



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. IV. AUCKLAND, MONDAY, MARCH 31, 1851. No 8.

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 Ordinances, enacted by the Governor-in-Chief of New Zealand, with the advice and consent of the Legislative Council thereof, were passed in the thirteenth year of the reign of Her Majesty Queen Victoria;—

No. 1, Session 10, "An Ordinance to regulate the Occupation of Waste Lands of the Crown in the Province of New Ulster,"—23rd August, 1849;

No. 4, Session 10, "An Ordinance for Quieting Titles to Land in the Province of New Ulster,"—25th August, 1849;

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 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 Ordinances.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Go-

(L. S.)
vernment-House at Wellington, in the Province of New Munster, in the Islands aforesaid, this fourteenth day of March, in the Year of Our Lord one thousand eight hundred and fifty one.

G. GREY,
Governor-in-Chief.

By His Excellency's command,

C. A. DILLON,
Civil Secretary.

GOD SAVE THE QUEEN!

Civil Secretary's Office,
Wellington, March 13, 1851.

HIS Excellency the Governor-in-Chief has been pleased to direct the publication of the following Despatches for general information.

By His Excellency's command,

C. A. DILLON,
Civil Secretary.

No. 51.

Downing Street,
13th August, 1850.

SIR,—1. I have received, and laid before the Queen, your despatch, No. 130, of the 1st of October last, transmitting an Ordinance passed by yourself and the Legislative Council of New Zealand, on the 23rd of August, 1849, intituled "An Ordinance to regulate the Occupation of Waste Lands of the Crown in the Province of New Ulster;" and I have received the Queen's commands to signify to you that

Her Majesty has been graciously pleased to confirm and allow that Ordinance. You will communicate Her Majesty's decision to the inhabitants of New Zealand, by a Proclamation, to be issued in the usual and most authentic manner.

2. Although I should not wish to dictate practical amendments in a case in which I am disposed to defer in a great degree to your local knowledge and experience, there are some provisions of the Act on which I think it right to make some suggestions.

3. In the 12th Clause, which requires persons depasturing cattle on the Waste Lands of the Crown to send in a return of such cattle in their possession on the 1st September in each year, and on which return the payments are to be calculated, no precaution is taken against the subsequent depasturing on Crown Lands of cattle acquired after the 1st of September, or of cattle which at that date may have been depastured elsewhere. It appears to me that, without some regulation on that point, the Public Revenue might in such cases be easily defrauded, unless some peculiar circumstances should exist in the case of New Zealand of which I am not aware.

4. I further perceive that, by the 23rd Clause of the Act, the Wardens of the Hundreds are authorized to raise an Assessment, not exceeding 5s. a head on Great Cattle, and 1s. a head on Small. Such an assessment would appear to me to be very high, if levied to its full extent; but at the same time I do not attempt, at this distance, to express a confident opinion on such a point, in opposition to the views of yourself and of the Legislative Council. You may probably have seen sufficient reason to feel satisfied that the power thus given by the Act would not be abused, and I think it enough to draw your attention to the subject.

5. You express your opinion, that great benefits would result from regulations which would entrust to Officers elected by the Inhabitants of a Hundred, the appropriation of that portion of the Land Revenue raised within such Hundred, which is applicable to the execution of public works, such as roads, bridges, &c. I agree with you in the general principle of the measure which you propose, and I cannot more clearly indicate to you my own views on this subject, than by referring you to those which are expressed by the Committee of the Privy Council in their Report on the Australian Constitution. I enclose a copy of that Report, and it will explain to you the policy which I should desire to see adopted in New Zealand on this subject. As it might be doubted, however, whether the proposed faculty of dealing with part of the Land Sales Revenue could be bestowed on the Hundreds consistently with the Royal Instructions, I transmit to you an additional Royal Instruction, under the Royal Sign Manual and Signet, by which Her Majesty has been pleased to empower you to devolve upon the Wardens or Officers of the Hundred,

the expenditure of one-third of the gross proceeds of the Revenue raised within the limits of that division.

I have, &c.,
(Signed) GREY.
Governor Sir George Grey, K.C.B.,
&c., &c., &c.

VICTORIA R.

