged to be, and to be directed to the persons in possession by name, and to all persons entitled to defend the possession, (sects. 168, 169); and an amendment as to parties, and other matters, would probably be allowed under sect. 34, (if not, under sect. 35, where the word "action," i. e. "personal action," is used), and also under sects. 221 and 222. See also sect. 201, as to discontinuance by one of several claimants. Any other person not named in the writ may, by leave, appear and defend, on filing an affidavit shewing that he is in possession of the land, either by himself or his tenant; and appearances and defences made by persons not thus in possession may be struck out. (Sects. 172, 176).

The writ is to be in force for three months, (sect. 169), and cannot be renewed, like a writ of summons, under sect. 11. It is to be tested on the day on which it issues, and to be indorsed, as to name and residence of the attorney issuing it, &c., in the same manner as a writ of summons. (Sect. 169).

According to the form of the writ, the claim is to be

* Sic in act—probably intended for "at once;" but if so, it is not correct, as the issue cannot properly be made up until it is seen whether the defence is to the whole or to part only of the property; and the defendant has four days after appearance for giving notice whether he defends for the whole or part.

stated as from the date of the writ, or from a day certain; but it seems doubtful whether it can be stated in the same writ in both forms, and it is sometimes important to lay the time of the claim in the alternative, as in the old declaration, by means of several demises. The alternative may probably now be used.

The time for appearance is sixteen days, (sect. 169), and the notice limiting the defence to part of the property may be served within four days after appearance. (Sect. 174). If no appearance is entered, the plaintiff may sign judgment for the whole; or, if the defence be limited to part, then judgment may be for the part to which the defence does not apply. (Sect. 177, and see sect. 206). No provision is made for the recovery of the costs of such judgment by default, and they can, it seems, be recovered only in an action for mesne profits.

The action may, by leave, be tried in any county. (Sect. 182). If the title of the claimant existed at the time of the service of the writ, and as alleged therein, but has expired before trial, he shall yet have a verdict according to the fact, and judgment for his costs. (Sect. 181).

If the defendant appears at the trial, and the claimant does not, the claimant shall be nonsuited; and if the claimant appears, but the defendant does not, "the claimant shall be entitled to recover, as heretofore, without any proof of his title." (Sect. 183). Now, heretofore, in the latter case, the claimant was nonsuited, but yet obtained judgment under the consent rule. The meaning of the above section probably is, that the claimant shall have judgment as in an undefended cause, and without offering any evidence whatever.

The jury may find a special verdict, or a bill of exceptions may be tendered, (sect. 184), upon which error may be brought. (Sect. 208).

Upon a verdict, judgment may be signed and execution issued on the fifth day in term after the verdict, or within fourteen days after the verdict, whichever shall first happen, unless the judge before whom the cause is tried shall postpone judgment, &c. for a period not exceeding the said fifth day in term. (Sects. 185, 186). The judge who tries the cause is the one to postpone execution in ejectment, but in other actions any judge has this power. (See sect. 120).

COMMON LAW REFORM.

TO THE EDITOR OF "THE JURIST."

SIR,—When the Common-law Procedure Act came into operation on the 24th October last, the Profession naturally expected that, as their fees were to be reduced nearly one-half, (as they have since been), the payments out of pocket to the Government officers for issuing writs, signing judgments, and other process, would be reduced accordingly; but, instead of a reduction being made, an increase has been enforced upon almost every proceeding. For example—the payment for signing judgment before the above act was 8s.; it has since been increased to 10s., but is now fixed at 9s.: writs of fi. fa. and ca. sa. were 1s.; now 5s. each is exacted: for searching for an appearance no charge was made; it is now 6d.: taxing a short bill of costs was about 2s.; it is now 3s. 6d. and 5s. But, notwithstanding these increased payments, the costs given by the Taxing Masters upon a judgment under 20l. are only 5s.; and above 20l. only 4l. are allowed. With this additional taxation, how is it possible for the Profession to pay fair salaries, office and other expenses, when our fees are cut down below a proper remunerative scale? For what with such increased demands, together with a duty of 120l. upon the articles of clerkship, 30l. admission fees, and 12l. per annum afterwards

to allow us to practise, I think it can be well said our taxes are heavy indeed.

We have long endeavoured to obtain a repeal of the certificate duty, and now that its payment must be occupying the attention of every practitioner, I do hope that another bold stroke will be made to abolish this obnoxious burthen.

A moderate reduction of our costs is not our objection, but such wholesale taxation as that to which I have just alluded presses most harshly upon the hard-working professional man.

I write this letter at the request of several members of the Profession, and therefore trust you will do me the favour to insert it.

I am, Sir,
Your obedient servant,
J. B. H.

Bedford-row, Dec. 16, 1852.

Reviews.

A Treatise on the Law of Master and Servant, including therein Masters and Workmen in every Description of Trade and Occupation; with an Appendix of Statutes. By CHARLES MANLEY SMITH, of the Middle Temple, Special Pleader. [S. Sweet.]

THE rules of law that regulate the relation between masters and servants are exceedingly little known to the class of masters generally. Most people know, or have a notion, that with regard to the dismissal of domestic servants, one must give them a month's warning or a month's wages; and most people have an idea, that for very great misconduct a master may discharge his servant forthwith; but the idea is so cloudy in most men's minds, that any threat, on the part of the dismissed servant, of compulsory proceedings to recover the month's wages, is followed by submission on the part of the master. Again: that portion of the law which relates to the liability of the master for the servant's acts is almost a sealed book to the race of masters, and thousands of men, who know generally what their rights are in matters of their business, are so totally unacquainted with their rights and liabilities as masters, as to be alternately committing and suffering injustice, with the utmost unconsciousness.

Even with the Profession, the triviality of the circumstances under which disputes most frequently arise between master and servant, and the small amount of the sums in dispute, render the subject so generally unattractive, that lawyers, well versed in other branches of law, are frequently quite uninformed on questions between master and servant. A work, therefore, such as that before us, in which the whole subject has been carefully and minutely considered, will be valuable both to the Profession and to such of the laity as choose to know a little of a branch of law bearing so closely upon their home comforts.

Mr. Smith's work does not affect to be popular—it is written for the Profession; but it is at the same time not unintelligible to men not lawyers. It commences by a short introductory chapter on the origin of servitude, and its gradual conversion into domestic service, regulated by contract; after which the author plunges at once into all the legal mysteries attending hiring and discharging servants, and the duties and liabilities of masters and servants inter se, and as between them and third parties, during the existence of the contract.

