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# NEW ZEALAND GOVERNMENT GAZETTE.

(PROVINCE OF NEW MUNSTER.)

PUBLISHED BY AUTHORITY.

*All Public Notifications which appear in this Gazette, with any Official Signature thereunto annexed, are to be considered as Official Communications made to those Persons to whom they may relate, and are to be obeyed accordingly.*

By His Excellency's Command,

ALFRED DOMETT, *Colonial Secretary.*

VOL. I.]

WELLINGTON, THURSDAY, MAY 18, 1848.

[No. 10.]

*Private Secretary's Office,  
Wellington, 15th May, 1848.*

WEDNESDAY, the 24th Instant, being the Anniversary of the Birth day of Her Majesty the Queen. HIS EXCELLENCY THE LIEUTENANT GOVERNOR, will hold a Levee, on that day at Government House, at one o'Clock P.M.

Gentlemen attending are requested to bring their cards of address to be delivered to the Private Secretary.

By His Excellency's Command,

W. GISBORNE,  
Private Secretary.

*Private Secretary's Office,  
Wellington, 15th May, 1848.*

IN consequence of the Reception Rooms at Government House not being completed, the Anniversary Ball in celebration of Her Majesty's Birth-day, will be temporarily deferred.

By His Excellency's Command,

W. GISBORNE,  
Private Secretary.

*Colonial Secretary's Office.*

*Wellington, 15th May, 1848.*

HIS EXCELLENCY THE LIEUTENANT GOVERNOR has been pleased to

direct the re-publication of the following Proclamations, Notices, &c., from the *Auckland Government Gazette*, for general information.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

## PROCLAMATION.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, &c., &c.

WHEREAS in pursuance of an Act made and enacted in the Parliament holden in the 9th and 10th years of our Reign, intituled *An Act to make further provisions for the Government of the New Zealand Islands*. We have been pleased to issue certain Letters Patent (being the New Zealand Charter) and certain Instructions accompanying the same.

AND WHEREAS, in pursuance of the said recited Act, and in exercise of the powers thereby in us vested, WE did by the said Charter grant, ordain, and appoint that the said Islands of New Zealand, should be divided into two separate

Provinces, to be called respectively the *Province of New Ulster*, and the *Province of New Munster*. And we did by the said *Charter* declare, ordain, and appoint, that the limits of the said Provinces, respectively, should be determined in manner and Form prescribed and provided for, in and by the said *Instructions*, hereinbefore mentioned.

AND WHEREAS, by Our said *Instructions*. We did ordain and appoint, that the *Province of New Ulster*, should comprise the whole of the Island hitherto called the Island of *New Ulster*, with the exception of those parts of the said Island adjacent to *Cook's Straits* which the Governor-in-Chief of New Zealand, might by Proclamation, to be issued in manner in the said *Instructions*, provided, except, and exclude, from the *Province of New Ulster*. And WE did further ordain and appoint that the parts of the Island of New Ulster which might be so excepted and excluded, with all the remaining parts of the New Zealand Islands, should constitute the *Province of New Munster*. And further that the Dependencies of New Zealand, should respectively constitute a part of and be considered as attached to, and belonging to the respective provinces to which they may severally be most contiguous.

Now WE do hereby proclaim and declare that so much of the said Island of New Ulster adjacent to Cook's Straits, which lies to the South of a line commencing at the centre of the mouth of the River Patea, where it joins the Sea, and running thence due East until it reach the East Coast of the said Island, shall be excepted and excluded from the *Province of New Ulster* and shall form part of the *Province of New Munster*.

AND WE do hereby further declare and appoint that this Our Proclamation shall take effect upon, and from the date hereof.

In Testimony whereof WE have caused this Our Proclamation to be sealed with the Public Seal of the General Government of New Zealand.

*Witness Our Trusty and well-beloved* GEORGE GREY, Esq., *Our Governor-in-Chief in and over the Islands of New Zealand, at Government House, at Auckland in the Province of New Ulster, this Tenth day of March, in the eleventh year of Our Reign, and in the year of Our Lord, One Thousand eight hundred and forty-eight.*

G. GREY,  
Governor-in-Chief.

By His Excellency's Command,  
ANDREW SINCLAIR,  
Colonial Secretary.