ADDITIONAL INSTRUCTIONS
to our Governor-in-Chief of New Zealand, or to the Officer exercising the said Office of Governor-in-Chief for the time being: To our Governor and Commander-in-Chief in and over the Province of New Ulster, or to the Officer exercising the said Office of Governor and Commander-in-Chief for the time being: To our Governor and Commander-in-Chief in and over the Province of New Munster, or to the Officer exercising the said Office of Governor and Commander-in-Chief for the time being: or to our Lieutenant-Governor of the Province of New Ulster, or to the Officer exercising the said Office of Lieutenant-Governor for the time being: or to our Lieutenant-Governor of the Province of New Munster, or to the Officer exercising the said Office of Lieutenant-Governor for the time being. Given at our Court at Osborne House, Isle of Wight, this twelfth day of August, 1850, in the fourteenth year of our reign.

WHEREAS, by the Thirteenth Chapter of certain Instructions under our Signet and Sign Manual, approved by our Privy Council, and accompanying certain Letters Patent, under the Great Seal of our United Kingdom, bearing date the twenty-third day of December, one thousand eight hundred and forty-six, provision was made respecting the settlement of the Waste Lands of the Crown in the two Provinces of the Colony of New Zealand, and therein respecting the Sales of the said Lands, and respecting the reservation thereon of certain Rents and Royalties; And whereas, the thirty-first clause of the said chapter is in the words following, that is to say:—

“Thirty-first. A separate account shall be kept by the Treasurer of each of the said Provinces of the gross proceeds of the said Lands Sales, Rents and Royalties, and of all the costs, charges, and expenses of and incident in any way to the sale, survey, administration, and management of the said Demense of Us, in right of our Crown, and after deducting from such gross proceeds all such costs, charges, and expenses, the net balance shall be by Us held in trust for defraying the cost of introducing into the said respective Provinces Emigrants from the United Kingdom, or in trust for defraying the costs of such other Public

Services therein as by Us shall from time to time be prescribed by Instructions to be issued in pursuance of the said Act of Parliament, under our Signet and Sign Manual, with the advice of our Privy Council:"

And whereas, by the said Letters Patent, We did reserve to ourselves, our heirs, and successors, full power and authority to amend, and for that purpose to add to, or, if necessary, repeal the said Instructions:

And whereas it is expedient that the hereinbefore recited clause of the said Instructions should be amended:

We do therefore declare, by these our Instructions, given under our Signet and Sign Manual and approved in our Privy Council, that so much of the said recited clause as prescribes the mode of expending the net balance therein referred to, shall be, and the same is hereby repealed; and that the said net balance shall be by Us held in trust for defraying the cost of introducing into the said Colony Emigrants from the United Kingdom, or in trust for defraying the costs of such other public services in respect of the said colony as shall be from time to time prescribed by or in pursuance of any Instructions issued by Us, under our Signet and Sign Manual, and approved by our Privy Council.

And whereas by virtue of certain Proclamations issued or to be issued within the colony of New Zealand, certain parts of the said colony have been or may hereafter be divided into Hundreds:

And whereas it may be expedient that part of the proceeds arising from the sale of Crown Lands within the said Hundreds, should be applied in such manner as may be specified by the Wardens or other proper authorities thereof:

We do hereby further declare that it shall be competent for the Governor or Officer administering the Government of the said Colony, to authorize the application of any proportion not exceeding one-third of the gross proceeds of the sales of Crown Lands effected within the limits of any such Hundred, towards such purposes as shall be signified to him by the Wardens of such Hundred, or by such other authorities thereof as shall be designated for that purpose by any Ordinance to be passed by the Legislature of the said Colony, subject nevertheless to such restrictions and regulations as shall be imposed by such Ordinance.

V. R.

No. 50.

Downing Street,
August 13th, 1850.

SIR,—I have not failed to bestow my most careful consideration on your despatches of the numbers and dates specified in the margin, explaining the grounds on which you had been induced to propose to the Legislature an Ordinance "for Quieting Titles to Land in the Province of New Ulster," and sending a copy of that Ordinance itself, to be submitted to Her Majesty.

2. The effect of this important measure is

to confirm to the numerous land claimants under direct purchases from the natives, the large tracts of land to which they assert a right, or, in cases where this may be impossible from the previous rights of the natives themselves, to confer upon the European claimants an equivalent out of the general landed territory of the Crown. It is needless for me to recapitulate on this occasion, the slight grounds, in equity, of many of the claims in question, or the injurious tendency to the public interest of finally placing in the possession of individuals such extensive tracts of land for which they have mostly given but a trifling consideration. These views have often been stated before. The best proof of the extent to which you have been alive to them has been evinced by the resistance which, in spite of much obloquy and unjustifiable opposition, you have properly offered to the establishment of these large demands.

