



NEW ZEALAND  
GOVERNMENT GAZETTE.  
PROVINCE OF NEW ULSTER.

Published by Authority.

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*By His Excellency's Command,*

ANDREW SINCLAIR, *Colonial Secretary.*

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Colonial Secretary's Office,  
Auckland, 5th September, 1851.

HIS Excellency the LIEUTENANT-GOVERNOR has been pleased to direct that the following Despatch and Proclamation be re-published for general information.

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

Government House,  
Wellington, 29th July, 1851.

SIR,

I HAVE the honour herewith to transmit a Proclamation which I have this day issued under the Great Seal of the New Zealand Islands, which incorporates the Town of Auckland and the settled portions of the Auckland district into a Borough, and confers upon the inhabitants of that Borough not only the ordinary powers of an English Town Council, but full powers of self-government on all matters of local interest. As it is also intended to intrust to the inhabitants of the Borough thus created the management of a considerable portion of land fund raised from the sale of Crown lands within the limits of the Borough, and to place under their control the management of various public institutions, I propose to state in this despatch, for your information, the several objects which have been held in view in the preparation of the enclosed Charter.

2. You are aware that under the authority of Proclamations which have been already issued, the country in the vicinity of Auckland has been divided into Hundreds, the inhabitants

of which have had conferred upon them the power of electing Wardens, in whose hands has been vested the power of making all requisite regulations connected with the depasturing of stock on the unsold lands within the limits of the Hundreds, of improving the common lands, and of carrying on certain public works and improvements. To enable the Wardens to effect these objects, all sums of money raised from depasturing licenses, or from the assessments on stock depastured within the limits of the Hundreds; and one-third of the gross proceeds of all Crown lands within the limits of the Hundreds which may be sold by the Crown, are to be placed at their disposal.

3. This system of dividing the country, so soon as it becomes tolerably populous, into Hundreds, has hitherto—in so far as it has been tried—worked well; and I propose that it should be constantly extended over the agricultural districts, as the increase of population in any particular locality renders it advisable to proclaim a Hundred or Hundreds in that district. Indeed, I confidently expect that within a few years, the inhabitants of New Zealand will regard this right of being formed into small Municipalities for the management of the waste lands in their district, and for the expenditure of so considerable a portion of the land fund raised in it, as one of their most valuable and important privileges; and that it will be found that the incorporation for these purposes of all the landed proprietors in the Colony will create throughout the entire country bodies of considerable political influence, who

will readily be able to resist any attempts (should such ever be made) on the part of the large stockholders to acquire such rights over the Crown lands, as might be injurious to the interests or future prospects of the less wealthy portions of the community; whilst on the other hand the stockholders, being also by a recent law enabled to be in like manner incorporated for the management of large pastoral districts, will have the means, through regularly constituted bodies, of maintaining their rights, either as against any temporary party in the Legislature, or against the hostile interests or prejudices of other classes of the community. I anticipate that from this adjustment of the respective rights of the two most important interests in this country there will result a better system for the administration of the waste lands of the Crown than has ever yet prevailed. At least, if such should not be the case, clearly the fault of any errors or defects which may be allowed to exist in it, must for the future, to a great extent, be charged upon the apathy or want of union of the inhabitants of New Zealand.

4. But as in the case of the country in the vicinity of Auckland, it will probably often be found that there are various localities in New Zealand which, from occupying a position favourable to commerce, will attract a large population to their vicinity: and in such places it will be requisite for the Government in the first instance to construct various public works, and to establish charitable and educational institutions of divers kinds adapted to the wants of the inhabitants, for the support of which endowments will have to be set apart from the Crown lands; and secondly, it will be generally found necessary in such cases to create Municipalities with very extensive powers of local self-government, and further to vest in such Municipalities the various public works which have been constructed, the institutions which have been established, and the endowments which have been provided for their support. In such instances as the inhabitants of all the immediately contiguous Hundreds will have a joint interest in the proper management of, and in the right of admission to, such charitable and educational institutions, and in the efficient maintenance of such public works, it will be requisite that they should be included within the limits of any Municipality which may be created for these purposes.

5. In the instance of the Borough of Auckland now under consideration, it will be found from an examination of the Schedules attached to the Charter, that it comprises within its limits six Hundreds, and is thus made to embrace a district which possesses great capabilities and many natural advantages; which is about sixteen miles in length from the Wao on the West to Howick on the East inclusive: and which has a varying breadth from five to seven miles, being bounded on the North by the Waitemata, and on the South by the Manukau.

6. Thus defined, the Borough of Auckland comprises within its limits two large harbors,

one on either side, and one of which (Auckland) is of a most superior description; a river, (the Tamaki) navigable for small craft, which nearly intersects the Borough; a water frontage (not including the Tamaki with its numerous creeks) of not less than forty miles, having shelter and anchorage for shipping throughout the greater part of its extent; and an area of about 58,000 acres, the whole of which, with the exception of about 2000 acres, is available for cultivation, and is generally of very superior quality.

7. Of the land thus comprised within the limits of the Borough, about 40,000 acres are already the property of private individuals, held under grant from the Crown, and of this quantity of land about 7,500 acres are in a state of cultivation, well fenced, and for the most part heavily stocked with cattle.

8. About 2000 acres are the property, and in the occupation of the natives; and the remaining 16,000 acres, including portions of the town of Auckland, and of the villages of Onehunga, Howick, Panmure, and Otahuhu, remain demesne lands of the Crown, available for sale and settlement.

9. The European population of the Borough amounts to about 8000 souls, upwards of 4000 of whom occupy the town of Auckland and its adjacent suburbs, whilst the aggregate population of the Pensioner settlements of Onehunga, Howick, Panmure, and Otahuhu, may be estimated at about 2500 souls, leaving a population of about 1500 souls who are scattered over the rural districts of the Tamaki, Epsom, and the Wao, and are chiefly engaged in agricultural and pastoral pursuits. The whole European population of the Borough may thus be divided into three distinct classes, viz: a commercial class residing in the town of Auckland; the landed proprietors and farmers residing in the suburbs of the town, and in the villages and agricultural districts; and a mixed or intermediate class, who inhabit the Pensioner settlements.

