



NEW ZEALAND
GOVERNMENT GAZETTE.
PROVINCE OF NEW ULSTER.

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.

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

VOL. I. AUCKLAND, MONDAY, APRIL 3, 1848. No. 8

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 Ad-
miral of the same. &c., &c.

WHEREAS the undermentioned Ord-
nances, 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 Ma-
jesty's principal Secretaries of State, laid
before the Queen, Her Majesty has been gra-
ciously 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 Go-

(L. S.)

vernment House, at Auckland,
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!

Colonial Secretary's office,
Auckland, March 30th, 1848.

HIS Excellency the Governor-in-Chief
has been pleased to direct the publica-
tion of the following Proclamation, issued
by his Excellency while at New Plymouth,
on 1st March, 1848.

By His Excellency's command,
for the Colonial Secretary.
J. COATES.

PROCLAMATION.

By His Excellency GEORGE GREY,
Esquire, Governor-in-Chief in
and over Her Majesty's Co-
lony of New Zealand, and its
Dependencies, and Vice-Admiral
of the same, &c., &c.

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 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 purposes 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 Governor-in-Chief of New Zealand, 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 thirty first day of March, 1848, the Town of New Plymouth, as the same is described or delineated on the map or plan of the New Zealand Company, shall come within the operation of the said recited Ordinance.

Given under my hand, at New Plymouth, this first day of March, in year of our Lord, one thousand eight hundred and forty-eight.

GEORGE GREY,
Governor.

By Command,

HENRY KING,
Resident Magistrate.

*Colonial Secretary's Office,
Auckland, 29th March, 1848.*

HIS Excellency the Governor has been pleased to appoint

ALEXANDER MACDONALD, Esq., J. P.
of Howick,

a Captain and Staff Officer of the Royal New Zealand Fencibles, to be a CORONER, for the district of Auckland.

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

*Colonial Secretary's Office,
Auckland, March 29th, 1848*

HIS Excellency the Governor has been pleased to nominate and appoint

MR. WILLIAM H. BARRY,
to be Clerk of Petty Sessions at Howick.

By His Excellency's command,
for the Colonial Secretary,
J. COATES.

*Colonial Secretary's Office,
Auckland, March 30th, 1848.*

HIS Excellency the Governor-in-Chief has been pleased to appoint

MR. JOHN HURSTHOUSE,
to be Government Auctioneer at New Plymouth.

This Appointment to bear date the 29th February, 1848.

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

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 *Mushevck*, 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

WILLIAM BURDON.

*Colonial Secretary's Office,
Auckland, 29th March, 1848.*

ENQUIRY having been made from England, respecting WILLIAM BURDON, who is supposed to have emigrated to New Zealand about three years ago, any person who can furnish information respecting him is requested to have the goodness to communicate the same to this office.

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

FERRY BOAT FOR TAMAKI.

*Colonial Secretary's Office,
Auckland, 24th March, 1848.*

TENDERS will be received at this office, until noon on Tuesday, the 25th April, for Building

A PUNT,
for the Ferry at Point England, on the Tamaki River.

Particulars regarding the description of Boat required may be obtained on application to the Harbour Master.

Tenders to be in duplicate, sealed and endorsed "Tender for Ferry Boat"

By His Excellency's command,
for the Colonial Secretary,
J. COATES.

FENCING AT HOSPITAL.

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

TENDERS will be received at this office, until noon of Wednesday the 12th April, for the erection of a Fence to surround the new Hospital in Auckland Park.

Tenders to state the price per rod, of 16½ feet, at which the fence will be erected, as well as a specific price for each gate, stile, &c., which may be required, the work to be measured and paid for at per rod after completion.

Particulars regarding the description of Fence, number, descriptions, and dimensions of Gates, Stiles, &c., which will be required, are to be obtained from the Superintendent of Works:

Tenders to be in duplicate, sealed, and endorsed—"Tenders for Fencing at Hospital," and are to specify a certain time when the work will be completed.

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

*Colonial Secretary's Office
Auckland, 31st March, 1848.*

HIS Excellency the Governor-in-Chief has been pleased to direct the publication for general information, of the following despatch received from the Right Honorable the Secretary of State for the Colonies.

By His Excellency's Command,
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 Vict., 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 Vict., 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 Vict., 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 Vict., 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 those 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 Vict., 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 authorizes 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.

NOTICE TO MARINERS.

*Colonial Secretary's Office
Auckland, 31st March, 1848.*

HIS Excellency the Governor-in-Chief 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,
for the Colonial Secretary,
J. COATES.

BANKS' STRAITS.

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

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

The supporting column is 74 feet 6 inches in height; the upper part coloured red, the lower part white.— Its diameter is 24 feet 6 inches at the base, and 17 feet 6 inches at the summit.

The Lantern is 10 feet high, having a revolving light, which shows a bright flash of 2½ seconds' continuance at intervals of a minute. It has been seen in either side from a distance of 25 miles.

The following magnetic bearings were taken from the light:—

Peak of Cape Barren—N. 18° 47' E.
Look-out Rock (Clarke's Island)—N. 19° 45' W.
Reef north-westward of Swan Island—N. 46° 0' W.
Black Reef—S. 52° 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 Feb., 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 Hummock or Prime Seal Island—N. 30° W.

Reef off ditto—N. 23° W.

Extreme of Reef off north-west point of Badger Island—N. 34° E.

South point of Badger Island—S. 85° E.

Western Extreme of Boxing Island—S. 56° E.

Reef between Badger and Boxing Islands—S. 63° E.

South Extreme of Clarke's Island—S. 54° E.

Centre of Kangaroo Island—N. 20° E.

Variation 10 degrees easterly.

(Signed,) Wm. MORIARTY,
Port Officer.

NOTICE TO MARINERS.

*Colonial Secretary's Office,
Auckland, 31st March, 1848.*

HIS Excellency the Governor-in-Chief 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's Straits.

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

The Light-House on Deal Island, forming one of the cluster of Islands, called "Kent's Group," in Bass's Straits, latitude 39° 29' south, longitude 147° 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 6 feet high, of free stone.

The lantern is 7 feet high, having a revolving catoptric light with 21 lamps and patent pipes, smoke consumers, working in three groups, each group containing 7 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.

Auckland:—Printed for the New Zealand Government, by WILLIAMSON and WILSON.