3. The more deliberate and persevering your resistance to these demands has been, the more I am now disposed to place confidence in the conclusion at which you have arrived, to relinquish further opposition to them; and I agree with you, that the state of the law, as declared by the Judges of the Supreme Court, renders it indispensable to settle rather than to dispute these claims any further. And, I feel that to expose the colony to some years more of uncertainty and litigation on this agitating subject would do more injury to the colony than protracted discussion, though ultimately successful, could do good.

4. As I concur in this opinion, I have only to convey to you ~~my~~ some of the skill and foresight, and the regard for the various interests concerned, with which the details of the measure appear to have been framed, and I am satisfied that the colony will hereafter appreciate the advantages which will be derived from the settlement you have effected; I trust that it may be productive of peace and content in the Province of New Ulster, and that the animosities to which the question gave rise, may speedily be laid aside and forgotten.

5. I have not seen sufficient reason to introduce any Bill into Parliament for the purpose of giving additional authority to the Ordinance.

6. It only remains for me to apprise you that I have laid this Ordinance before the Queen, and that Her Majesty has been pleased to confirm and allow the same, and I have to instruct you to publish it by proclamation, in the usual and most authentic manner.

I have, &c., &c.,

(Signed) GREY.

Governor Sir George Grey, K.C.B.,
&c., &c., &c.

No. 58.

Downing Street,
13th August, 1850.

SIR,—With reference to my Despatch, No. 48, of the 5th instant, I herewith transmit to you additional instructions, which the Queen has been pleased to issue, under the Royal

101, July 24,
1849.
131, October 3,
1849.
158, November
28, 1849.

Sign Manual and Signet, for the purpose of exempting from the operation of the Regulations relative to Sales by Auction all the lands comprised in the Settlements of the New Zealand Company.

I have, &c.,
(Signed) GREY.

VICTORIA R.

(L.S.) **ADDITIONAL INSTRUCTIONS**
to Our Governor-in-Chief of New Zealand, or to the Officer exercising the said Office of Governor-in-Chief for the time being: To Our Governor and Commander-in-Chief in and over the Province of New Ulster, or to the Officer exercising the said Office of Governor and Commander-in-Chief for the time being: To Our Governor and Commander-in-Chief in and over the Province of New Munster, or to the Officer exercising the said Office of Governor and Commander-in-Chief for the time being: or to Our Lieutenant-Governor of the Province of New Ulster, or to the Officer exercising the said Office of Lieutenant-Governor for the time being: or to our Lieutenant-Governor of the Province of New Munster, or to the Officer exercising the said Office of Lieutenant-Governor for the time being. Given at Our Court at Osborne House, Isle of Wight, this Twelfth Day of August, 1850, in the Fourteenth Year of Our Reign.

WHEREAS, by Our Instructions under our Signet and Sign Manual accompanying our Letters Patent under the Great Seal of Our United Kingdom, bearing date the Twenty-third Day of December, One Thousand Eight Hundred and Forty-six, We did, among other things, make certain Rules and Regulations respecting the Settlement of the Waste Lands of the Crown, which are comprised in the Thirteenth Chapter of the said Instructions:

And whereas, by an Act of Parliament passed in the Eleventh Year of our Reign, entitled "An Act to Promote Colonization in New Zealand, and to Authorize a Loan to the New Zealand Company," it was, amongst other things, enacted, "that the several provisions relating to the Settlement of the Waste Lands of the Crown, contained in the Thirteenth Chapter of the said Instructions, under Her Majesty's Sign Manual and Signet, except such as relate to the Registration of Titles to Land, the means of ascertaining the Demesne Lands of the Crown, the Claims of the Aboriginal Inhabitants to Land, and the Restrictions on the Conveyance of Lands belonging to any of the Aboriginal Natives, unless to Her Majesty, Her Heirs and Successors, shall be suspended and of no force and effect, within the Province of New Munster, in the said

Colony of New Zealand, until the Fifth Day of July, in the Year One Thousand Eight Hundred and Fifty, and during such further time as shall be directed by Parliament."