The following is the account given by Mr. Smith of the state of the law as to the discharge of servants, (p. 69):—

“It is difficult to lay down any general rule as to what causes will justify the discharge of a servant, which shall comprise and be applicable to all cases;

‘since whether or not a servant in any particular case was rightfully discharged must, of course, often depend upon the nature of the services which he was engaged to perform, and the terms of his engagement. It is conceived, however, that the following rules, which may be stated as the result of the decisions upon the subject, are applicable to most cases:—

“I. That wilful disobedience on the part of the servant of any lawful order of his master is a good cause of discharge.

“II. Gross moral misconduct, whether pecuniary or otherwise, will justify the discharge of a servant.

“III. Habitual negligence in business, or conduct calculated seriously to injure his master's business, will justify the discharge of a servant.

“I. Wilful disobedience on the part of the servant of any lawful order of his master is a good cause of discharge.

“Thus, where the yearly servant to a farmer, who usually breakfasted at five A.M. and dined at two, one day refused to go with the horses to the Marsh, which was a mile off, before dinner, dinner being then ready, saying that he had done his due, and would not go till he had had his dinner; whereupon his master told him to go about his business, and he went accordingly, without offering to obey his master's orders: Lord Ellenborough held, that the master was justified in dismissing him.

“So, where the plaintiff, who had agreed with the defendant (under stat. 5 & 6 Will. 4, c. 19, ss. 2, 3) to serve as carpenter's mate of a vessel during a South Sea voyage, during the voyage mutiniously refused to work the ship except to an English port, whereupon he was put on shore at Java and discharged, the defendant was held to be justified in discharging him.

“Again: in the case of *Turner v. Mason* (14 M. & W. 112; S. C., 2 Dowl. & L. 890) it was held, that the defendant was justified in dismissing the plaintiff, a housemaid, who persisted in leaving his house, contrary to his orders, although she went to visit a sick and dying mother; Parke, B., saying, ‘It was laid down by Lord Ellenborough in *Spain v. Arnott*, (2 Stark. 256), and by me in *Callo v. Brouncker*, (4 Car. & P. 51), and confirmed by the Court of Queen's Bench in *Amor v. Fearon*, (9 Ad. & El. 549), that the wilful disobedience of any lawful order of the master is a good cause of discharge. Here the plea discloses a perfectly lawful order, namely, that the defendant should not absent herself from the service during a night, and the plaintiff's disobedience thereto. Then the question is, whether the replication discloses sufficient ground of excuse for such disobedience. *Prima facie*, the master is to regulate the times when his servant is to go out from and return to his house. Even if the replication shewed that he had notice of the cause of her request to absent herself, I do not think it would be sufficient to justify her in disobedience to his order: there is not any imperative obligation on a daughter to visit her mother under such circumstances, although it may be unkind and uncharitable not to permit her. But the replication states nothing to shew that the defendant had any notice or knowledge of the mother's illness.’

“And similar principles were laid down in the recent case of *Lilley v. Elwin*, (11 Q. B. 742, 756). In that case the plaintiff was engaged as a waggoner to the defendant, but during the harvest worked in the field generally. The practice was, during harvest, to work till eight o'clock in the evening. The plaintiff refused to work till that hour, not as being an unreasonable hour, or as not being within the terms of his contract, but because strong beer of good quality was not allowed to him, according to a custom which he

'alleged to exist, but could not prove, the beer supplied 'being, as he contended, very bad small beer, not so 'good as water; whereupon the defendant refused any 'longer to employ the plaintiff, and took him before a 'magistrate, who discharged him, and he brought his 'action against the defendant; but it was held, that 'the defendant had a right to discharge him, and must 'be taken to have exercised that right by ordering him 'not to return, taking him before a magistrate, and 'acquiescing in the magistrate's order of discharge.

"However, where the plea to an action for wrongful 'dismissal sets up, as an excuse, disobedience of orders, 'causing loss, it is not sufficient to shew disobedience 'which did not occasion a loss. And a mere obstinate 'refusal to work will not of itself justify the dismissal 'of a servant, as it might be an obstinate refusal to do 'an unlawful act, (e. g. to work at trade on Sunday)."

The author proceeds in the same manner to state the result of the authorities on the two next heads—gross moral misconduct, and habitual negligence.

The chapter on "the liability of a master to third persons for the acts of his servant" (pp. 112 et seq.) is equally clear. It is too long for us to extract more than one or two passages. On the distinction between the general and special agency of a servant, the author thus states the law:—

"A servant may be regarded as the general agent of 'his master for all purposes within the scope of his 'employment; if employed for any unusual purpose, 'he may be looked upon as the special agent of his 'master. Thus, for instance, if a man were in the 'habit of paying for hay and straw purchased by his 'groom, the groom might be regarded as his general 'agent for the purchase of a reasonable quantity of hay 'and straw, and the master would be liable to pay for 'such hay and straw purchased by the groom; even if, 'in a particular instance, the groom acted contrary to 'his master's orders. But such a groom could not be 'looked upon as the general agent of his master, so as 'to render him liable to pay for anything else the 'groom might choose to buy in his master's name, the 'obtaining other things not being within the scope of 'his employment. If he were sent by his master, with 'money, to purchase beer or wine, he would be a special agent for that occasion; and if the person of whom 'he bought it chose to let him take it away without 'payment, and without ascertaining that he had authority to pledge his master's credit, he must abide the 'consequences—the master would not be liable.

"Bearing, therefore, this distinction in mind, it may 'be stated as a general rule, that wherever a master 'has, by his conduct, held out his servant as his general 'agent, whether in all kinds of business, or in transacting 'business of a particular kind, the master will be 'bound by the act of his servant, if within the scope of 'his usual employment, notwithstanding the servant 'has acted contrary to his master's orders.

"Thus, where a master sent his servant, who was 'used to transact affairs of that nature for him, on 'Saturday, with a note drawn on Sir S. E., with orders 'to get from Sir S. E. either bank bills or money, and 'turn them into Exchequer notes, but the servant, to 'save himself time and trouble, went to B., and prevailed with him to give him a bank bill for the note 'upon Sir S. E., and then, in pursuance of his master's orders, invested it in Exchequer notes, which he 'brought to his master, not letting him know but that 'he had gone to Sir S. E.; Sir S. E. failed upon the 'Monday following; the question was, upon whom 'the loss should fall, B. or the master; and the whole 'Court were of opinion that the master was chargeable, 'and he only; for a servant, by transacting affairs for 'his master, does thereby derive a general authority 'and credit from him; and if this general authority 'should be liable to be determined for a time by any

'particular instructions or orders, to which none but 'the master and servant are privy, there would be an 'end of all dealing but with the master.