10. For the convenience of the inhabitants of the Borough, the principal streets, the main lines of road throughout a great part of its extent, and useful causeways and bridges have been constructed and are now in good repair, so that they can for the future be maintained in an efficient state at a comparatively small cost. An extensive wharf and landing place in the town of Auckland is also now in progress; the funds for its completion have been advanced, and there can be little doubt that whilst it will greatly promote the commercial facilities of Auckland, it may be made the means of hereafter yielding a considerable revenue for the Corporation.

11. Various other public and charitable works have been undertaken and established within the limits of the Borough, several of which have been for some time in full and most useful operation: such as a public hospital, a native hostelry, a market house, public washing, bathing, and drying grounds; and valuable portions of the Crown lands have in some instances been set

apart as endowments towards the support of these public Institutions. As a temporary measure, and until some competent body should be organized for their management, these reserved lands thus set apart as endowments have been vested in official trustees; but so soon as the Council of the Borough shall have been duly constituted, it is intended to vest in that body these Institutions and the endowments for their support and maintenance. In like manner a considerable endowment has been provided for the support of a college and free grammar schools within the Borough; and so soon as one of these schools in the town of Auckland can be put into an efficient state, it is intended to vest also these establishments and the endowments for their maintenance in the Corporation of the Borough.

12. I trust that ample funds will be thus placed at the disposal of the Corporation for the maintenance of these Institutions, without their being compelled in these early days of the Colony, to impose any great amount of additional taxation upon the inhabitants of the Borough, and in the same manner I hope that the considerable portion of the land fund which is to be placed at their disposal will enable them, by a judicious management of their resources, to make and maintain all really necessary roads through the Borough, without their being compelled, at present, to impose on its inhabitants any heavy rate of assessment for such purposes.

13. In pursuance of the plan I have thus traced out, the enclosed Charter, in its preamble, recognizes the inhabitants of the Borough themselves as being best qualified, as well by their more intimate knowledge of local affairs as by their more direct interest therein, to provide for the efficient management of such institutions, works and endowments; and recites that with a view to that end, and to the good order, health, and convenience, of the people, it is expedient that the inhabitants of the district should be constituted a Body Corporate, with the powers hereinafter mentioned.

14. As it is not the object of the Charter to confer upon any particular class, by means of a Council to be chosen by that class, the power of governing the Borough: but to give to the inhabitants at large the power of governing themselves by means of a Council in which every class and portion of the Borough may be fairly represented, the Borough has been divided into fourteen electoral divisions or Wards, and the Council is to consist of fourteen members, one being returnable for every Ward. If, without any such subdivision, the whole number of Councillors had been returnable by the entire body of electors, the result would probably have been that nearly the whole of the Councillors would have been inhabitants of the town and would have been chosen by its inhabitants. Such a body, so chosen, would have had only an imperfect knowledge of the condition and requirements

of the country districts and of the Pensioner settlements, whilst they would probably have had a direct interest in promoting town improvements; and if, after assigning to the town a certain number of members, the remainder of them had been returnable by the inhabitants of that part of the Borough which lies beyond the limits of the town, then the farmers and landed proprietors—the class which of all others has the most fixed and permanent interest in the country—would have been virtually excluded, forming, as they do, numerically, a minority taken in connection with the populous military settlements in the neighbourhood of Auckland. For this reason, and to secure, in as far as practicable, to each class a fair share in the election of the governing body, each Pensioner settlement and each agricultural district has been formed into a distinct Ward, with the power of returning a member to the Common Council of the Borough.

15. In defining the metes and bounds of the several Wards, it was obviously impossible, under the circumstances and with due regard to the principle of the Charter—local self-government—to adopt either territorial extent or numerical importance with respect to population as the rule. Whatever may be the present disparity in these respects of the several Wards, a near approach to equality will probably be found to exist in the proportion that will be borne by the several Wards in their contributions to the general funds to the Borough under the operation of a rate levied on real property. Another important consideration which has been held in view in determining the size and figure of the several Wards was well defined boundary lines, either natural or artificial.

16. As the business of the Corporation will be of a strictly local nature, namely, to provide for the government and improvement of the Borough with a due regard to the interests of its several localities, it was deemed essential that the governing body should be composed of men having accurate knowledge of the condition and requirements of its various parts, and this object has therefore been secured by that provision of the Charter which prescribes that the member to be elected for each Ward shall be a Burgess of the Ward for which he shall be elected. By this means the Council will possess accurate practical knowledge of every part of the Borough, and each Ward will be represented by a member who will naturally be anxious to promote its improvement, and who will have a direct personal interest in its prosperity.

17. The number of natives residing within the Borough is but small, and nearly the whole of them reside within the limits of the single Ward of Tamaki West. I apprehend, therefore, that though, as has been provided for by a recent Ordinance, they are not excluded from a voice in the election of the Council, they will be practically found to exercise but little influence even in the return of a single member.

18. You will observe that the powers of legislation conferred upon the Council are subject to the limitation that no bye-law made by them shall be repugnant to any law or Ordinance of the General legislature, or of the Legislature of the Province. As some misapprehension may possibly exist as to the precise meaning of these words, I think it right to state that, as used in the enclosed Charter, they mean no more than this:—that although the power of legislating on certain subjects has been given to the Municipal Council, yet that to such Council the exclusive power of legislating on those subjects has not been given, and that in case of, or rather to avoid, a conflict of laws, the authority of the superior legislative body must prevail: for example, the Council of the Borough will have the power of making bye-laws for establishing and maintaining schools; if the General Legislature of New Zealand should at some future time enact a law that in every district of the Colony a public school should be established, it would not be competent for the Council of the Borough afterwards to enact by a bye-law that the Borough of Auckland should be exempt from the operation of such a law, or that no public school should be established in the district, because such a bye-law would be “repugnant” to a law of the General Legislature, and consequently, under the provisions of the Charter, such bye-law would for that reason be null and void.