And whereas Parliament has made no such further direction as aforesaid, and the said recited Instructions are therefore now in force in the Province of New Munster:

And whereas it is by the said Act further provided "that if the Directors of the said Company shall give notice to one of Her Majesty's Principal Secretaries of State within three calendar months next after the said fifth day of April, one thousand eight hundred and fifty, by any instrument under the seal of the Company, that they are ready to surrender the charter of the said Company to Her Majesty, and all claim and title to the lands granted or awarded to them in the said colony, all the powers and privileges of the said Company, except such as shall be necessary for enabling the Directors to receive the several sums of money hereinafter mentioned, and to distribute the same among the shareholders, and other persons entitled thereunto, and for enabling the Directors to adjust and close the affairs of the Company, shall cease and determine, and all the lands, tenements, and hereditaments of the said Company, in the said colony, shall thereupon revert to, and become vested in Her Majesty, as part of the demense lands of the Crown in New Zealand, subject nevertheless to any contracts which shall be then subsisting in regard to any of the said lands:

And whereas the Directors of the New Zealand Company did, on the fifth day of July last past, give to the Right Honorable Earl Grey, our Principal Secretary of State for the Colonies, such notice as aforesaid, in pursuance of the above recited provision:

And whereas, on the giving of such notice as aforesaid, all the lands, tenements, and hereditaments of the said Company in New Zealand, reverted to and became vested in Us, as part of the demense lands of the Crown in New Zealand, subject nevertheless as aforesaid to any contracts which were then subsisting in regard to any of the said lands:

And whereas certain Contracts have been entered into between the New Zealand Company and certain bodies of Settlers and others in regard to lands in New Munster aforesaid, namely, with the Settlers at Wellington, Nelson, and New Plymouth, and the Associations of Otago and Canterbury:

And whereas it is apprehended that the provisions contained in the thirteenth chapter of the said Instructions, are in certain respects inconsistent with the said contracts between the New Zealand Company and the said respective Settlers and Associations; and it is expedient that the said Instructions should be repealed, so far as regards the lands comprised in, or affected by the said Contracts, as far as the same may be inconsistent with the said contracts respectively, or any part thereof:

Now therefore know you, that We have revoked and determined, and do by these Our Instructions, under our Sign Manual and

Signet, revoke and determine so much and such part only of the thirteenth chapter of the said Instructions, as relates to the lands comprised in, or affected by, the aforesaid contracts between the New Zealand Company and the Settlers at Wellington, Nelson, and New Plymouth, and the Associations of Otago and Canterbury, and so far as the same may be inconsistent with the said Contracts respectively, or any part thereof.

And We do hereby declare that the said Contracts respectively, or any amendments in such Contracts which may hereafter be made by and between Us, Our Heirs and Successors, or parties on Our or their behalf lawfully authorized, and the said Bodies respectively, are and shall be in force as regards the lands comprised in, or affected by, the said Contracts.

Provided always, that on the expiration, or sooner determination of any such Contract, the regulations comprised in the said Thirteenth Chapter of the said recited Instructions shall again become and remain in force as regards the lands comprised in, or affected, by such contract.

V. R.

NOTICE.

AT a General Meeting of the Justices of the Peace for the Town and District of Auckland, held at the Resident Magistrate's Court, Auckland, on the Twenty-fifth day of March, 1851, for the purpose of fixing the Hours for Slaughtering Cattle in the Public Slaughter-houses of the District, under the authority of the 19th Clause of the Slaughter-house Ordinance, Sess. 8, No. 5, it was determined, that Cattle should only be Slaughtered from Sunrise to Sunset, excepting between the Hours of Eleven A.M. and Two P.M., from the First of October to the Thirty-first of March, and between Twelve noon and Two P.M. from the First of April to the Thirtieth of September; and that no cattle should be slaughtered on Sundays, but that two hours extra beyond sunset should be allowed on Saturday nights, during the year.

The above Regulation to be in force one week after the publication of this Notice in the *Government Gazette*.

EDWARD BARRY,
Clerk to the Magistrates.

THOMAS OUTHWAITE, Esquire, Receiver of Intestate Estates for the Northern Division of the Colony of New Zealand, in account with the Estate of EDWARD RICHARDSON, deceased, intestate.