"Upon similar grounds rests the distinction, that if a 'horse-dealer, or a person keeping livery-stables, having 'a horse to sell, expressly direct his servant not to warrant him, and the servant do nevertheless warrant him, 'still the master would be liable upon the warranty, 'because the servant was acting within the general scope 'of his authority; and the public cannot be supposed to 'be cognizant of any private conversation between the 'master and servant. But if the owner of a horse were 'to send a stranger to a fair, with express directions 'not to warrant the horse, and the latter acted contrary 'to the orders, the purchaser could only have recourse 'to the person who actually sold the horse, and the 'owner would not be liable on the warranty, because 'the servant was not acting within the scope of his authority."

The subject of what is commonly called "giving a character to a servant" is also very fully and accurately discussed in chap. 7, p. 222; and the leading cases on the question, what amounts to *express malice* on the part of the master, which is requisite to entitle a servant to maintain an action for defamation on account of a bad character being given to him, are stated and examined.

The text of the work concludes by a chapter on legacies to servants—a subject of a mixed kind, depending on the intention of the testator in using the word "servant," if it can be collected that he uses it in any unusual sense; and the strict meaning of the word as a description, if there is nothing to shew an extraordinary use of it. And the author has added a collection of notes and practical forms.

On the whole, Mr. Smith appears to us to have arranged his work very well, and to have treated the subject very fully and practically.

Court Papers.

COMMON-LAW CAUSE LIST, HILARY TERM, 1853.

Court of Queen's Bench. NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER MICHAELMAS TERM, 1852.

FOR JUDGMENT.

Cam.—Haylock v. Sparks
Liverpool—Mellor v. Leather
Midd.—Reg. v. Eastern Archipelago Co.

FOR ARGUMENT.

Lond.—Hastings v. Brown
Bristol—Bougleaux v. Swayne
Notts.—Earl of Scarborough v. Picking
Oxford—Wiltshair v. Cottrell
Wilts.—Doe d. Butt v. Rous
Herts.—Johnson v. Gibson
Lond.—Bessell v. Wilson
Northumb.—Mayor, &c. of Berwick-upon-Tweed v. Renton

Monmouth—Keyse v. Powell
Lond.—Heywood v. Potter
Carlisle—Walton v. M'Grath
Midd.—Maugham v. Smith
Hereford—Doe d. Hemmings v. Parkinson
Liverpool—Neill v. Warham
" Reg. v. Inhabitants of Houghton
Warwick—Derra de Moroda v. Dawson & on.
Devon—Northam v. Hurley
Lond.—Gregory v. Cotterell
Sussex—Doe d. Bratt v. Acland
Midd.—Reg. v. Dr. Newman
Tried during Mich. Term.
Midd.—Kernot v. Curtis.

SPECIAL CASES AND DEMURRERS

FOR HILARY TERM, 1853.

Those marked thus * are Special Cases—the rest are Demurrers

FOR JUDGMENT.

Mayor, &c. of the Borough of Berwick-upon-Tweed v. Oswald

Mayor, &c. of the Borough of Berwick-upon-Tweed v. Renton
Same v. Dobie & an.

Tallis v. Tallis
 Leverick v. Mercer
 *Phelps v. Warren
 FOR ARGUMENT.
 *Gill v. Fowke
 Johnson & Wife v. Lucas
 *Williams & an. v. Evans

Doe d. Housfield v. Ridal (Sp.
 Verd.—Stands till Kernot
 v. Pittis is disposed of in the
 Exchequer Chamber)
 Liverpool Tradesman's Loan
 Co. v. Dickenson
 Kernot v. Cattlin.

COUNTY COURT APPEAL.

Staffordshire (Uttoxeter)—Mountney v. Collier.

ENLARGED RULES

FOR HILARY TERM, 1853.

First Day.

In re Smith
 In re Walsh and Jonides
 Keane v. Stewart
 In re Sill
 In re Russell
 Wilson v. Simpson

Robinson & orn. v. Shaw
 In re Day
 Reg. v. Justices of Middlesex
 Same v. Ecclesiastical Com-
 missioners
 Same v. Mayor and Assessors
 of Harwich.

CROWN PAPER, HILARY TERM, 1853.

Manchester... Reg. v. Plant.
 Lancashire... Manchester & Southport Railway Co.
 Surrey... Fletcher.
 Suffolk... Inhabitants of Haughley.
 London... Inhab. of St. Leonard's, Shoreditch.
 Kent... Waghorn.
 Somersetshire... Inhabitants of Nempnett Thruwell.
 Middlesex... Vestrymen and Directors of the Poor
 of St. Pancras.
 Same... Dugdale v. Reg. (in error).
 Hereford... Reg. v. Churchwardens and Overseers of St.
 Andrew's, Worcester.
 Buckinghamsh. Roberts.
 Suffolk... Inhabitants of Stowmarket.
 Middlesex... Swinborne & orn.

Court of Common Pleas.

NEW TRIALS.

MICH. TERM, 1848.
 Surr.—Hamilton v. Cochrane
 (Standing over for
 arrangement)

London.—Moffatt v. Dickson
 Surrey—Duncan v. Tindall
 Essex—Mathew v. Osborne
 Herts—Rippen v. Hunt
 Midd.—Sharman v. Sanders
 Lond.—Rowe v. Tipper
 „ Same v. Same.

MICH. TERM, 1852.
 Lond.—Peterson v. Ayre

ENLARGED RULES.

Generally. Dalby v. India and London
 In re Sharp v. Hall (In prohib.) Life Assurance Co.

DEMURRER PAPER.

Monday, January 17.

Quartermaine v. Billeston | Tanner v. Benson.

COUNTY COURT APPEALS.

Kent (Margate)—Winch v. Winch
 Essex (Chelmsford)—Cheveley v. Fuller.
 Durham (Gateshead)—Gibbon v. Gibbon.

Court of Exchequer.

SITTINGS—HILARY TERM, 1853.

<i>Days in Term.</i>	<i>Banc.</i>
Tuesday... Jan. 11	Motions and Peremptory Paper.
Wednesday... 12	Errors, Peremptory Paper, & Motions.
Thursday... 13	.....
Friday... 14	.....
Saturday... 15	.....
Monday... 17	Special Paper.
Tuesday... 18	.....
Wednesday... 19	.....
Thursday... 20	Circuits chosen.
Friday... 21	.....

Days of Term.

Saturday..... 22	Crown Cases.
Monday..... 24	Special Paper.
Tuesday..... 25	.....
Wednesday..... 26	.....
Thursday..... 27	.....
Friday..... 28	.....
Saturday..... 29	.....
Monday..... 31	.....

Days in Term.