19. According to the terms of the Royal Instructions, no bye-law is to take effect until it shall have been approved by the Governor-in-Chief, but the frequent unavoidable absence of the Governor-in-Chief, and the difficulty of communication between the different parts of the Colony would, if this rule were enforced, often necessitate a lengthened delay before a bye-law could come into operation. To obviate this inconvenience, the Charter provides, for the purpose of carrying its provisions into effect, that the term “Governor-in-Chief” shall be taken to include the Governor and Lieutenant-Governor of the Province.

20. In order that full effect may at the earliest practicable period be given to the intentions with which the enclosed Charter was drawn, I have to direct that, in compliance with the terms of the Ordinance herewith transmitted, the Colonial Treasurer should be instructed to keep a separate account, shewing the proportion of the land fund raised within the Borough to which the Corporation may be entitled; and the amount which may be so due upon the first day of every month, must be, upon demand, paid over to the Treasurer of the Corporation. The only exception to this rule will be in the case of the land recovered from the sea by the wharf at Auckland; it will in that instance be necessary to repay, from the first proceeds of the sale of that land, the sums which have been advanced for the erection of the wharf. When this debt shall have been liquidated, the proceeds which will be realized from the sale of the remaining portion of the

land will, of course, be treated as the ordinary land fund, and one-third of the gross proceeds of such sales will be paid over to the Corporation. It is only upon this understanding that it is in my power to sanction the issue of the advances which are necessary for the completion of the wharf.

21. It being probable that not only in the town of Auckland, but in other parts of the Borough also, considerable portions of land can be recovered from the sea at a comparatively trifling cost, which can then be disposed of to considerable advantage, it will be desirable, whenever it is practicable—as the Government is itself so largely interested in the sale of public lands within the Borough—that it should make advances to the Corporation for the purpose of reclaiming such lands from the sea, upon the above stated condition of such advances being repaid from the first proceeds of the sale of any lands which may have been so reclaimed.

22. The sums named in the margin having also been voted by the Legislature, for the year 1852, for the making and repair of public roads in the vicinity of Auckland, and for the support of other Institutions which are to be handed over to the Corporation, it will be proper, until any different and further appropriation of the revenue may have been made by the Provincial Council, that the amounts due each quarter from the Colonial revenue for these purposes should be paid over to the Corporation, upon their undertaking to appropriate them to the purposes for which they were voted. And I cannot but hope that the Provincial Council, when it assembles, will, upon account of the important duties devolved upon the Corporation, and its great weight in the Province, both as regards population and amount of property, continue to provide from the revenue such sums as may be really requisite to enable the Corporation efficiently to support the works and institutions for which the above mentioned amounts have been voted.

23. Having thus stated the various objects, to meet which the enclosed Charter was drawn, I should now point out that the advantages to be derived by the inhabitants of the Borough from the powers of self-government conferred upon them, will in no slight degree be influenced by the degree of active interest which they may individually take in the result of the first election. For the first Council will, in the appointment of Corporate officers, in fixing the nature and amount of their remuneration, in the enactment of the first code of bye laws, and in other similar respects, both directly and indirectly enjoy much greater practical power, during their term of office, than any succeeding Council; and the conduct and mode of proceeding of the first Council will probably give a tone to, and stamp for years to come, the character of the governing body of the Borough; and exert a considerable influence upon their proceedings.

24. When, therefore, it is borne in mind what extensive powers are to be confided to

the Council, and what valuable Institutions are to be placed under their control, it will, I think, become every inhabitant of the Borough who may have property liable to be rated, and who would desire to see such Institutions flourish and produce important advantages for the community, to take an active part in the election of such persons as he may deem worthy to be entrusted with the discharge of such important public duties.

25. It is now only necessary that I should add that the Burgesses of the Borough of Auckland being by the enclosed Charter, and the other several provisions which have been for that purpose made, charged with the administration of many valuable public trusts, and with the management of the lands set apart for their support, being also endowed with a portion of the public funds, and being empowered to take all necessary measures for improving the means of internal communication within the Borough; for facilitating and encouraging its trade and commerce; for providing for the good order, health and convenience of its inhabitants; and for promoting the education of its youth; possessing also a large share in the administration of justice, in the persons of its Mayor and Aldermen, and in its power of making bye-laws for the holding of Quarter Sessions, or Petty Sessions of the Peace for the Borough, by the Justice of the Peace thereof; and being further empowered to raise the funds necessary to effect these important objects, the Council of the Borough will, for the future, be in a great measure responsible for the progress and prosperity of the district, and for the due discharge of many of the important duties which have hitherto been performed, however imperfectly, by the Local Government, but which it was impossible at an earlier period to devolve upon the inhabitants themselves.

26. When also the Corporation shall be fully established, it will mainly depend on the activity, practical good sense, and public spirit of the inhabitants themselves, how far the district of Auckland shall present the example of a peaceful, well ordered, and prosperous community; and when the other settlements of New Zealand shall have been in like manner incorporated with similar powers, it may well become a matter of honorable rivalry amongst them, which of them shall afford the most striking illustration of the advantages which may be derived from bestowing upon the people themselves full power for the management of their own local affairs.

I have the honour to be,

Sir,

Your Excellency's most obedient,

Humble servant,

G. GREY.

His Excellency

Lieut. Governor WYNYARD, C.B.,

&c., &c., &c.

## PROCLAMATION.

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

### ANALYSIS.

Preamble, reciting 9 and 10 Vic., c. 103, Royal Instructions, 23rd December, 1846, &c., &c., &c.

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Boundaries of Wards.  
 Map or Plan.

