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. II. AUCKLAND, FRIDAY, MARCH 9, 1849. No. 5.

PROCLAMATION.

By His Excellency, SIR GEORGE GREY, K. C. B., 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., &c.

WHEREAS the undermentioned Ordinance enacted by the Lieutenant-Governor of New Zealand, with the advice and consent of the Legislative Council thereof, was passed in the Eleventh Year of the Reign of Her Majesty Queen Victoria, viz—

"An Ordinance to settle an annuity to the amount of £100 per annum, to be paid to the Native Chief Thomas Walker Nene, for the term of his natural life, in consideration of the services rendered by him to her Majesty, and to make it lawful for the Governor, for the time being, out of the general revenue of the colony, to pay to and amongst such other chiefs who aided in suppressing the late rebellion in the North, and in such proportions as to him may seem meet, any sum not exceeding £100 per annum in consideration of like services."

Which Ordinance having been by the Right Honourable Earl Grey, one of Her Majesty's principle Secretaries of State, laid before the Queen; Her Majesty has been graciously pleased to confirm and allow the same, as a proof of Her Majesty's approbation of the services of the said Chiefs. Now, therefore, I, the the Governor-in-Chief of New Zealand, 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 Ordinance.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Government house at Auckland, in the Province of New Ulster, this fifth day of March, in the Year of our Lord, one thousand eight hundred and forty-nine.

(L.S.)

G. GREY,
Governor-in-Chief.

By His Excellency's command,
C. A. DILLON,
Civil Secretary.

God Save the Queen!

Civil Secretary's Office,
Auckland, 6th March, 1849.

HIS Excellency the Governor-in-Chief has been pleased to direct that the following despatch from the Right Honorable Earl Grey, Secretary of State for the Colonies, be published for general information.

By His Excellency's command,
C. A. DILLON,
Civil Secretary.

No. 68.

Downing-street,
5th August, 1848.

SIR,—I have the honor to transmit to you the enclosed copy of a correspondence, laid

before Parliament in May last, on the subject of convict discipline and transportation

Many of these papers will probably not be without interest to you, but my immediate object in sending you the accompanying copy of them is to draw your attention to my despatch to the Lieutenant Governor of Van Diemen's Land, No. 66, of the 27th of April last, in which you will find an exposition of the views of Her Majesty's government, respecting the future treatment of offenders who receive the sentence of transportation.

You are doubtless aware that it has for some time past been resolved that all convicts should in the first instance undergo a period of separate imprisonment in this country, varying from six to eighteen months, followed by labour on public works, either here, or at Bermuda, or at Gibraltar. By several of the accompanying papers you will find that the effects of this discipline have, as yet, been very satisfactory. The letter from Mr. Kingsford, who has so zealously and efficiently performed his duties as Chaplain at Gibraltar, and which is enclosed in my despatch above referred to, bears testimony to the good and apparently lasting improvement produced on the minds of the prisoners, who have fallen under his notice at that station. At Port Phillip the despatches referred to in the margin, will shew with what rapidity the men who have arrived there under the name of Exiles, have been engaged for the service of the resident proprietors. And similar information has since arrived, respecting a party of exiles, who landed so lately as December last at Port Phillip.

No.60, 30 Dec. 1846, p 9.
" 58, 20 Mar. 1847, p. 19
" 124, 28 June 1847, p. 27

The settlers in that district have now for a considerable time had an opportunity of observing the characters of men of this class, and although the demand for labour is unquestionably great, it is not to be supposed that they would have been so eager to obtain the services of such persons, if there had not been much which was satisfactory in the conduct of those who had fallen under their observation. Whilst such evidences in their favour have been received from Gibraltar and Port Phillip, I enclose for your information a despatch from the Governor of Bermuda, in which you will find that he gives the most gratifying account of a large party of men, whom he had selected as deserving of the indulgence of being sent to Van Diemen's Land with tickets of leave, and that he expresses a sanguine anticipation of improvement in their future conduct, and of the addition which they will make to the useful labour of the colony.

15 April, 1848.

Notwithstanding these encouraging circumstances, however, it is not the opinion of Her Majesty's government, that either with a view to the preservation of good order, or to the infliction of an adequate amount of punishment under their original sentences, the men ought to be set entirely at large on reaching the colony to which they may be sent after a certain period of good conduct. It is considered better that they should rather be allowed tickets of leave. These admit of restricting them to particular districts, and of enforcing the punctual payment of moderate sums in return for the cost of their conveyance, but do not in other respects interfere with the freedom of the men to whom they are granted, nor diminish the ordinary motives to industry and good conduct.