Wednesday.. Jan. 12	Middlesex first Sitting.
Monday..... 17	London first Sitting.
Wednesday.... 19	Middlesex second Sitting.
Monday..... 24	London second Sitting.
Wednesday.... 26	Middlesex third Sitting.

Nisi Prius.

NEW TRIALS.

FOR JUDGMENT.

Moved Easter Term, 1852.
 Chester—Pearson v. Beck
 Carmarthen—M'Kinnon v.
 Penson
 Moved Mich. Term, 1852.
 York—Watson v. Ward

Moved Mich. Term, 1852.

Midd.—Bedford v. Collier
 Newcastle—Heslop v. Baker
 Carlisle—Waters v. Towers
 Liv'pool—Hubbersty v. Ward
 „ Robertson v. Wait
 Maidstone—Hills v. Mitson
 Guildford—De Clermont v.
 Bradbury
 Worcester—Christie v. Win-
 nington
 Stafford—Instan v. Yates
 Carmarthen—Morgan v. Tho-
 mas
 Moved after the 4th Day of
 Mich. Term, 1852.
 Midd.—Tanner v. Woolmer
 „ Scothorn v. South
 Staffordshire Rail-
 way Co.

FOR ARGUMENT.

Moved Easter Term, 1851.
 Kingston—Griffin v. Hum-
 phery
 Moved Hilary Term, 1852.
 Lond.—Vincent v. Shropshire
 Union Railways and
 Canal Co.
 Moved Easter Term, 1852.
 Chelmsford—Gant v. Patrick
 „ Gant v. Groom

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions,
 and to be proceeded with the next Day, if necessary, before
 the Motions.

Doe d. Huliv v. Powell | Morgan v. Clifton
 Price v. Hewett.

SPECIAL PAPER.

FOR JUDGMENT.	FOR ARGUMENT.
Taylor v. Loft (Heard Nov. 10, 1852)	Alcock v. Ashpittel Same v. Same.

London Gazettes.

FRIDAY, DECEMBER 31.

BANKRUPTS.

JAMES JANES, Worthing, Sussex, linen and woollen
 draper, trader, dealer and chapman, Jan. 8 at 1, and Feb. 11
 at 11, Court of Bankruptcy, London: Off. Ass. Cannan;
 Sols. J. & J. H. Linklater, 17, Size-lane, Bucklersbury.—
 Petition filed Dec. 23.
 JAMES PUGH, late of Jermy-n-st., Haymarket, Middlesex,
 and now of Lyndhurst-square, Peckham, Surrey, tailor,
 dealer and chapman, Jan. 7 at 1, and Feb. 11 at 12, Court
 of Bankruptcy, London: Off. Ass. Cannan; Sol. We-
 therfield, 14, Basinghall-street, London.—Petition filed
 Dec. 21.
 THOMAS HILLMAN, Worthing, Sussex, wine and spirit
 and coal merchant, dealer and chapman, Jan. 13 and Feb. 18
 at 12, Court of Bankruptcy, London: Off. Ass. Cannan;
 Sols. Stackey, Brighton; à Beckett & Symson, 7, Golden-
 square, Middlesex.—Petition filed Dec. 29.
 THOMAS COLE, Newport, Isle of Wight, Hampshire,
 cabinet maker and trader, dealer and chapman, Jan. 11 at
 half-past 12, and Feb. 11 at 12, Court of Bankruptcy, Lon-
 don: Off. Ass. Johnson; Sols. Willoughby & Cox, Clif-
 ford's-inn.—Petition filed Dec. 15.

FRANCIS JENKYNs, formerly of Love-lane, Eastcheap, London, but now of Tysoe-street, Clerkenwell, Middlesex, corn merchant, dealer and chapman, Jan. 14 at half-past 11, and Feb. 17 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Glynes, 3, Crescent, America-square.—Petition filed Dec. 29.

HENRY BURGESS ROFF, Woolwich, Kent, wharfinger, cab proprietor, dealer and chapman, Jan. 10 at half-past 12, and Feb. 12 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Colquhoun, Woolwich, Kent.—Petition dated Dec. 23.

JAMES RICHARD GRIMSHAW, Pemberton, Lancashire, master coal miner and coal dealer, Jan. 13 and Feb. 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Mayhew, Wigan.—Petition filed Dec. 26.

MEETINGS.

John Britain the elder, Birmingham, jeweller, Jan. 22 at 10, District Court of Bankruptcy, Birmingham, and ac.—*Chas. Marshall*, Old Castle-street, Whitechapel, Middlesex, brewer, Jan. 21 at 1, Court of Bankruptcy, London, div.—*Roseland Evans*, *John Foster*, *Shinner Zachary Langton*, and *Thos. Foster*, Barge-yard, Bucklersbury, London, East India merchants, Jan. 22 at half-past 11, Court of Bankruptcy, London, div.—*Raley Middlewood* and *Allen Foster*, Leeds, Yorkshire, linendrapers, Jan. 22 at 12, Court of Bankruptcy, London, div.—*Wm. White*, Winchester, Southampton, builder, Jan. 22 at half-past 12, Court of Bankruptcy, London, div.—*Charles Moody*, Goswell-road, Clerkenwell, Middlesex, pork butcher, Jan. 22 at 11, Court of Bankruptcy, London, div.—*John Labron*, Leeds, Yorkshire, cloth merchant, Jan. 21 at 11, District Court of Bankruptcy, Leeds, div.—*James Batson* and *Wm. Batson*, Dudley Port and Tivdale, Staffordshire, ironmasters, Jan. 22 at 10, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Wiazar, Salisbury, Wiltshire, apothecary, Jan. 27 at 2, Court of Bankruptcy, London.—*Henry Beerett*, Colchester, Essex, builder, Jan. 21 at 1, Court of Bankruptcy, London.—*A. B. Wall*, Bishop's-road, Baywater, Middlesex, apothecary, Jan. 21 at half-past 11, Court of Bankruptcy, London.—*John Bavin*, Wisbeach, Cambridgeshire, draper, Jan. 20 at 11, Court of Bankruptcy, London.—*E. Kreisshamer*, King-square, Middlesex, manufacturing jeweller, Jan. 25 at 11, Court of Bankruptcy, London.—*Francis Lewis*, Ragland, Monmouthshire, engineer, Jan. 26 at 11, District Court of Bankruptcy, Bristol.—*Richard Hadland*, St. Helen's, Lancashire, glass manufacturer, Jan. 24 at 11, District Court of Bankruptcy, Liverpool.—*John Bedford*, Wakefield, Yorkshire, cloth merchant, Jan. 21 at 11, District Court of Bankruptcy, Leeds.—*Joseph M. Lintock*, Barnsley, Yorkshire, linen manufacturer, Jan. 21 at 11, District Court of Bankruptcy, Leeds.—*Wm. Henry Stafford*, Sheffield, Yorkshire, painter, Jan. 22 at 12, District Court of Bankruptcy, Sheffield.—*S. Goodwin*, Birmingham, grocer, Jan. 22 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas Woodward, Liverpool, butcher.—*Thos. Bentley*, Liverpool, tailor.—*George Freeman*, White Cottage, Southampton-street, Camberwell, Surrey, dealer in colonial produce.