WHEREAS, by an Act of the Imperial Parliament, made and enacted in the Parliament holden in the 9th and 10th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further provision for the Government of the New Zealand Islands," it is amongst other things enacted, That it shall be lawful for Her Majesty, in and by any Letters Patent thereafter to be issued under the Great Seal of the United Kingdom of Great Britain and Ireland, from time to time to constitute and establish within any district or districts of the Islands of New Zealand, one or more Municipal Corporation or Corporations, and to grant to any such Corporation all or any of the powers in the said recited Act mentioned: *And it is* thereby further enacted, that it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to make and prescribe all such Rules as to Her Majesty shall seem fit for determining the extent and boundaries of the district to be comprised within any such Municipal Corporation as aforesaid; and for regulating the choice and election of the various officers of any such corporations, and of the members of the governing bodies thereof; and for ascertaining the qualifications of the members of any such Municipal Corporations; and for prescribing the oaths to be taken, or the affirmations to be made by the members thereof: *And whereas* it is further provided by the said recited Act, that it shall be lawful for Her Majesty to execute any of the powers thereby vested in Her Majesty, not by means of any such Letters Patent as aforesaid, but by instructions under the Royal Signet and Sign Manual, and accompanying or referred to in such Letters Patent; and that it shall be lawful for Her Majesty, by any such Letters Patent or Instructions, to delegate to the Governor-in-Chief of New Zealand, or to the respective Governors of the respective Provinces thereof, the exercise of such of the powers aforesaid, as to Her Majesty may seem meet; and to prescribe the manner and form in which, and the conditions subject to which such delegated authority shall so be exercised: *And whereas*, in pursuance of the said recited Act, Her Majesty by certain Letters Patent, bearing date the 23rd day of December, 1846, did exercise certain of the powers in Her Majesty by the

said Act vested; and in further pursuance of the said Act, by certain "Instructions" under the Royal Signet and Sign Manual referred to and accompanying the said Letters Patent, Her Majesty did make certain provisions touching the establishment of such Corporations as aforesaid, as hereinafter set forth, and thus (\*) distinguished; and did delegate to the Governor-in-Chief of New Zealand the power, by Proclamations to be issued by him in the name and on the behalf of Her Majesty, to define the metes and bounds of every Municipal District or Borough to be established under the authority aforesaid; to constitute the Inhabitants of such Borough a Body Corporate; to prescribe the manner and form in which the Burgess Roll of such Borough shall be made; to prescribe the number of Common Councillors for such Borough, and the manner, form, time, and place of their election; to make provision for the filling of vacancies; rules for the appointment and payment of officers; for the holding of meetings by the Common Council; and, lastly, the power of making all other Rules not being repugnant to the said recited Act, which it may seem to such Governor-in-Chief necessary to make for carrying into effect the purposes of the said "Instructions," and to modify, or alter, or suspend the operation of any of the provisions in the said "Instructions" contained, which by reason of any local or temporary causes it may to such Governor-in-Chief appear either impracticable or inexpedient to carry into effect, and to substitute any other provisions better adapted to promote the welfare of the Inhabitants of any such Borough as aforesaid. *And whereas* various "Institutions" and Public Works have been established in the Town of Auckland and the neighbourhood thereof, for the use and benefit of the Inhabitants, and portions of the Demesne lands of the Crown have in certain cases been set apart and vested in Trustees, as an endowment for or towards the support and maintenance thereof: *And whereas* the Inhabitants themselves are best qualified, as well by their more intimate knowledge of local affairs, as by their more direct interest therein, to make provisions for the efficient management of such Institutions, Works, and Endowments as aforesaid: *And whereas* to that end, and with a view to the good order, health, and convenience of the people, it is expedient that the Inhabitants of the said District be constituted a Body Corporate, with the privileges, power, and authority hereinafter mentioned: *Now therefore*, in exercise of the power so given and delegated as aforesaid, and in exercise of all other powers and authorities to Us in that behalf in anywise appertaining: WE DO HEREBY PROCLAIM AND DECLARE as follows:—

I.—THE BOROUGH AND THE CONSTITUTION OF THE CORPORATE BODY THEREOF.

1. So much of the Province of New Ulster as lies between the Harbours of Waitemata and Manukau, and which is particularly defined

[The clauses marked thus (\*) form part of the provisions in the Royal Instructions above referred to.]

and described in the Schedule marked A. hereunto annexed, shall constitute a Municipal District, and shall be called the "Borough of Auckland."

2. The said Borough, for the purpose of the election of the governing body thereof, shall be divided into Fourteen Wards, to be named as follows; the Boundaries of the said Wards being particularly set forth and described in the Schedule marked B., and delineated on the Map or Plan respectively hereunto annexed:—

The Town of Auckland shall be divided into three Wards, to be called respectively—

1. East Ward.
2. Middle Ward.
3. West Ward.

The Suburbs of the Town of Auckland shall also be divided into three Wards, to be called respectively—

4. Suburban East.
5. Suburban South.
6. Suburban West.

Each of the Pensioner Settlements, with the land adjacent thereto, shall be and constitute a Ward, to be respectively called—

7. Onehunga Ward.
8. Panmure Ward.
9. Otahuhu Ward.
10. Howick Ward.

The Epsom District, and the country adjacent thereto, shall be divided into two Wards, to be called respectively—

11. Epsom East Ward.
12. Epsom West Ward.

So much of the Hundred of Panmure as lies to the northward of the road leading to Point England, shall form a Ward, and shall be called—

13. Tamaki West Ward.

And so much of the said Borough of Auckland as lies to the Eastward of the Tamaki (exclusive of Howick Ward) shall form a Ward, and shall be called—

14. Tamaki East Ward.

3. *Provided always*, That no Dockyard, Victualling Establishment, Arsenal, or Barracks belonging to Her Majesty, which shall be situated within the limits of the said Borough, shall be deemed to be part of such Borough for any of the purposes herein, or in the said recited Act or "Instructions," mentioned: *And provided also*, that no land not comprised within a grant from the Crown shall be liable to be taxed in aid of the Funds of the said Borough by the Common Council thereof.

4. The Town of Auckland shall be the Capital of the said Borough.

5. The inhabitants of the said Borough shall be a Body Corporate in name and in deed, with perpetual succession and a Common Seal, and shall bear the style and title of "The Mayor, Aldermen, and Burgesses of the Borough of Auckland."

6. \*Such Corporation shall consist of a Mayor, of a Court of Aldermen, and of a Common Council, for the government thereof, and of the Burgesses possessing the Elective Franchise therein.

7. \*The Common Council of the said Borough shall consist of the Mayor, the Aldermen, and the Common Councillors thereof for the time being.

