



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, MONDAY, SEPTEMBER 4, 1848.

[No. 16.]

Colonial Secretary's Office,
Wellington, 4th September, 1848.

HIS EXCELLENCY THE GOVERNOR-IN-CHIEF has been pleased to direct the publication of the following correspondence for general information.

By His Excellency's command,
ALFRED DOMETT,
Colonial Secretary.

Colonial Secretary's Office,
Wellington, 4th September, 1848.

SIR,

HIS EXCELLENCY THE GOVERNOR-IN-CHIEF having had under his consideration the correspondence which passed between the Colonial Department and the New Zealand Company, between the 17th December, 1847, and the 29th February, 1848, inclusive; and having considered the various subjects raised in that correspondence, understands it to be the sincere desire of the New Zealand Company to exist in cordial harmony with all its settlers; and to recognize all claims against them on the part of

their Land Purchasers (even those resting on moral obligations) in a spirit of justice and liberality.

For these purposes they propose to leave certain cases to the decision of the Governor of New Zealand; stipulating, however, that the entire arrangement should be effected by him without the intervention of any person whatever.

The various demands upon the time and attention of the Governor, and his unacquaintance with many subjects, a knowledge of which would be indispensable to the proper performance of the duties it is proposed to devolve upon him, preclude him from undertaking these duties in person. His Excellency, however, feels so strongly the advantages which would result to the Government, the Colony, the New Zealand Company, and its Settlers, from an adjustment of the various questions now open, that he is prepared without delay to appoint persons to carry into effect the proposed arrangements, in so far as they relate to the following extract from the New Zealand Company's letter to Lord Grey, of the 17th December, 1847:—

"The questions involved may be considered as consisting of two classes; viz.—

"1stly, Those between the Company and the Purchasers of its land.

"2ndly; Those between the Company and Her Majesty's Government.

"First, with regard to the Company and the Purchasers of Land: Each of such persons, or his legal representative, is entitled to obtain—

"First, Beneficial occupation of the full quantity of land that he purchased:

"Secondly, The particular piece of land, if practicable, which was originally allotted to his purchase:

"Thirdly, If such appropriation be not practicable, then a just equivalent in land elsewhere:

"Fourthly, An instrument conveying to him absolutely a *feë simple*, or in other words, actual possession of his land, with a legal title to it."

To meet the cases comprised in the foregoing definitions, the Governor would be prepared to appoint some person to assess immediately the value of those portions of land originally allotted to Purchasers, of which they have not yet been put in possession, with a view to their obtaining a fair equivalent in land elsewhere; the Company having stipulated that the award in each case shall be in land, and not in money.

Generally, also, His Excellency is prepared to afford all the facilities that can be properly given for the adjustment of claims under the foregoing heads.

The Governor has, however, been led to understand, that other claims upon the part of the Land Purchasers exist against the Company in addition to those named; and that the final and satisfactory disposal of these would conduce greatly to the advantage both of the New Zealand Company and its settlers.

Until His Excellency is aware of the nature and extent of such claims, it would be impossible for him, on the part of the Government, to undertake to interfere in any way with their adjustment. But, as the whole tone of the correspondence between the Government and the Company is such as to convince him that the Company is sincerely desirous that these questions should be satisfactorily and speedily settled, His Excellency would be glad to see the claimants and yourself, either separately or together, for the purpose of ascertaining the practicability of an agreement between the Company and its Claimants, with respect to the basis of any arrangement of such a nature as will enable the Government to assist in carrying it satisfactorily into effect.

It is also obvious, in reference to claims of the first class alluded to, that the Government, possessing no powers which would justify its absolute and imperative interference, can only give its assistance in those cases

which the parties interested mutually consent to leave to its decision.

I have, &c.,

(Signed) ALFRED DOMETT,
Colonial Secretary.

Colonel William Wakefield, J.P.,
Principal Agent of the New
Zealand Company.

Wellington, 4th September, 1848.

SIR,

I have the honour to acknowledge the receipt of your letter of this day's date, in which you acquaint me with the course that His Excellency the Governor-in-Chief intends to adopt in reference to the questions existing between the New Zealand Company and its Land Purchasers, which the Company proposed to refer to His Excellency's arbitrement.

I beg that you will express to His Excellency my perfect satisfaction with that course, and my sincere desire to aid, as far as lies in my power, in carrying it out. I have, at the same time, to offer my best acknowledgments to His Excellency for having consented to assist in bringing the matters in question to an early and satisfactory conclusion.

I have the honour to be,

Sir,

Your most obedient, humble servant,

(Signed) W. WAKEFIELD,
Principal Agent of the New Zealand
Company.

The Honourable the Colonial Secretary.

Colonial Secretary's Office,
Wellington, 4th September, 1848.

THE GOVERNOR-IN-CHIEF has been pleased to direct it to be notified that His Excellency will be happy to receive any of the Settlers interested in the subject of the foregoing correspondence, at Government House, on Saturday next, at 12 o'clock.

By His Excellency's command,

ALFRED DOMETT,
Colonial Secretary.

NOTICE.

A SPECIAL MEETING of the Justices for the Town and District of Wellington, will be holden at the Resident Magistrate's Court, on Tuesday, the fifth instant, at 12 o'clock noon, for the purpose of receiving applications for the transfer of Publicans' Licenses.

ROB. S. CHEESMAN,
Clerk to the R. M.

Resident Magistrate's Court,
Wellington, 4th September, 1848.

IN THE SUPREME COURT OF NEW ZEALAND.

A TRUE AND PERFECT SCHEDULE OF ALL ESTATES OF DECEASED INTESTATES PLACED UNDER THE CHARGE OF ROBERT RODGER STRANG, Esq., REGISTRAR OF THE SUPREME COURT OF NEW ZEALAND AT WELLINGTON, AND RECEIVER OF INTESTATE ESTATES FOR THE SOUTHERN DISTRICT OF NEW ZEALAND.