PETITION ANNULLLED.

Wm. D. Prichard and *Daniel Prichard*, High-street, St. Marylebone, Middlesex, coachsmiths.

SCOTCH SEQUESTRATIONS.

Wm. Watt, Rig, Glassford, Lanarkshire, farmer.—*Cornelius Crauford*, Glasgow, fancy paper box maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas R. Dickenson, Mount Radford, Devonshire, clerk, Jan. 15 at 10, County Court of Devonshire, at Exeter.—*Wm. Roberts* the elder, Copdock, near Ipswich, Suffolk, out of business, Jan. 14 at 10, County Court of Suffolk, at Ipswich.—*Ellis Hills*, Ipswich, Suffolk, publican, Jan. 14 at 10, County

Court of Suffolk, at Ipswich.—*James Bullen*, Ipswich, Suffolk, general grocer, Jan. 14 at 10, County Court of Suffolk, at Ipswich.—*Robert Warren*, Chelmondiston, Suffolk, ship-owner, Jan. 14 at 10, County Court of Suffolk, at Ipswich.—*Anthony Girling*, Abingdon, Berkshire, shoemaker, Jan. 22 at half-past 10, County Court of Berkshire, at Abingdon.—*J. P. Evans*, Swaffham, Norfolk, clerk, Jan. 13 at 10, County Court of Norfolk, at Swaffham.—*Wm. Botwood*, Wellington, Shropshire, coachbuilder, Jan. 21 at 10, County Court of Shropshire, at Wellington.—*W. Lomez*, Prescot, Lancashire, grocer, Jan. 19 at 12, County Court of Lancashire, at St. Helen's.—*Wm. Glover*, St. Helen's, Lancashire, house-sign painter, Jan. 19 at 12, County Court of Lancashire, at St. Helen's.—*T. Pearson*, North Shields, Northumberland, publican, Jan. 21 at half-past 10, County Court of Northumberland, at North Shields.—*J. Tomlinson*, Beveley, Wombidge, Shropshire, gardener, Jan. 21 at 10, County Court of Shropshire, at Wellington.—*Joseph Fude*, Broughton, Astley, Leicestershire, grocer, Jan. 15 at 11, County Court of Leicestershire, at Lutterworth.—*Lilly Smith*, South Shields, Durham, post-terer, Jan. 24 at 10, County Court of Durham, at South Shields.—*Margaret Jane Clark*, South Shields, Durham, out of business, Jan. 24 at 10, County Court of Durham, at South Shields.—*Thos. Whately*, Leamington Priors, Warwickshire, in no business, Jan. 17 at 2, County Court of Warwickshire, at Warwick.—*Fred. Murphy*, Godmanchester, Huntingdonshire, wheelwright, Jan. 22 at 12, County Court of Huntingdonshire, at Huntingdon.—*Thos. Staples*, Chatham, Kent, cabinet-maker, Jan. 13 at 10, County Court of Kent, at Rochester.—*J. Thatcher*, Wantage, Berkshire, watchmaker, Jan. 17 at 12, County Court of Berkshire, at Wantage.—*G. Prichard*, Dunham-o'-the-Hill, Cheshire, huckster, Jan. 28 at half-past 10, County Court of Cheshire, at Chester.—*W. Cartridge*, Asken, Campsall, Yorkshire, shoemaker, Jan. 3 at 12, County Court of Yorkshire, at Doncaster.—*John Bassnett*, St. Helen's, Lancashire, provision dealer, Jan. 19 at 12, County Court of Lancashire, at St. Helen's.—*John Smith*, Chester, baker, Jan. 28 at half-past 10, County Court of Cheshire, at Chester.—*John Lambley*, Birmingham, druggist, Jan. 29 at 10, County Court of Warwickshire, at Birmingham.—*James Stone*, Birmingham, butcher, Jan. 15 at 10, County Court of Warwickshire, at Birmingham.—*Denis O'Sullivan*, Liverpool, flour dealer, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—*Wm. Atkinson*, Liverpool, assistant to a tailor, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—*Elizabeth Price*, widow, Liverpool, dressmaker, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 12 at 11, before the CHIEF COMMISSIONER.

John Emsworth, Wardour-street, Soho, Middlesex, porter.

Jan. 12 at 10, before Mr. Commissioner LAW.

T. Godwin, Orm's-st., near Portman-market, and Devonshire-street, Lisson-grove, Marylebone, Middlesex, plumber.

Jan. 14 at 11, before the CHIEF COMMISSIONER.

Philip Kuns, Princess-st., Portman-market, Paddington, Middlesex, baker.

Jan. 14 at 10, before Mr. Commissioner LAW.

Elijah Robinson, Clapham, Surrey, assistant draper.

Jan. 15 at 11, before Mr. Commissioner PHILLIPS.

Ambrose Jacobs, Robert's-place, Commercial-road East, Middlesex, coffee-house keeper.—*Robert Gill*, Frith-street, Soho-square, Middlesex, tailor.—*Daniel Keshan*, Tonbridge-place, New-road, Middlesex, clerk in an assurance office.

Jan. 17 at 10, before Mr. Commissioner LAW.

Wm. Mansell, Shepherd's-court, Hanover-sq., Middlesex, carpenter.

Jan. 17 at 11, before Mr. Commissioner PHILLIPS.

John F. Richards, Prior-st., Greenwich, Kent, conductor to an omnibus.—*James Cooper*, Little Union-street, Borough-road, Southwark, Surrey, carman.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 14 at 10, before Mr. Commissioner LAW.

Adjourned Case.

James Harris, Perry-hill, Sydenham, Kent, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, Jan. 14 at 10.

Robert Hicks the younger, Dover, in no profession.

At the County Court of Lancashire, at LANCASTER, Jan. 14 at 11.

Joseph Burton, Manchester, general merchant.—Stephen Picher, Chorlton-upon-Medlock, Manchester, commercial traveller.—Edwin Bate, Manchester, printer.—John Rowcroft Macfarlane, Manchester, out of business.—Joseph R. Dicker, Liverpool, bookkeeper.—John Lawson, Liverpool, master of the brig Heather.—William Ross, Chorlton-upon-Medlock, Manchester, out of business.—Henry Phillips, Manchester, dealer in marine stores.