8. \*For the said Borough there shall be Fourteen Common Councillors, to be elected in manner hereinafter provided.

9. \*The Burgesses of the said Borough shall annually elect the Common Councillors thereof, to serve for the year then next ensuing, and the Common Councillors of such Borough, when so elected, shall annually choose from their own number the Aldermen and the Mayor thereof, to serve for the year next ensuing such choice.

10. The number of persons to be chosen Aldermen, as aforesaid, shall be four.

## II.—QUALIFICATION OF ELECTORS, AND THE MODE OF ELECTION.

11. \*Subject to the exceptions afterwards mentioned, every male person who, on the first of January in each successive year, shall be in the occupation of any tenement within the said Borough, of which he shall have been the occupier for six months at the least next immediately preceding that day, shall, during the next ensuing twelve calendar months, be a Burgess of the said Borough.

12. \*But this Franchise shall not belong to, or be vested in, any Alien, nor in any person of unsound mind, nor in any person who may at any time theretofore have been convicted of any Felony, or other infamous crime, nor in any person who has, during the last preceding six months, been maintained wholly or in part by Public Alms, nor in any person who may be in arrear for more than six months in respect of any rates or assessments lawfully payable by him to the funds of the said Borough in respect of any such tenement as aforesaid, or otherwise.

13. *Provided always*, that, except as last aforesaid, every male person, who, on the first day of August, 1851, shall be in the occupation of any tenement within the said Borough, shall be deemed and taken to be a Burgess of the said Borough.

14. The Resident Magistrate for the time being acting for the Town of Auckland, or some other fit person to be appointed in that behalf by the Governor, shall in the month of October next, and in the month of July in every succeeding year, call a special meeting of the Justices of the Peace residing within the said Borough, for the purpose of forming a list of the Burgesses thereof qualified as hereinbefore mentioned.

15. The Justices at such meeting (any two being a quorum) shall prepare a list of the persons who may be qualified to be Burgesses as hereinbefore provided, and shall set forth the Christian and Surname of each at full length, together with his place of abode, calling, or business, and arrange the names in alphabetical order, and class them for the several Wards for which they may be respectively entitled to vote.

16. The Resident Magistrate, or such other person as aforesaid, shall forthwith cause a

copy of such Ward List to be posted in some conspicuous place in the Ward to which the said List shall relate; and shall subjoin thereto a Notice, that all claims to be added to such List, and all objections thereto, will be heard and determined at an adjourned meeting of the said Justices, open to the public, and to be held on a day to be specified in such notice, not being more than ten days after the date thereof.

17. The said Justices shall have power, at such meeting so to be open to the public as aforesaid, after hearing such objections, to strike out of the said List the names of all persons who may be found by them not to be so qualified as aforesaid; and also to add to the said List the names of such persons as may have been accidentally or improperly omitted.

18. The Lists so corrected as aforesaid shall form the "Burgess Roll" of the said Borough, and the persons so enrolled thereon shall be deemed and taken to be the Burgesses of the Borough until the completion of the Burgess Roll for the year then next ensuing; and every person whose name shall appear upon such Burgess Roll shall be deemed and taken to be duly qualified to vote for the Ward in respect of which his name shall appear upon such Roll, without any further or other inquiry, revision, or scrutiny whatever.

19. The Annual Election of Common Councillors for the said Borough shall take place upon the eighteenth day of the month of November in every year, except such day shall be on a Sunday, in which case the election shall take place on the Monday following; and the first of such Elections shall take place on the eighteenth day of the month of November next.

20. The Polling Place for the following Wards, viz. :—

1. East Ward,
2. Middle Ward,
3. West Ward,
4. Suburban East,
5. Suburban South,
6. Suburban West,
11. Epsom East Ward,
12. Epsom West Ward,
13. Tamaki West Ward,

shall be in some convenient place in the Town of Auckland to be specified by the Returning Officer.

21. The Returning Officer for the said last mentioned Wards shall be the Resident Magistrate for the time being acting for the Town of Auckland, or such other person as the Governor may from time to time appoint in that behalf.

22. The Polling Place for the following Wards, viz. :—

7. Onehunga Ward,
8. Panmure Ward,
9. Otahuhu Ward,

shall be some convenient place in the Settlement of Onehunga, to be determined by the Returning Officer.

23. The Returning Officer for such last mentioned Wards shall be the Resident Magis-

trate for the time being acting for the Settlement of Onehunga, or such other person as the Governor shall from time to time appoint in that behalf.

24. The Polling Place for the following Wards, viz. :—

10. Howick Ward,
14. Tamaki East Ward,

shall be some convenient place in the Settlement of Howick to be determined by the Returning Officer.

25. The Returning Officer for such last mentioned Wards shall be the Resident Magistrate for the time being acting for the Settlement of Howick, or such other person as the Governor shall from time to time appoint in that behalf.

26. The General Returning Officer for the Borough shall be such first mentioned Resident Magistrate, or other person, as aforesaid.

27. The Electors of each of the said Wards into which the said Borough shall be divided, shall return one Member to serve in the Common Council thereof.

28. The person so to be elected as aforesaid, for each of such Wards, shall be an enrolled Burgess of, and shall have his usual place of abode in the Ward for which he shall be elected.

29. *Provided always*, that no Member of the General or Provincial Legislature, no Officer in Her Majesty's Army or Navy, or Marine Forces on full pay, and no Judge, Clergyman, Priest, or regular Minister of Religion, shall be liable to serve the office of Common Councillor without his own consent.

30. The Election of Common Councillors shall be conducted in manner following: Every Burgess so enrolled as aforesaid may vote for one Member to be chosen for the Ward in respect of which he shall be entitled to vote, by delivering on the day of election to the "Returning Officer" a Voting Paper containing the Christian and Surname of the person for whom he votes, together with his place of abode and description, and signed with the name of the Burgess so voting, and setting forth his own place of abode and description.