*God save the Queen!*

## PROCLAMATION.

*By His Excellency* GEORGE GREY,  
*Esquire, Governor-in-Chief in and over the Islands of New Zealand, and Governor of the Provinces of New Ulster and New Munster, and Vice Admiral of the same, &c., &c.*

WHEREAS the under-mentioned Ordinances, enacted by the Lieutenant-Governor of New Zealand, with the advice and consent of the Legislative Council thereof, were passed in the tenth year of the reign of Her Majesty Queen Victoria, viz:—

No. 8. *An Ordinance to amend the Customs' Ordinance*, Session 1, No. 3, and the *Customs' Amendment Ordinance*, Session 3, No. 6. (20th October, 1846.)

No. 14. *An Ordinance to alter certain duties of Customs*. (6th November, 1846.)

Which Ordinances having been by the Right Honorable Earl Grey, one of Her Majesty's principal Secretaries of State, laid before the Queen, Her Majesty has been graciously pleased to confirm and allow the same.

Now, therefore I, the Governor-in-Chief, do hereby proclaim and make known to all whom it may concern, that her Majesty has been graciously pleased to confirm and allow the before-mentioned Ordinances.

*Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Government House, at Auckland,*  
(L.S.) *in the Province of New Ulster, in the Islands, aforesaid, this twenty-ninth day of March, in the Year of our Lord One Thousand eight hundred and forty-eight.*

G. GREY,  
Governor-in-Chief.

By His Excellency's Command,  
for the Colonial Secretary.

J. COATES.

*God save the Queen!*

## TWO HUNDRED POUNDS REWARD.

*Colonial Secretary's Office,  
Auckland, 28th March, 1848.*

WHEREAS, on or about the 12th day of July, 1847, a serious outrage was committed at the Island of Rotuma by certain evil disposed persons, believed to be British subjects, on several of the Inhabitants of the said Island, and the Native Chief *Mushevek*, was then and there shot dead:

The Governor-in-Chief of New Zealand hereby directs notice to be given, that a Reward of Two Hundred Pounds will be given on behalf of the British Government to any person or persons who shall apprehend the offender or offenders, or who

shall give such information as shall lead to his or their apprehension.

By command of His Excellency  
the Governor-in-Chief.

For the Colonial Secretary,  
J. COATES.

(CIRCULAR.)

Downing Street,  
25th September, 1847.

SIR—In the last session of Parliament an Act was passed 'for the Naturalization of Aliens,' 10th and 11th Vic., ch. 83. I herewith enclose a copy of it.

The Preamble of that Act explains briefly the circumstances in which it originated. In almost all of the British Colonies Laws had, of late years, been enacted, the object of which was to impart the privileges of Natural-born British subjects to Aliens inhabiting the Colonies in which those enactments were made. On referring those Acts to the successive Law-Officers of the Crown, it appeared from their answers to such references, to be a matter of great doubt whether they were valid and effectual for their purpose, and whether the Queen could properly be advised to confirm them. The principal ground of this doubt was the existence in the British Statute Book of various General Acts respecting the Naturalization of Aliens, some of which Acts of Parliament, and especially the Statute 7th and 8th Vic., ch. 66, were supposed by Her Majesty's Legal Advisers to extend to, and to be in force throughout the British Colonies. But the Colonial Acts in question being found to be in several respects at variance with, and repugnant to those Acts of Parliament, it was inferred that such Colonial Enactments were null and void either in whole or in part.

To obviate a conclusion replete with so much inconvenience, and recommended by no assignable advantage, Her Majesty's Government recommended to Parliament in their last session, the passing of the Act which I now enclose.

The result of that Act is first, to give validity to all Colonial Naturalization Acts formerly passed, and to declare that they shall be taken to have been valid from the time of their enactment. Secondly, the Act then proceeds to provide that all Naturalization Acts which shall hereafter be passed by any Colonial Legislature shall, within the limits of the Colony have the force of law, any Law or Statute to the contrary notwithstanding. But thirdly, both the retrospective, and the prospective operation of the 10th and 11th Vic., ch. 83, is confined to Colonial Acts which authorize the enjoyment of the privileges of Naturalization within the limits of the Colony within which such Acts shall have been, or shall be made. It also declares, fourthly, that all such Naturalization Laws shall be subject to the rules which regulate the enactment

and disallowance of Colonial Laws on any other subject. And, finally, it declares that the 7th and 8th Vic., ch. 66, does not extend to the British Colonies.

The result of these enactments will be to remove all doubts which have hitherto prevented the confirmation of various Naturalization Acts of the different British Colonies, and to ascertain the competency of the Colonial Legislatures to confer on Aliens the privileges of Natural-born British subjects, if the exercise of these privileges be limited to the particular Colony in which the Enactment may be made.