At the County Court of Durham, at DURHAM, Jan. 14.

James Smith, Darlington, shoemaker.—James Hall, South Shields, hosier.

At the County Court of Devonshire, at EXETER, Jan. 15 at 10.

Simon Bandal, Sherwood, near Newton St. Cyres, attorney.

At the County Court of Warwickshire, at WARWICK, Jan. 17 at 2.

John Cowan, Leamington Priors, commission agent.

At the County Court of Warwickshire, at WARWICK, Jan. 18 at 10.

Charles Green the elder, Coventry, carpenter.—Edward J. Merry, Coventry, watch jeweller.

At the County Court of Warwickshire, at COVENTRY, Jan. 19 at 10.

Wm. Parrott, Birmingham, out of business.—John Smith, Birmingham, carpenter.—Wm. Wilcox Baker, Birmingham, engraver.—Richard Bates, Birmingham, commission agent.—Richard Salt, Birmingham, cutler.—John Trevor, Birmingham, assistant to a baker.

At the County Court of Gloucestershire, at BRISTOL, Jan. 19 at 11.

Henry Jones, Lyde Green Farm, Pucklechurch, farmer.

TUESDAY, JANUARY 4.

BANKRUPTS.

JOHN ELLIS, Preston, Lancashire, machine broker and cotton dealer, dealer and chapman, Jan. 17 and Feb. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Turner & Son, Preston; Cooper & Son, Manchester.—Petition filed Jan. 1.

OLIVER VEALE, Ashwater, Devonshire, miller, farmer, dealer and chapman, Jan. 12 and Feb. 15 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Kingdon, Holsworthy; Stogdon, Exeter.—Petition filed Dec. 23.

MEETINGS.

Collingwood Tully, Sunderland, Durham, shipowner, Jan. 12 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, ch. ass.—Joseph Loader, Pavement, Finsbury, London, upholsterer, Jan. 14 at half-past 11, Court of Bankruptcy, London, last ex.—David Marriott, Oxford-street, Middlesex, draper, Jan. 18 at 12, Court of Bankruptcy, London, and ac.—Charles Marshall, Old Castle-st., Whitechapel, Middlesex, brewer, Jan. 14 at half-past 1, Court of Bankruptcy, London, and ac.; Jan. 21 at 1, div.—James Heathwaite, New-street, Covent-garden, Middlesex, cheesemonger, Jan. 14 at half-past 11, Court of Bankruptcy, London, and ac.—Samuel Adams, Wm. B. Adams, and Gerard Ralston, Bow, Middlesex, engineers, Jan. 14 at 12, Court of Bankruptcy, London, and ac. sep. ests. of Wm. B. Adams and Gerard Ralston.—Samuel W. Gillam, Farlington-place, Edgeware-road, Middlesex, wine merchant, Jan. 14 at half-past 11, Court of

Bankruptcy, London, and ac.—Thomas Meeson, Fenchurch-street, London, coal merchant, Jan. 14 at 11, Court of Bankruptcy, London, and ac.—Anthony Clapham, Newcastle-upon-Tyne, soap manufacturer, Jan. 24 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—J. Nicholson, Shotley Bridge, Durham, ironmonger, Jan. 24 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; Jan. 26 at 12, div.—Joseph Nanson the younger, Seaham Harbour, Durham, ship broker, Jan. 26 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—Richard H. Bell and Errington Bell, South Shields, Durham, paper manufacturers, Jan. 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac. joint est.; at half-past 1, and ac. sep. est.; Jan. 26 at 1, div. sep. est. of E. Bell.—Charles Marsh Adams and Charles Warren, Shrewsbury and Market Drayton, Shropshire, bankers, Jan. 18 at 11, District Court of Bankruptcy, Birmingham, and ac.—Wm. H. Richardson, Benjamin Richardson, and Jonathan Richardson, Wardale, Staffordshire, and Lamb's Conduit-st., Middlesex, glass manufacturers, Jan. 25 at 11, District Court of Bankruptcy, Birmingham, and ac.; Jan. 26 at 11, div.—Thomas Luke, New Accrington, Lancashire, grocer, Jan. 20 at 12, District Court of Bankruptcy, Manchester, and ac.; Jan. 26 at 12, div.—W. Dowling, Humberstone Gate, Leicestershire, grocer, Jan. 28 at 10, District Court of Bankruptcy, Nottingham, and ac. and div.—J. Roberts, Bootle, near Liverpool, grocer, Jan. 26 at 11, District Court of Bankruptcy, Liverpool, div.—Richard Blundell, Hooton, Cheshire, banker, Jan. 26 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Rolph, Billericay, Essex, brewer, Jan. 28 at 11, Court of Bankruptcy, London.—W. Lawson, Dias, Norfolk, chemist, Jan. 28 at 1, Court of Bankruptcy, London.—H. Ashton, Aldermanbury, London, warehouseman, Jan. 28 at 2, Court of Bankruptcy, London.—Joseph Nanson the younger, Seaham Harbour, Durham, ship broker, Jan. 26 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—Joseph Wilson and Charles P. Woodfin, Kingston-upon-Hull and Great Grimby, Lincolnshire, brass founders, Jan. 26 at 12, District Court of Bankruptcy, Kingston-upon-Hull.

PARTNERSHIPS DISSOLVED.

Wm. Jones, George Biarland, and William Halse Gatty Jones, Crosby-square, London, attorneys and solicitors, (so far as regards the said William Halse Gatty Jones).—Geo. Hadfield, Samuel Hadfield, and George Hadfield the younger, Manchester, conveyancers, attorneys, and solicitors, (so far as regards the said Geo. Hadfield).—William Tribe and William Ford Tribe, Worthing, Sussex, attorneys-at-law and solicitors, (so far as regards the said William Tribe).

SCOTCH SEQUESTRATION.