31. No enquiry shall be permitted at any such Election as to the right of any person to vote, except only as follows; that is to say— that the Returning Officer shall, if required by any two Burgesses, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, and no others :—

1. Are you the Person whose name is signed as [A. B.] to the Voting Paper now delivered in by you?
2. Are you the Person whose name appears as [A. B.] on the Burgess Roll of Ward, now in force for the said Ward?
3. Have you already voted at the present election?

And no Person required to answer any of the said questions shall be permitted to vote until he shall have answered the first two affirmatively, and the last negatively.



32. The voting shall commence at nine of the clock in the forenoon, and shall finally close at four of the clock in the afternoon of the same day.

33. At the close of the Election the Returning Officer shall ascertain the number of votes given for every person whose name shall appear upon the Voting Papers, and shall make out a list of such persons, shewing the number of votes given for each, and distinguishing the Wards for which such votes shall have been given.

34. The Returning Officer shall immediately publish such list as aforesaid, and forthwith forward a copy thereof to the General Returning Officer, accompanied by a certificate under his hand that the said return is correct and true.

35. The General Returning Officer shall, as soon as conveniently may be, publish copies of the said lists, and the several persons who shall have the greatest number of votes for each such Ward shall be deemed to be duly elected for the same accordingly.

36. Such Voting Papers as aforesaid shall be kept for the space of six calendar months after the election by the respective Returning Officers, who shall permit any Burgess to inspect the same upon payment of one shilling.

37. In case of an equality of votes at any such election the General Returning Officer shall determine by lot the priority between the persons for whom an equal number of votes shall have been given.

38. The General Returning Officer shall forthwith give notice, in writing, to the several persons elected of such their election, and shall require them severally within one week to declare whether they accept or decline the office to which they may have been respectively elected.

39. If any person so elected shall, after receipt of such notice, fail to comply with such requirement, he shall be held to have declined such office.

40. \*Any person duly qualified (except as hereinbefore provided) who shall be elected to fill any such Corporate office shall, in the event of his refusal, or omission to discharge the duties thereof, be liable to the same fines or penalties to which any person is liable in England for the like offence, which fines and penalties shall be recovered and applied as nearly as may be in the same manner in which the like fines and penalties are recovered and applied in England.

41. In case any person shall decline the office to which he shall have been so elected, or in case any extraordinary vacancy shall occur in the Council, every such vacancy shall be filled up by an election to be conducted in manner hereinbefore provided within ten clear days after such vacancy shall occur; and every person so elected shall hold office until the time when the person in the room of whom he was chosen would regularly have gone out of office, and shall then go out of office.

42. Every person who shall have been

elected to any Corporate Office shall be capable of being re-elected upon the expiration of his term of office.

### III.—THE MAYOR AND ALDERMEN, THEIR ELECTION, &c.

43. \*The Common Councillors of the said Borough, when so elected, shall annually choose from their own number the Aldermen and the Mayor thereof, to serve for the year next ensuing such choice.

44. The Election of such Mayor and Aldermen shall take place within one week after the annual election of Common Councillors.

45. The said Mayor and Aldermen shall be elected by a majority of votes; and in case of an equality of votes, the priority between the Common Councillors for whom an equal number of votes have been given, shall be determined by lot.

46. \*Every Mayor, Alderman, and Common Councillor shall, before entering on the discharge of such his trust or office, take and subscribe the Oath of Allegiance, and none other.

47. Until otherwise ordered, the said Oath shall be administered by a Judge of the Supreme Court, or by such person as the Governor-in-Chief shall for that purpose appoint.

48. It shall be lawful for any such Mayor, Alderman, or Common Councillor, to resign his office at any time, with the consent of the Common Council: *Provided* that the person so desiring to resign shall give to the Common Council not less than three week's notice of his intention so to do.

49. \*The Mayor of the said Borough for the time being shall, in virtue of such his office, and without any further appointment, be a Justice of the Peace of and for the Borough during a period of two years next following on his election.

50. \*Every Alderman of the said Borough, in virtue of such his office, and without any further appointment, shall be a Justice of the Peace of and for the Borough, so long as he shall continue in the discharge of such his office of Alderman.

51. If any such Mayor, Alderman, or Common Councillor, shall be declared Bankrupt, or shall apply to take the benefit of any Act or Ordinance for the relief of persons imprisoned for Debt, or shall compound by deed with his Creditors, or shall be absent from the said Borough for six calendar months at one and the same time, such Mayor, Alderman, or Common Councillor, shall thereupon cease to be Member of the Council.

52. In case of an extraordinary vacancy in the office of Mayor or Alderman, the Common Council shall, within ten days after such vacancy, meet for the purpose of choosing a successor for the remainder of the year, by an election to be conducted in manner hereinbefore mentioned; and the person so to be elected shall hold office until the time when the person in the room of whom he shall have been chosen would regularly have gone out of office, and he shall then himself go out of office.

## IV.—POWERS OF THE CORPORATION.

53. \*The said Corporation shall be capable in law by the Common Council thereof, to do and to suffer all such Acts as can be lawfully done or suffered by any Municipal Corporation in England by the Common Council thereof.

54. The said Council shall have power to make and keep in repair all Roads, Streets, Squares, Causeways, and Bridges, within the limits of the said Borough; to excavate, construct, and maintain Wells, Waterworks, Conduits, Sewers, and other like works, and to provide for the prevention of Fires, the prevention and abatement of Nuisances, the regulation of Markets, and the construction of Market Places, the watching, paving, lighting, and cleansing of the said Borough, and for all such purposes as they may deem necessary for the good order, health, and convenience, of the inhabitants of the said Borough.

55. It shall also be lawful for such Council to construct and maintain such Docks, Basins, Locks, Wharves, Quays, Piers, and Landing Places, as they may deem necessary for facilitating and encouraging the Trade and Commerce of the said Borough.

56. \*The said Common Council shall have power to make and ordain Bye Laws for the good order and convenience of the Borough.