You will further perceive that while it is proposed to require from these persons re-payment of the cost of their removal to the colonies to which they may ultimately be sent, because it is conceived that they ought not to receive free passages which cannot be granted to many of those unconvicted of crime who apply for that privilege, it is proposed that whatever sums are thus recovered from them, should be applied, not to relieve this country from the charge incurred on their account, but, for the benefit of the colonies which may recieve them, either by sending out free emigrants to meet the great demand for labour which exists in most of these colonies, or in any other manner which may be more suitable to the peculiar circumstances of others of them.

Such being the system under which it is proposed hereafter to proceed, I think it right to point out to you that if the inhabitants of New Zealand should be willing to receive men with tickets of leave they will obtain the advantage of a supply of labour, together with a probable addition to the funds applicable to general emigration, or some other public object of importance, while by the power which is to be reserved of dispersing those men in different districts, together with the reformatory nature of their previous punishment, there is good reason to hope that their presence, in moderate numbers, will not be found injurious to the general character of the community. Considering the urgent representations which are constantly received at this office of the want of an adequate supply of labour, it seems possible that if this system of convict discipline were well understood, the colonists might be desirous of receiving men upon the foregoing terms, in their last stage of punishment, and after they had earned a favourable character from the authority under whose control they had been placed. I should be glad therefore, if you would ascertain, in the manner which may appear to you best suited to the purpose, how far this would be the prevalent opinion in the colony under your government, and if I should learn from you that the measure would be wished for, I should be prepared to take the necessary steps for including New Zealand in the places into which convicts holding tickets of leave may be introduced.

I have the honour,

&c., &c.,

(Signed) GREY.

To Governor Grey,
&c., &c.

Civil Secretary's Office,
Auckland, March 6th, 1849.

HIS Excellency the Governor-in-Chief has been pleased to order the publication of the following information, for the use of Military and Naval officers purposing to settle in the British colonies.

C. A. DILLON,
Civil Secretary.

INFORMATION FOR THE USE OF MILITARY AND NAVAL OFFICERS PURPOSING TO SETTLE IN THE BRITISH COLONIES.

1. The Colonies in which Military and Naval Officers are allowed privileges in the acquisition of public Lands are the following:—*First*, The Australian Settlements, consisting of New South Wales, Van Diemen's Land, South Australia, Western Australia, and the Northern Province of New Zealand; *Secondly* Ceylon; *Thirdly*, The Cape of Good Hope; and *Fourthly*, Nova Scotia and Cape Breton, the only province in North America where privileges are still allowed.

2. In the different Australian Settlements, in Ceylon, and at the Cape of Good Hope, land is disposed of by sale only; but Officers purchasing land, are allowed a remission of the purchase money, according to the undermentioned scale:

Field Officers, of 25 years' service and upwards, in the whole	£600
Field Officers, of 20 years' service and upwards, in the whole	500
Field Officers, of 15 or less years' service in the whole	400
Captains, of 20 years' service and upwards, in the whole	400
Captains, of 15 years' service or less, in the whole	300
Subalterns, of 20 years' service and upwards, in the whole	300
Subalterns, of 7 years' service and upwards, in the whole	200
Subalterns, under 7 years' standing, are not entitled to any remission in the purchase of land.	

Regimental Staff Officers, and Medical Officers of the Army or Navy, are allowed the benefit of this Rule.

In Nova Scotia and Cape Breton, allotments of land are granted to officers on the following scale and conditions:—

To a Lieutenant-Colonel	1200 acres
To a Major	1000 acres
To a Captain	800 acres
To a Subaltern	500 acres

3. Officers of the Army or Navy, proposing to proceed to the Colonies, in order to take advantage of this indulgence, should provide themselves with certificates from the Office of the Commander-in-Chief, or of the Lords Commissioners of the Admiralty, or of the Master General of the Ordnance, showing that their emigration has been sanctioned, and stating exactly their rank and length of service. No document from the Office of the Secretary of State is necessary.

4. Officers on half-pay, residing in the Colony where they propose to settle, are admitted to the privileges of Military and Naval Settlers, without referring to this Country for Testimonials, provided they can satisfy the Governor that there is no objection to their being allowed the indulgence, and that the statement of their rank and length of service is accurate; and provided, if they belong to the Navy, they produce their letter of leave of absence from the Admiralty.

5. Military Chaplains, Commissariat Officers, and Officers of any of the Civil Departments of the Army; Pursers, Chaplains, Midshipmen, Warrant Officers of every description, and Officers of any of the Civil Departments of the Navy, are not allowed any privileges in respect of land. Although members of these classes may have been admitted formerly, and under different circumstances, they are now excluded. Mates in the Royal Navy rank with Ensigns in the Army, and Mates of three years' standing, with Lieutenants in the Army, and are entitled respectively to corresponding privileges in the acquisition of lands.