1850.	£	s.	d.	1850.	£	s.	d.
July 19. By Cash, Net Proceeds, Sale of Effects ..	1	10	6	July 18. Paid Benjamin Hughes' claim	0	7	0
1851. February 11. " " from Treasury, wages due to de- ceased,	8	4	0	Sept. 30. " Letters of Admi- nistration	1	10	0
				1851. Feb. 26. " David Sheehan his claim	1	0	0
				March 14. " A. C. Joy for his claim	2	10	0
				" " " Advertising Notice to Creditors ..	0	1	1½
				" " " Advertising Balance Sheet	0	10	0
				" " " Administrator's Com- mission	0	9	9
				Balance	3	6	7½
	£	9	14 6		£	9	14 6

I, THOMAS OUTHWAITE, do swear that, to the best of my knowledge and belief, the above is a just and true account of the receipts and disbursements on account of the Estate of the late Edward Richardson, deceased, intestate.

THOS. OUTHWAITE.

Sworn at Auckland, this twentieth day of March,
1851, before me

WM. MARTIN, C. J.

I do hereby certify that I have examined and allowed this Account of the Official Administrator of the late Edward Richardson. Dated the twentieth day of March, 1851.

WM. MARTIN, C. J.

A RETURN of the VALUE of GOODS IMPORTED, and the Number and Tonnage of SHIPPING entered INWARDS, at each of the Ports in the Province of New Ulster, for the Year 1850.

Ports,	Estimated Value in Sterling of Goods Imported from					Shipping Inwards.																				
	Great Britain.		British Colonies.		United States.	Other Foreign States.		Total.		Great Britain.		British Colonies.		United States.		Other Foreign States.		Total.								
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.							
Auckland	£ 37,264	s. 15	d. 11	£ 58,660	s. 7	d. 6	£ 5,835	s. 5	d. 1	£ 182	s. 13	d. 0	£ 101,943	s. 1	d. 6	8	2,951	48	10,971	12	3,062	8	1,064	76	18,048	955
Russell	151	16	0	344	10	0	1,022	8	0	0	0	0	1,518	14	0	1	380	5	1,101	15	4,508	1	355	22	6,339	512
Mongonui	0	0	0	24	13	2	359	8	0	0	0	0	383	16	2	..	..	3	867	11	3,822	..	..	14	4,689	401
Hokianga	0	0	0	482	19	0	0	0	0	0	0	0	482	19	0	..	..	6	2,137	..	..	..	..	6	2,137	86
New Plymouth	4,082	18	6	277	7	6	105	0	0	0	0	0	4,465	6	0	3	1,860	..	..	..	..	..	..	3	1,860	94
TOTAL.....£	41,499	10	5	59,789	17	2	7,321	16	1	182	13	0	108,793	16	8	12	5,191	62	15,076	38	11,387	9	1,419	121	33,073	2,048

H. M. Customs, Auckland,
12th March, 1851.

W. YOUNG,
Collector.

A RETURN of the VALUE of GOODS EXPORTED, and the Number and Tonnage of SHIPPING entered OUTWARDS, at each of the Ports in the Province of New Ulster, New Zealand, for the Year 1850.

Ports.	Estimated Value in Sterling of Goods Exported to					Shipping Outwards.																				
	Great Britain.		British Colonies.		United States.	Other Foreign States.		Total.		Great Britain.		British Colonies.		United States.		Other Foreign States.		Total.								
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.							
Auckland	£ 3,176	s. 0	d. 0	£ 36,443	s. 4	d. 8	£ 22,775	s. 6	d. 2	£ 1,678	s. 0	d. 0	£ 64,072	s. 10	d. 10	3	847	46	8,150	20	5,331	8	2,341	77	16,669	951
Russell	0	0	0	0	0	0	33	10	0	281	12	0	315	2	0	..	..	..	19	5,606	2	468	21	6,074	473	
Mongonui	0	0	0	0	0	0	475	0	0	0	0	0	475	0	0	..	..	3	867	15	5,168	..	..	18	6,035	508
Hokianga	0	0	0	1,988	0	0	0	0	0	1,173	0	0	3,161	0	0	..	..	3	874	..	..	2	492	5	1,366	61
New Plymouth	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	..	..	3	1,949	..	..	..	..	3	1,949	76
TOTAL.....£	3,176	0	0	38,431	4	8	23,283	16	2	3,132	12	0	68,023	12	10	3	847	55	11,840	54	16,105	12	3,301	124	32,093	2,069

H. M. Customs, Auckland,
12th March, 1851.

W. YOUNG,
Collector.

Printed by WILLIAMSON & WILSON for the New Zealand Government.

In compliance with instructions from His Excellency the Governor-in-Chief, the following Returns are published for general information.

Colonial Secretary's Office,
Auckland, March 24th, 1851.
ANDREW SINCLAIR,
Colonial Secretary.