Wm. Tulloch, Ryedald, Ferintosh, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Croufoot, Norwich, baker, Jan. 20 at 10, County Court of Norfolk, at Norwich.—Peter Wm. Leather, Liverpool, surgeon, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—Thomas Brown, Liverpool, marble mason, Jan. 10 at half-past 10, County Court of Lancashire, at Liverpool.—H. Lyddiard, East Ilsley, Berkshire, shoemaker, Jan. 17 at 12, County Court of Berkshire, at Wantage.—J. Pidgeon Doudney, Offery St. Mary, Devonshire, grocer, Jan. 19 at 10, County Court of Devonshire, at Honiton.—C. Richards, Fairford, Gloucestershire, ironmonger, Jan. 20 at 11, County Court of Gloucestershire, at Cirencester.—Charles Thomas, Brighton, Sussex, milkman, Jan. 15 at 10, County Court of Sussex, at Brighton.—Thos. Holdsworth, Chorlton-upon-Medlock, Manchester, joiner, Jan. 24 at 11, County Court of Lancashire, at Manchester.—George Whelan, Manchester, out of business, Jan. 24 at 11, County Court of Lancashire, at Manchester.—William Tims, Eccles, Lancashire, bricklayer, Jan. 24 at 11, County Court of Lancashire, at Manchester.—John Broadley, Chorlton-upon-Medlock, Manchester, builder, Jan. 24 at 11, County Court of Lancashire, at Manchester.—Robert Cyril Lawes, Heigham, Norwich,

Norfolk, seedsman, Jan. 19 at 10, County Court of Norfolk, at Norwich.—*Walter Parker*, Thorpe, Norfolk, Norfolk, corn dealer, Jan. 19 at 10, County Court of Norfolk, at Norwich.—*Josiah Woodman*, Berkeley, Gloucestershire, milkman, Jan. 24 at 11, County Court of Gloucestershire, at Dursley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 19 at 11, before the CHIEF COMMISSIONER.

Chas. Barwick, Charlton-street and Phoenix-st., Somers-town, Middlesex, baker.—*Wm. Alex. Fisher*, Warwick-place, Peckham Rye, Surrey, sworn broker.—*Jos. Johnson*, Paradise-place, Bradmore, Hammersmith, Middlesex, plumber.

Jan. 19 at 10, before Mr. Commissioner LAW.

George James, King-st., Chelsea, Middlesex, painter.—*W. Laudon Hatton*, Peerless-place, City-road, Middlesex, linen-draper.—*Henry Frederick Cheeswright*, Great Cambridge-st., Hackney-road, Middlesex, gold beater.

Saturday, Jan. 1.

Assignees have been appointed in the following Cases. Further particulars may be learned at the Office, in Portugal-street, Lincoln's Inn-fields, on giving the Number of the Case.

Stephen Henry Harrop, Ashton-under-Lyne, Lancashire, provision-shop keeper, No. 71,501 C.; John Boardman, assignee.—*Thos. Stevens*, Selborne, Hampshire, out of business, No. 63,268 T.; *Thomas Kington*, Green-st., Bethnal-green, Middlesex, baker, No. 63,340 T.; John Gillett, assignee.—*Wm. Hill*, Liverpool, bookkeeper, No. 65,703 C.; James Parker, assignee.—*Wm. Brown*, Pickard-st., City-road, Middlesex, out of business; George Manton, assignee.

Saturday, Jan. 1.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Benjamin Clarke, Radnor-street, King's-road, Chelsea, Middlesex, out of business, in the Debtors Prison for London and Middlesex.—*James Langton Clarke*, York-terrace, Regent's-park, Middlesex, barrister at law, in the Queen's Prison.—*Henry Wilton*, St. John-street-road, Clerkenwell, Middlesex, attorney at law, in the Gaol of Surrey.—*John T. Bowden*, Hand-court, Holborn, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Geo. Guiver*, Enfield, Middlesex, retailer of beer: in the Debtors Prison for London and Middlesex.—*Henry J. Sewell*, Crescent, Jewin-street, London, dealer in leather goods: in the Debtors Prison for London and Middlesex.—*Henry Brunt Hort*, St. George's-road, Southwark, Surrey, beer-shop keeper: in the Gaol of Surrey.—*Benjamin Simpson*, New-street, Battersea-fields, Surrey, commission horse dealer: in the Gaol of Surrey.—*J. Burton*, Cromcroft, Levenshulme, Manchester, merchant: in the Gaol of Lancaster.—*Joseph Reyner Dicker*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*James Clarke*, Wakefield, Yorkshire, cooper: in the Gaol of York.—*Alex. Brown*, Leeds, Yorkshire, following no business: in the Gaol of York.—*Wm. Hildyard*, York, clerk: in the Gaol of York.—*Wm. Knowles*, Kendal, Westmoreland, butcher: in the Gaol of Lancaster.—*John Lawson*, Liverpool, master of the brig Heather: in the Gaol of Lancaster.—*Henry Phillips*, Manchester, dealer in marine stores: in the Gaol of Lancaster.—*Wm. Ross*, Chorlton-upon-Medlock, Manchester, out of business: in the Gaol of Lancaster.—*Wm. Henry Syddal*, Longsight, near Manchester, out of business: in the Gaol of Lancaster.—*William Owen*, Dewsbury, Yorkshire, blacksmith: in the Gaol of York.—*P. Huntley*, Domesday-green, near Horsham, Sussex, brewer: in the Gaol of Petworth.—*Robt. Hicks* the younger, Dover, Kent, in no profession: in the Gaol of Dover.—*Geo.*

Peace, Halifax, Yorkshire, out of business: in the Gaol of York.—*Thomas Baron*, Manchester, out of business: in the Gaol of Lancaster.—*Robert Davison*, Liverpool, out of business: in the Gaol of Lancaster.—*Isaac Fletcher*, Ulverston, Lancashire, millwright: in the Gaol of Lancaster.—*Stephen Pilcher*, Chorlton-upon-Medlock, Lancashire, commercial traveller: in the Gaol of Lancaster.—*Parker Bradstreet*, Great Yarmouth, Norfolk, out of business: in the Gaol of Norwich.—*W. Johnson*, Weatherwick, Holderness, Yorkshire, carrier: in the Gaol of York.—*Benjamin Bottomley Taylor*, Copriding, near Elland, Yorkshire, woollen manufacturer: in the Gaol of York.—*Wm. Treavis*, York, joiner: in the Gaol of York.—*G. Harris*, Reading, Berkshire, builder: in the Gaol of Reading.—*C. Chapple*, Exeter, Devonshire, railway contractor: in the Gaol of Exeter.—*Jas. William Turnbull*, Exeter, glove manufacturer: in the Gaol of Exeter.—*Thos. Collins*, Melton Mowbray, Leicestershire, farmer: in the Gaol of Leicester.—*John Bradberry* the elder, Birmingham, printer: in the Gaol of Coventry.—*Richard Whitaker*, Birmingham, manufacturer's clerk: in the Gaol of Coventry.—*J. Anderson*, Newcastle-upon-Tyne, butcher: in the Gaol of Newcastle-upon-Tyne.—*John Burton*, Norwich, bricklayer: in the Gaol of Norwich.—*H. L. Bruyeres*, Basingstoke, Hampshire, out of business: in the Gaol of Winchester.—*Gaetano de Angelis*, Landport, near Portsea, Hampshire, band master of the 93rd Regiment: in the Gaol of Winchester.—*Benj. Greenwood*, Bradford, Yorkshire, worsted spinner: in the Gaol of York.—*Thomas Kershaw*, Crossland, near Huddersfield, Yorkshire, farmer: in the Gaol of York.—*John Mitchell*, Leeds, Yorkshire, veterinary surgeon: in the Gaol of York.—*R. Spilking*, Leeds, Yorkshire, bookbinder: in the Gaol of York.—*Job King*, Feltwell, Norfolk, farmer: in the Gaol of Norwich.—*F. Merry*, Norwich, cordwainer: in the Gaol of Norwich.—*John Benstead*, Lewes, Sussex, auctioneer: in the Gaol of Lewes.—*J. Mansfield*, Burton-upon-Trent, Staffordshire, machinist: in the Gaol of Coventry.—*Wm. Johnson*, Dewsbury, Yorkshire, grocer: in the Gaol of York.—*J. W. Marsden*, Hill-top, Low-moor, near Bradford, Yorkshire, beer seller: in the Gaol of York.—*Henry Cox*, Dudley, Worcestershire, clerk: in the Gaol of Worcester.—*Joseph Greenwood*, Bradford, Yorkshire, worsted spinner: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 18 at 11, before the CHIEF COMMISSIONER.