6. Gentlemen who have ceased to belong to Her Majesty's Service are not allowed the advantages to which they were entitled while in the Army or Navy. This rule, however, is not to affect Officers who desire to quit the Service, for the express purpose of settling in the Colonies; it is only required, that when they resign their Commissions, they should apply for a certificate from the Commander-in-Chief, or from the Lords Commissioners of the Admiralty, or from the Master General of the Ordnance, that they do so with the view of emigrating, and such certificate, if produced to the Governor of any of the Colonies before-mentioned within one year from its date, *but not otherwise*, will be a sufficient warrant for allowing the bearer the same advantages as Officers who are still in Her Majesty's Service.

7. An actual residence of two years in the Colony must be proved before the Titles can be granted, except in cases in which death may have occurred before the expiration of that period.

8. For the convenience of Officers, the following heads are subjoined of the Rules for the sale of Land in the Australian Settlements:—

All Lands are disposed of by sale alone, and must have been at once at least exposed to public auction.

The lowest upset price is not less than £1 per acre; but the Government has power to raise the same by Proclamation, though not again to reduce it.

The Lands are distinguished into three different classes; viz—Town Lots, Suburban Lots, and Country Lots.

Upon Town and Suburban Lots, as well as upon a proportion not exceeding one-tenth of the whole of the Country Lots offered for sale at any auction, the Governor has the power of naming a higher than the general or lowest upset price:

these last to be designated "Special Country Lots."

Town and Suburban Lots are in no case disposed of except by public Auction; but Country Lots, which have already been put up to public Auction, and not sold, may be disposed of afterwards by private contract, at the upset price.

No Lands are sold by private contract, except for ready money. When sold by public auction, one-tenth at least of the whole purchase money must be put down, and the remainder within one calendar month, or the deposit is forfeited.

Lands are put up for sale in Lots not exceeding one square mile in extent.

9. In Ceylon, Land is sold by auction at an upset price, which is to be fixed by the Governor, but which is not to be less than £1 per acre. Before the Lands are exposed for sale, they will be surveyed by the Government and duly advertised.

10. The several prices above-mentioned are of course subject to a revision at any time by the proper authorities, and the pecuniary amount of the Remission made to Officers cannot be increased on account of an increased value set upon the Lands.

Civil Secretary's Office,
Auckland, March 1st, 1849.

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

CHARLES LAVALLIN NUGENT, ESQUIRE,

Captain in the 58th Regiment, to be His Excellency's Private Secretary.

By His Excellency command,
C. A. DILLON,
Civil Secretary.

PRINTING.

Colonial Secretary's Office,
Auckland, March 8th, 1849.

TENDERS will be received at this Office, until noon on Wednesday, the 21st inst., from persons desirous to Contract for the Printing, from and after the 1st of April next, of the New Zealand Government Gazette, Proceedings of Council, Forms, &c.

The specifications of work to be done and the terms of Contract, may be seen on application at this Office.

By His Excellency's command,
ANDREW SINCLAIR,
Colonial Secretary,

Her Majesty's Ship HAVANNAH,
Wellington, New Zealand.

ALL persons are cautioned against employing or harboring James Nicol, alias Frederick William Meredith, one of the Carpenter's crew of Her Majesty's Ship HAVANNAH absent from his ship without leave.

The said James Nicol, is a native of Scotland, aged 21 years, is 5 feet 6 inches in height, fair complexion, blue eyes, and brown hair, and has for some years past been resident in Sydney, New South Wales. His Father and Mother keep the "Blue Bell" public house at Auckland, New Zealand.

N. B.—By the 10th and 11th Victoria, Cap. 62, it is enacted that any person who shall assist or procure any person in Her Majesty's Navy to desert, or improperly absent himself from his duty, or shall conceal, employ, or continue to employ any person belonging to Her Majesty's Navy, who shall be a Deserter, or improperly absent from his duty, shall forfeit and pay the sum of Thirty Pounds, for every such assistance, procurement, concealment, employment, or continuing of employment as aforesaid, such penalty to be recovered with costs, either by information or complaint, by summary proceedings before any Justice of the Peace, residing in or near to the place where the offence shall be committed, or where the offender at any time shall happen to be, and whether the offence be committed in or out of Her Majesty's dominions, or within the jurisdiction of the Admiralty of England or not, and one moiety of such penalty shall be paid to the informer or complainant, &c.

JOHN E. ERSKINE,
Captain and Senior Naval Officer.