It may obviate a possible misconception to add that inasmuch as that part of the Navigation Act which confines to British subjects the ownership of British-registered Shipping is not repealed but continues in full force, the disability of an Alien, naturalized under a Colonial Act, to own such shipping, is not removed by the accompanying Statute 10th and 11th Vic., ch. 83. It would indeed be at variance with the terms of that Act, to claim such a privilege in pursuance of it, inasmuch as the privileges which it authorises the Colonial Legislatures to confer, are expressly restricted to the limits of the Colony within which they may so be conferred.

I propose, in a series of separate Despatches, to advert to, and dispose of, the particular questions of this kind which have hitherto been pending; those separate Despatches being, of course, addressed to the Governors of those Colonies only, in which any such questions have arisen.

I have the honor to be, Sir,

Your obedient humble Servant,

(Signed) GREY.

GOVERNOR GREY.

#### PROCLAMATION.

By His Excellency EDWARD EYRE, Esquire, Lieutenant-Governor of the Province of New Manster in the Islands of New Zealand.

WHEREAS an Ordinance was enacted by the Lieutenant Governor of New Zealand, with the advice and consent of the Legislative Council thereof, Session 7, No. 17, intituled *An Ordinance to repeal the Cattle Trespass Ordinance*, and the *Cattle Trespass Amendment Ordinance*, and to provide for the summary recovery of compensation for damage done by Cattle trespassing, it is amongst other things enacted that—"If any Cattle shall be found wandering at large in any street, or public place within the limits of any Town or Village, which shall be proclaimed by the Governor, (or Lieutenant-Governor) to come within the operation of this present provision, the owners thereof shall forfeit and pay for every head of Cattle so wandering any sum not exceeding Five

shillings to be recovered in a summary way, and it is also further provided, that for the purpose of this Ordinance the word *Cattle* shall be taken to include horned or neat cattle, horses, mules, asses, sheep, goats and swine."

Now therefore I, the Lieutenant-Governor of New Munster, aforesaid, in pursuance of the authority by the said in part recited Ordinance in me vested, do hereby proclaim and declare that on and after the First day of June, 1848, all that portion of the Town of Wanganui which is bounded by the River and Guyton and Churton Streets, shall come within the operation of the said recited Ordinance.

*Given under my Hand, at Government House Wellington, New Munster, this fifteenth day of May, in the year of Our Lord, One Thousand eight hundred and forty-eight.*

E. EYRE,  
Lieutenant-Governor.

By His Excellency's Command,  
ALFRED DOMETT,  
Colonial Secretary.  
*God save the Queen!*

#### PROCLAMATION.

*By His Excellency EDWARD EYRE, Esquire, Lieutenant-Governor of the Province of New Munster, in the Islands of New Zealand.*

**WHEREAS**, by an Ordinance enacted by the Lieutenant-Governor of New Zealand, by and with the advice and consent of the Legislative Council, Session 8, No. 9. intituled "An Ordinance for Registering Births, Deaths, and Marriages, in the Colony of New Zealand," it is enacted that for the purposes of the said Ordinance "it shall be lawful for the Governor, (or Lieutenant-Governor), by Proclamation, to be for that purpose issued, to divide the Colony of New Zealand into such and so many Districts as he shall think fit, and every such District shall be called by a distinct name, and shall be a Deputy Registrar's District."

Now, therefore, I, the Lieutenant-Governor, in pursuance of the power and authority in me vested by the said in part recited Ordinance, do hereby appoint that the names and boundaries of the several Deputy Registrars' Districts in the Province of New Munster shall, for the present, be as follows:—

#### DISTRICT OF WELLINGTON.

All that part of the Northern Island which is included within the Province of New Munster, and all Islands on the Northern and Eastern sides of Cook's Straits, shall be called the District of Wellington, and shall be the District of the Deputy-Registrar thereof, for the purposes of the said Ordinance.

#### DISTRICT OF NELSON.

All that part of the Middle Island, bounded on the North by Cook's Straits, Blind Bay, and by a line commencing at the Westernmost part of the Mud Flat in Waimea West, and running direct to the junction of the Wangapeka and Motueka Rivers, and thence in a due Westerly direction to the Sea; on the East by Cook's Straits, Cloudy Bay, and the Ocean; on the South by a direct line from Patikuhui (below the Five Fingers) on the Western Coast, across the Island to the Point on the Eastern Coast, where the Southern Boundary of the New Zealand Company's Nelson Grant strikes the Sea; and on the West, by the Sea; and all the Islands on the Southern and Western sides of Cook's Straits; shall be called the District of Nelson, and shall be the District of the Deputy-Registrar thereof for the purposes of the said Ordinance

#### DISTRICT OF MOTUEKA.

All that part of the Middle Island bounded on the East and South by Massacre Bay, Blind Bay, and by the line hereinbefore described as part of the Northern Boundary of the District of Nelson aforesaid; and on the North and West by the Ocean; shall be called the District of Motueka, and shall be the District of the Deputy-Registrar thereof for the purposes of the said Ordinance.