57. \*Such Bye Laws may so be made for any of the several objects following, that is to say—

- 1.—For the making or the maintenance of any Roads, or other internal communications from any one part of the Borough to any other part thereof.
- 2.—For the erection and repair of Public Buildings for any Corporate purposes.
- 3.—For the purchase or sale of any property for any Corporate purposes.
- 4.—For the establishment and maintenance of a Police Force within such Borough, and for the proper government and remuneration of any such Police Force.
- 5.—For the holding of Quarter Sessions or Petty Sessions of the Peace, of and for such Borough, by the Justices of the Peace thereof.
- 6.—For the Suppression of all Nuisances within such Borough prejudicial to the health or comfort of the Inhabitants thereof.
- 7.—For Draining, Paving, Lighting, Watching, Repairing, Cleansing, and Maintaining any Streets, Roads, and other Thoroughfares within such Borough.
- 8.—For Establishing and Maintaining Schools, Hospitals, and other Eleemosynary Institutions, within such Borough.
- 9.—For Maintaining and Regulating Market Places, and for imposing Market Tolls and Dues, in cases where Markets shall be duly Proclaimed by or on behalf of Her Majesty.
- 10.—For the Imposition, Collecting, Accounting for, and Auditing, of all such Rates and Assessments on Property, Real or

Personal, or both, within such Borough' or upon the owners and occupiers of any such Property.

- 11.—For securing the application of the proceeds of all such Tolls, Rates, and Assessments, to the discharge of all expenses of, and incident to, the execution of all or any of the objects aforesaid.
- 12.—For determining the Amount of the Salaries or other remunerations to be assigned to any officers of such Borough.
- 13.—For imposing Fines for the breach or neglect of any such Bye Laws as aforesaid.

58. \*All Bye Laws of such Borough shall be made, and all other Corporate Acts of such Corporation, shall be done by the Common Council thereof, by the authority and in the presence of whom, and not otherwise, the Common Seal of the said Borough shall be attached to any such acts.

59. \*If any such Bye Law shall be repugnant to any Law or Ordinance of the General Legislature of New Zealand, or of the Legislature of the Province, such Bye Law shall be null and void.

60. \*No such Bye Law shall take effect within the said Borough, or shall have the force and effect of law therein, unless the same shall have been approved by the Governor-in-Chief of New Zealand.

61. No such Bye Law shall come into operation until it shall have received the assent of the Governor, and until the expiration of one calendar month after a copy thereof, accompanied by the signification of such assent shall have been published in the *Government Gazette*.

62. It shall be lawful for the said Council from time to time to appoint fit persons (not being Members of the Council) to be Town Clerk and Treasurer, who shall hold their respective offices during pleasure, and to pay such officers such salaries to be sanctioned by the Governor, as the said Council shall deem reasonable.

## V.—MEETINGS OF THE COUNCIL.

63. All Acts whatsoever authorised or required to be done by the Common Council of the said Borough, and all questions that may come before such Council shall be done and decided by the majority of the Members of the Council who shall be present at any Meeting thereof, the whole number present at any such meeting not being less than one-half of the whole Council.

64. The Mayor shall have power to call a meeting of the said Council as often as he shall think proper.

65. The Mayor shall cause a Notice of the time and place of every such intended Meeting, specifying the business proposed to be transacted thereat, and signed by him, to be left at the usual place of abode of every Member of the Council, which Notice shall be given three clear days at least before such Meeting, unless it shall appear to the Mayor that such delay in the holding of any such Meeting

would be attended with imminent danger to the welfare of the Borough.

66. Every Meeting of the Council shall be open to the Public.

67. \*At every meeting of the Council the Mayor, or in his absence, some Alderman selected for that purpose by the Meeting shall preside, and such presiding Officer, shall have both an original and a casting vote.

68. Minutes of the proceedings of every Meeting shall be entered in a Book to be kept for that purpose, and shall be signed by the person presiding at such Meeting.

69. Every Burgess shall be at liberty to inspect and make extracts from the book so to be kept at all reasonable times upon payment of a fee of one shilling for each inspection.

VI.—MISCELLANEOUS PROVISIONS.

70. The Treasurer of the said Borough shall in books, to be kept by him for that purpose, enter true accounts of all sums of money by him received and paid, and of the several matters in respect whereof such sums shall have been received and paid, and all such accounts with all vouchers and papers relating thereto, together with a full abstract or Balance Sheet thereof, shall yearly, at such time as the Council may appoint be submitted by such Treasurer to Auditors to be appointed in that behalf, and to such members of the Council as the Mayor shall name for the purpose of examining and auditing the same. And such abstract or Balance Sheet if found correct, shall be signed by the Auditors, and shall be forthwith published by the Treasurer in one of the newspapers of the Borough.

71. In case no election shall be made of any such Mayor, Alderman, or Common Councillor upon the day, or within the time hereby, or by the said recited Instructions appointed for any such election, or such election being made shall afterwards become void, whether such omission or avoidance shall happen through the default of the Officer or Officers who ought to preside at such election or by any accident or other means whatsoever, the said Corporation shall not thereby be deemed or taken to be dissolved or disabled from electing such Mayor, Alderman, or Councillor for the future, but in any case where no such election shall be made as aforesaid, the election of any such Mayor, Alderman, or Councillor may be held or proceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following.

72. For the purpose of carrying into effect the provisions of this Proclamation the term Governor-in-Chief shall be taken to include the Governor and the Lieutenant-Governor of the Province.

73. This Proclamation shall take effect from the day of the date hereof.

IN TESTIMONY whereof, We have caused this Our Proclamation to be sealed with the Public Seal of Our Islands of New Zealand.

WITNESS Our trusty and well-beloved  
Sir GEORGE GREY, K.C.B., Our

Governor-in-Chief in and over  
Our said Islands of New Zealand  
at Government-House, at Wel-  
lington, in the Province of New  
Munster, in the Islands aforesaid,  
this twenty-ninth day of July  
in the fifteenth year of Our  
Reign, and in the year of Our  
Lord on thousand eight hundred  
and fifty-one.

G. GREY,

GOVERNOR-IN-CHIEF.

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

GOD SAVE THE QUEEN.

SCHEDULE A.

BOUNDARIES OF THE BOROUGH OF AUCKLAND.