Wm. Colley, Strood, Kent, butcher.

Jan. 20 at 11, before Mr. Commissioner PHILLIPS.

Robert Newman, Union-road, Coburg-road, Old Kent-road, Surrey, out of business.—*Philip Del'osse*, Queen-street, Golden-square, Middlesex, commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Jan. 19 at 12.

George Hall, Birmingham, upholsterer.—*R. Whitaker*, Birmingham, manufacturer's clerk.—*J. Bradberry* the elder, Birmingham, printer.

At the County Court of Herefordshire, at HEREFORD, Jan. 20 at 10.

Wm. Knight, Hereford, dealer in cattle by commission.

At the County Court of Norfolk, at NORWICH, Jan. 20 at 10.

John H. Wright, Norwich, captain, reserved half-pay of the royal corps of Marines.—*Samuel G. Read*, Norwich, coal merchant.—*John Burton*, Norwich, bricklayer.—*Job King*, Feltwell, farmer.—*W. B. Naxton*, Great Yarmouth, baker.—*Parker Bradstreet*, Great Yarmouth, out of business.—*F. Merry*, Norwich, cordwainer.

At the County Court of Sussex, at PETWORTH, Jan. 21.

Peter Huntley, Domesday-green, near Horsham, brewer.

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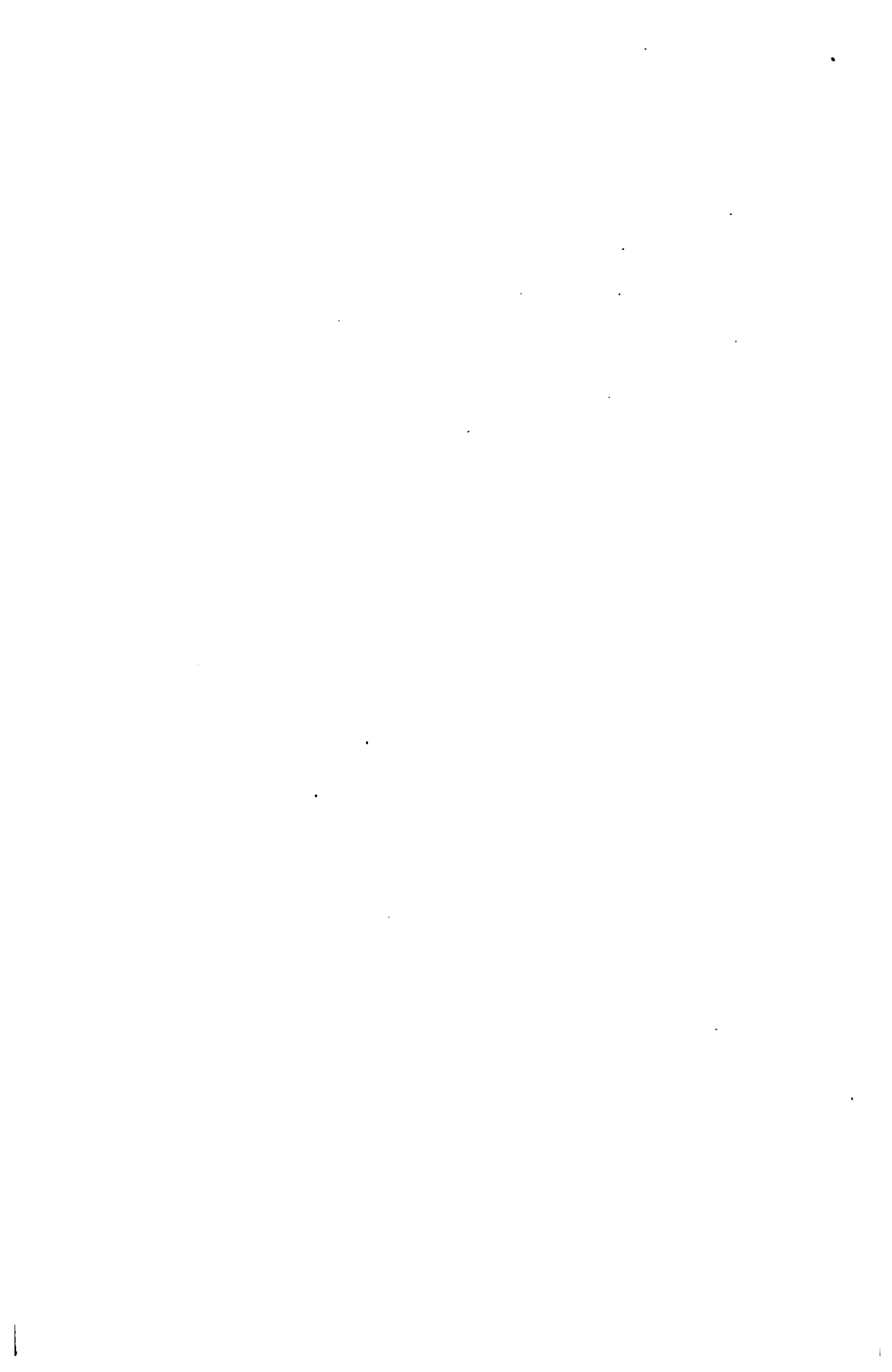
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