#### DISTRICT OF AKAROA.

All that part of the Middle Island lying between the Nelson District aforesaid, and a direct line drawn across the Island from Torata Point on the Western Coast to the mouth of the Waitangi River on the Eastern Coast, shall be called the District of Akaroa, and shall be the District of the Deputy-Registrar thereof for the purposes of the said Ordinance.

#### DISTRICT OF OTAKOU.

All that part of the Province of New Munster not included in any of the Districts hereinbefore described, (comprising Stewart's Island or New Leinster and all the adjacent Islands,) shall be called the District of Otakou, and shall be the District of the Deputy-Registrar thereof for the purposes of this Ordinance.

*Given under my Hand, at Government House, Wellington, New Munster, this 15th day of May, in the Year of Our Lord, One Thousand Eight Hundred and Forty-eight.*

E. EYRE,

Lieutenant-Governor.

By His Excellency's command,  
ALFRED DOMETT,  
Colonial Secretary.  
*God save the Queen!*

## NOTICE.

*Colonial Secretary's Office,  
Wellington, 15th May, 1848.*

**H**IS EXCELLENCY THE LIEUTENANT-GOVERNOR directs it to be notified for general information, that the Ordinance for the Registration of Births, Deaths, and Marriages, came into operation on the 1st January, 1848, and that persons neglecting its provisions are liable to certain Fines and Penalties therein particularized.

By the the said Ordinance it is enacted that every Birth must be Registered within 42 days after it happens, by the Mother or Father of the Child born, or the occupier of the house wherein the birth takes place.

And every Death by the occupier of the house wherein it occurs, within 10 days.

Penalty for default in either case, not exceeding £10.

After 42 days, the Deputy-Registrar may register the Birth, upon a solemn declaration of the particulars by the Father or Guardian, or some person present at the birth, and upon payment of a fee of 10s. 6d.

Penalty for registering otherwise, after 42 days, not exceeding £50.

But Births of Children, born at Sea or out of the Colony, of Parents ordinarily resident in the Colony, may be registered after 42 days without fee, declaration being made as aforesaid.

But no Birth can be registered after the expiration of Six months from the day it happens.

Certificates of the names given to Children by Baptism, or before the Deputy Registrar, are to be obtained from the Minister officiating or the Deputy Registrar, on payment of One shilling, and delivered within 7 days after the naming to the Deputy Registrar who has registered the Birth, who will then register the name and naming, on payment of One shilling.

No burial is to take place without a Certificate from the Deputy Registrar to the Undertaker or person having charge of the funeral, that the Death has been registered. If a funeral take place without notice of the death having been given, then the person burying, or performing service at the Burial, is to give notice of it to the Deputy Registrar, within One month. Penalty for default not exceeding £10.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

*Colonial Secretary's Office,  
Wellington,, 15th May, 1848.*

**H**IS EXCELLENCY THE LIEUTENANT-GOVERNOR has been pleased to appoint

SAMUEL STEPHENS, Esquire, of NELSON, to the Commission of the Peace, for the Province of New Munster.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

*Treasury, Wellington,  
15th May, 1848.*

**N**OTICE IS HEREBY GIVEN, that the undermentioned Special Publican's Licenses are ready for issue:—

*William Jenkins, at Uruhi.  
James Walker, at Wairarapa.  
Charles Radford, at Porirua.  
T. Jackson Hughes, at the Hutt.*

HENRY W. PETRE,  
Col. Treasurer.

*Treasury, Wellington,  
17th May, 1848.*

**N**OTICE IS HEREBY GIVEN, that the under-mentioned are Licensed Auctioneers for the Year ending 25th April, 1849:—

*James Smith, Wellington.  
Robert Waitt, Wellington.  
Kenneth Bethune, Wellington.*

HENRY W. PETRE,  
Col. Treasurer.

## NOTICE.

*Colonial Secretary's Office,  
Wellington, 15th May, 1848.*

**R**EPRESENTATIONS having been made to His Excellency the Lieutenant Governor of the dangerous state of the Packages of Gunpowder deposited in the Magazine by private individuals.