NAMES OF INTESTATES.	Colonial Residence.	Supposed British Residence.	Moneys received.	Payments made.	Moneys paid into hands of Treasurer.	Moneys in hands of Treasurer.	Moneys in hands of Receiver.	Date of Order to Administer.	REMARKS.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		
Thomas Ellison.....	Coal Heaver	Unknown	23 8 6	17 12 7	5 15 11	5 15 11	.. ..	July 8, 1843.....	Drowned on the Coast in June, 1840.
Joseph Ralph.....	Wellington.....	Ireland	18 5 3	20 18 6	.. ..	.. ..	.. ..	July 8, 1843.....	Further assets doubtful.
Archibald Milne	Wellington.....	{ Banffshire, } { Scotland }	7 0 1	4 0 4	2 10 9	2 10 9	.. ..	July 8, 1843.	{ Found-murdered 15th December, 1841.
Henry Martineau	Wellington.....	Norwich	0 16 6	0 11 2	.. ..	.. ..	0 5 4	January 4, 1844. ..	Died at Wellington, October 1, 1843.
John Campbell	Wellington.....	Edinburgh	51 3 5	32 4 8	18 18 9	18 18 9	.. ..	January 4, 1844. ..	Died at Wellington, November 3, 1843.
Robert Sturgeon	Waito	Middlesex .....	.. ..	2 15 0	.. ..	.. ..	.. ..	June 10, 1844.	Drowned at Ngapaparera in May, 1844. No effects recovered.
Chas. Wm. Cuthbert..	Wellington.....	Ayr	47 10 1	47 15 1	.. ..	.. ..	.. ..	April 15, 1844.....	Further assets doubtful.
Wm. Fred. Hippisley..	Waimea, Nelson ..	Somersetshire	1,680 18 4	377 18 6	992 3 8	42 3 8	260 16 2	October 1, 1844. ..	{ Drowned in Waimea River, 29th September, 1844. In December, 1847, £1,000 remitted to Executors in England, by Bills on Treasury.
John Griffin	Waimea, Nelson ..	Somersetshire	25 5 0	10 18 1	14 6 11	14 6 11	.. ..	October 1, 1844. ..	Drowned in Waimea River, 29th September, 1844.
William Gulley	Nelson	Birmingham	3 1 7	2 16 3	.. ..	.. ..	0 5 4	April 11, 1845.....	Died March, 1845.
John Tuhawaiki	Otakou	Aboriginal Native ..	8 0 0	14 4 6	.. ..	.. ..	.. ..	June 28, 1845.	{ Drowned October 4, 1844. A judgment debt in favour of the Estate of £45 : 15 : 4, and costs.
Harold John M'Leod	Wellington.....	{ Dunvagon Castle, } { Scotland }	5 12 10	2 15 5	2 13 1	2 13 1	0 4 4	November 19, 1846.	{ Died December, 1845. Further assets.
Alexander Perry.....	Nelson	Glasgow	1,073 1 9	145 6 6	927 15 3	927 15 3	.. ..	January 28, 1847...	{ Drowned November, 1846. Dividend of 5s. in £1 paid to Creditors residing in the Colony. The £927 : 15 : 3 lies in the hands of the Sub-Treasurer at Nelson.
Samuel Shelly	Wellington	Staffordshire	34 12 7	34 3 7	.. ..	.. ..	0 9 0	September 18, 1847.	Died at Wellington, April 16, 1847. Further assets.
George Smith.....	Wanganui .....	.....	23 16 4	3 7 4	.. ..	.. ..	20 9 0	October 23, 1847...	Drowned at Wanganui March, 1846.
			3,002 12 3	717 7 6	1,964 13 4	1,014 13 4	282 9 2		

I, Robert Rodger Strang, Registrar of the Supreme Court of New Zealand at Wellington, and Receiver of Intestate Estates for the Southern District of New Zealand, do solemnly and sincerely declare, that the above is a true and faithful Return of all Moneys belonging to Intestate Estates received and paid by me, and of all balances paid by me into the hands of the Treasurer of the Southern District, from the 1st January, 1848, to the 30th June, 1848.

ROBERT R. STRANG.

Made and signed before me, Henry Samuel Chapman, Esquire, a Judge of the }
Supreme Court of New Zealand at Wellington, this 28th day of July, 1848. }
H. S. CHAPMAN.

POUNDS.

Colonial Secretary's Office.

Wellington, 4th September, 1848.

NOTICE IS HEREBY GIVEN, that the ENCLOSURE at the Lockup on Thorn-don Flat, in the Town of Wellington, will be TEMPORARILY used as a Pound; and that, in conformity with the "Impounding Ordinance," 11th Vic., Sess. 8, No. 6, His Excellency the Lieutenant-Governor has been pleased to appoint the same to be the Public Pound for the Town of Wellington.

Notice is further given, that

Mr. BENJAMIN EGLINTON

has been appointed to the temporary charge thereof.

By His Excellency's command,

ALFRED DOMETT,
Colonial Secretary.

Colonial Secretary's Office,
Wellington, 4th September, 1848.

NOTICE IS HEREBY GIVEN, that a Pound has been erected at the village of Aglionby, in the Hutt district; and that, in conformity with the "Impounding Ordinance," 11th Vic., Sess. 8, No. 6, His Excellency the Lieutenant-Governor has been pleased to appoint the same to be the Public Pound for the Hutt district.

Notice is further given, that

Mr. JAMES NELSON BURCHAM

has been temporarily appointed to the charge thereof.

By His Excellency's command,

ALFRED DOMETT,
Colonial Secretary.