Description of a Deserter from Her Majesty's Ship "Havannah," Wellington, viz:

Names—James Nicol, *alias*, Fred. William Meredith.
Date of Desertion—8th December, 1848.
Quality—Carpenter's crew.
Age—Twenty-one.
Where born—Scotland.
Height—Five feet six inches
Hair—Brown.
Eyes—Blue.
Other marks—None.
Former Ships—First Entry.
£3 0 0 Reward for the apprehension of the above named man.

JOHN E. ERSKINE,
Captain.

Commissioner of Crown Lands' Office,
Auckland, March 8th, 1849.

I HEREBY NOTIFY, for the information of all persons concerned, that, in conformity with the requirements of the Squatting Regulations, I have convened meetings of the Holders of Despasturing Licenses, in the several undermentioned Hundreds, and that the persons whose names are subjoined have been duly elected by such Holders to be Wardens for the current year, as follows:—

For the Hundred of Auckland,
Thomas Somerville, J. Young, and J. Soale.

For the Hundred of Onehunga,
W. H. Kenny, W. Powditch, and J. O'Keefe.

For the Hundred of Panmure,
His Lordship the Bishop, O. W. Gray, and John Kerr.

For the Hundred of Otahuhu.
J. A. Hickson, W. Fairburn, and S. Clarke.

For the Hundred of Howick,
C. H. M. Smith, A. M'Intyre, and W. Mason.

For the Hundred of Pupuke,
Henry Figg, Thomas Duder, and P. M'Laren.

W. GISBORNE,
Commissioner of Crown Lands.

NOTICE is hereby given that the Annual Licensing Meeting of the Justices of the Peace, for the Town and District of Howick, will be holden in this Court, on Tuesday, the 17th day of April, 1849, at Eleven o'clock in the forenoon, for the purpose of taking into consideration applications for Licenses to sell Spirituous Liquors, Wine, Ale, or Beer.

JAMES WHITE,
Clerk of Petty Sessions.

Court House,
Howick, March 6th, 1849.

Custom House, Auckland,
9th March, 1849.

NOTICE is hereby given that the undermentioned Goods will be Sold by Public Auction, at Rich's Bonded Warehouse, on Tuesday, the 1st of May next, at 12 o'clock, noon, in accordance with the 48th Section of the Customs Ordinance, 4 Vic. No. 3, of 1841, if not cleared by that date.

Ex "Isabella Anna," Rogers, from Sydney, warehoused 19th January, 1846:

DS 4 } One Tierce Tobacco
DV 3 } One half Tierce Tobacco

Ex "Vanguard," Thompson, from Adelaide, warehoused 27th January, 1846.

DY 1/3 } Three Tierces Tobacco
DZ 1/3 } Three Kegs Tobacco

Ex "Lively," Murphy, from Nelson, warehoused 27th January, 1846:

EB 1 } One Tierce Tobacco

W. YOUNG,
Collector.

NOTICE.

NOTICE is hereby given, that in pursuance of the provisions of the Imprisonment for Debt Ordinance, Session 3, No. 7, the Court will sit at Auckland, on Monday, the 26th day of March, 1849, for the hearing of applications for relief, and for the despatch of all business arising under the provisions of the above Ordinance.

THOS. OUTHWAITE,
Registrar.

Supreme Court Office,
Auckland, February 27th, 1849.

SUPREME COURT OF NEW ZEALAND.

IN THE ESTATE OF SILAS TOBY DECEASED.

PURSUANT to the Rule of this Honourable Court, the Creditors of the above named deceased are on or before the First day of June next, to come in and prove their debts before THOMAS OUTHWAITE, ESQ., Registrar of the said Court, at his Office in the Court House, Queen Street, Auckland, or in default thereof, they will be peremptorily excluded from all benefit arising from the said Estate.

THOS. OUTHWAITE,
Registrar.

Supreme Court Office,
Auckland, March 1st, 1849.

Monthly Balance Sheet of THOMAS OUTHWAITE, Esq., Receiver of Intestate Estates, for the Northern District of the Colony of New Zealand, shewing his aggregate Receipts and Payments, within the Month of January, 1849.

	Receipts from 1st to 31st January, 1849.	Payments from 1st to 31st January, 1849.	Balance in Receiver's hands 31st Jan., 1849.
Estate of William Popplewell.....	Nil.	Nil.	Nil.
" Robert Richards	Nil.	Nil.	Nil.
" John Scott	Nil.	Nil.	Nil.
" Robert Prince Hill	Nil.	Nil.	Nil.
" Thomas Ryan	Nil.	1 10 0	Nil.
	"	£1 10 0	"

THOMAS OUTHWAITE,
Registrar.

Compared with Receiver's Book, this tenth day of February, 1849. } WM. MARTIN, C. J.

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