NOTICE IS HEREBY GIVEN that if the Powder be not immediately repacked and rendered secure it will be destroyed.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

## SUPREME COURT.

**N**OTICE IS HEREBY GIVEN, that a Sitting of the Supreme Court for the despatch of Criminal Business, will be holden at the Court House, Wellington, on Thursday, the 1st day of June next, at Ten o'Clock, in the Forenoon, at which time and place all Persons under Recognizances to appear either as Prosecutors, Defendants, or Witnesses, are required to give their attendance.

ROBERT R. STRANG,  
Registrar.

Supreme Court Office,  
Wellington, 15th May, 1848.

## NOTICE TO MARINERS.

*Colonial Secretary's Office,  
Wellington, 15th May, 1848.*

**HIS EXCELLENCY THE LIEUTENANT-GOVERNOR** has been pleased to direct the re-publication, for general information, from the *Hobart Town Gazette*, of the following memorandum, respecting the Light Houses on Goose Island, and Swan Island, in Banks' Straits.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

## BANKS' STRAITS.

*Port Office, Hobart Town, 26th November,  
1845.*

A LIGHT is now, and will continue burning, from sun-set to sun-rise, on Swan Island, (Banks' Straits,) 101 feet above high-water mark.

The supporting column is 74 feet six inches in height; the upper part coloured red, the lower part white.—Its diameter is 24 feet six inches at the base, and 17 feet six inches at the summit.

The Lantern is 10 feet high, having a revolving light, which shows a bright flash of  $2\frac{1}{2}$  seconds' continuance at intervals of a minute. It has been seen on either side from a distance of 25 miles.

The following magnetic bearings were taken from the light :—

Peak of Cape Barren—N.  $18^{\circ} 47' E.$

Look-out Rock (Clarke's Island)—N.  $19^{\circ} 45' W.$

Reef, north-westward of Swan Island—N.  $46^{\circ} 0' W.$

Black Reef—S.  $52^{\circ} 0' E.$

Variation 10 degrees easterly.

It is also expected that the Light now preparing on Goose Island will be ready for exhibiting on 1st February, 1846.

Goose Island is the western of the Chappell Islands.

The column, which stands on the southern point of the Island, is in every respect similar to that which has been erected on Swan Island.

The Light will be a fixed light.

The following magnetic bearings were taken from the Light-House :—

South-west extreme of Hummook or Prime Seal Island—N.  $30^{\circ} W.$

Reef off ditto—N.  $23^{\circ} W.$

Extreme of Reef off north-west point of Badger Island—N.  $34^{\circ} E.$

South point of Badger Island—S.  $85^{\circ} E.$

Western Extreme of Boxing Island—S.  $56^{\circ} E.$

Reef between Badger and Boxing Islands—S.  $65^{\circ} E.$

South Extreme of Clarke's Island—S.  $54^{\circ} E.$

Centre of Kangaroo Island—N.  $20^{\circ} E.$

Variation 10 degrees easterly.

(Signed)

WM. MORIARTY,  
Port Officer.

## NOTICE TO MARINERS.

*Colonial Secretary's Office,  
Wellington, 15th May, 1848.*

**HIS EXCELLENCY THE LIEUTENANT-GOVERNOR** has been pleased to direct the re-publication, for general information, from the *Hobart Town Gazette*, of the following memorandum respecting the Light-house which has recently been erected on Deal Island, Kent's Group, in Bass' Straits.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

The Light-house on Deal Island, forming one of the cluster of Islands, called "Kent's Group," in Bass's Straits, latitude  $39^{\circ} 29'$  south, longitude  $147^{\circ} 21'$  east, having now been erected, a light is burning and will continue from sun-set until sunrise.

The Light-house is erected on a hill 900 feet above high-water mark.

The supporting column is 46 feet in height.

The upper part of the column (like all the Light-houses within the Government of Van Diemen's Land) is coloured red, and the lower part white.

The lower part of the column is built of granite, each block worked to a mould.

The cornice and blocking are six feet high, of free stone.

The lantern is seven feet high, having a revolving catoptric light with 21 lamps and patent pipes, smoke consumers, working in three groups, each group containing seven lamps with reflectors, and revolves round once in five minutes, showing 150 seconds of light and 150 seconds of darkness.

The light may be seen 13 leagues, has been set by cross bearings at a distance of 12 leagues, and is visible all round the compass, unless the light be intercepted by being close in with any of the surrounding Islands.

(Signed), WM. MORIARTY,  
Port Officer.