The Northern Boundary runs from the eastern head of the Wao creek in an easterly direction along the south shore of the Waitemata harbour to the western head of the Tamaki river; thence by a direct line to the eastern head of the said river; thence by the sea shore in a south-easterly direction to the Mangamangaroa creek, including all land that may be reclaimed from the sea adjoining to and north of the above named boundary.

The Eastern Boundary runs along the middle of the Hundred's road from the Mangamangaroa creek to a road forming the northern boundary of Clendon's grant.

The Southern Boundary runs along the middle of the road forming the northern boundary of Clendon's grant, from its junction with the Hundred's road to its junction with the Manurewa road; thence by the middle of the Manurewa road to its junction with Buckland's road; thence by the middle of Buckland's road to the Pukaki portage road; thence by the middle of the Pukaki portage road to its junction with the Mangare road; thence by the middle of the Mangare road to the south-west corner of Fairburn's grant; thence by the western boundary of Fairburn's grant to the shore of Manukau harbour; thence continuing along the eastern and northern shores of that part of the Manukau harbour to the Wao portage road, including all land that may be reclaimed from the sea adjoining to and south or east of the above named boundary.

The Western Boundary runs along the middle of the Wao portage road from the shore of the Manukau harbour to the Wao creek, and then follows the eastern shore of the Wao creek to the Waitemata harbour at the eastern head of the said creek, where commences the northern boundary.

SCHEDULE B.

DESCRIPTION OF WARDS.

1. EAST TOWN WARD.

Bounded on the North-east by the Waitemata harbour; on the East, commencing at the middle of the Mill creek in Mechanic's bay, by the middle of said creek, crossing the Strand, by the boundary line between Section

11 of the town of Auckland, and Section 96 suburban; on the South, by the boundary line between Section 11 aforesaid and Section 95 suburban, produced to the middle of Stanley street; again, on the East, along the middle of Stanley street to its junction with Grafton road; thence again on the South by the boundary line between suburban Section 15 and Section 34 of the Town of Auckland, produced to the middle of Symonds' street; thence again on the East along the middle of Symonds' street to its junction with Karangahape road; on the South, from the middle of Symonds' street along the middle of Karangahape road to its junction with Queen street; on the West from the middle of Karangahape road along the middle of Queen street to its junction with Wellesley street; thence by the middle of Wellesley street to its junction with Coburg street; thence by the middle of Coburg street and Victoria quadrant to the junction with Prince's street; thence along the middle of Prince's street, produced to Britomart point, with all lands that may be reclaimed from the sea adjoining to and north of the above described land.

#### 2. MIDDLE TOWN WARD.

Bounded on the North by the north side of Custom-house street; on the North-west by the Waitemata harbour to Britomart point; on the East from Britomart point in a straight line along the middle of Prince's street to its junction with Victoria quadrant; thence along the middle of the said quadrant to Coburg street; thence along the middle of Coburg street to Wellesley street; on the South, from the middle of Coburg street along the middle of Wellesley street; on the West, from the middle of Wellesley street along the middle of Queen street to its junction with Custom-house street, with all land that may be reclaimed from the sea adjoining to and north of the above described land.

#### 3. WEST TOWN WARD.

Bounded on the North-west by the west side of Robertson street, and by the Waitemata harbour to the middle of Franklin road; on the West, along the middle of Franklin road to Ponsonby road on the South, from Ponsonby road along the middle of Karangahape road to Queen street; on the East from Karangahape road along the middle of Queen street to its northern termination, with all the land that may be reclaimed from the sea adjoining to and north of the above described land.

#### 4. SUBURBAN EAST WARD.

Bounded on the North by the Waitemata harbour, commencing at the middle of the Mill creek in Mechanic's bay continuing to Taurarua point; on the East, by the Waitemata harbour from Taurarua point to the Remuera stream, by the middle of the said stream, and by the eastern boundary of section 14 suburban, produced to the middle of the Tamaki road; on the South, along the middle of the Tamaki road to its junction with the Epsom road, on the West, along the middle of the Epsom road to the middle of Mill creek in

Mechanic's bay, with all land that may be reclaimed from the sea adjoining to and North or East of the above described land.

#### 5. SUBURBAN SOUTH WARD.

Bounded on the East by the middle of the Epsom road, commencing at the middle of the Mill creek, Mechanic's bay, continuing to the Kyber pass road; on the South from the Epsom road by the middle of the Kyber pass road to its junction with the Quarry road, thence by the middle of the Quarry road to its junction with the Scoria road, thence by the middle of the Scoria road to its junction with Cabbage Tree road, thence along the middle of the Cabbage Tree road, to its junction with the Karangahape road; on the North-west from the Cabbage Tree road along the middle of the Karangahape Road to its junction with Symonds' street, thence by the middle of the said street to the boundary line produced between section 15 suburban and section 34 of the town of Auckland; on the North, by the said line produced to the middle of Stanley street, thence along the middle of Stanley street to the boundary line between section 11 of the Town of Auckland and section 95 suburban, thence by the said boundary line, and by the boundary line between section 11 aforesaid, and section 96 suburban.

#### 6. SUBURBAN WEST WARD.

Bounded on the North by the Waitemata harbour; on the East, from Freeman's bay along the middle of Franklin road, thence along the middle of Ponsonby road to its junction with Karangahape road; on the South-east, from the Ponsonby road along the middle of the Karangahape road to its junction with the Cabbage Tree road, thence along the middle of the said Karangahape road, to the Meola stream; on the West, by the middle of the Meola stream to Scoria creek, thence along the eastern bank of Scoria creek to the Waitemata harbour, including all land that may be reclaimed from the sea adjoining to and north of the above described land.

#### 7. ONEHUNGA WARD.

Bounded on the North by the middle of Mount Smart road, to its junction with the Spring road; on the East, by the middle of the Spring road to the Manukau harbour; on the South by the Manukau harbour; on the West, by the western boundary of section No. 38 to the middle of the Mount Smart road, including all land that may be reclaimed from the sea adjoining to and south of the above described land.

#### 8. PANMURE WARD.

Bounded on the North by the middle of the Point England road; on the East, by the western shore of the Tamaki river to the middle of the Otahuhu creek; on the South, by the middle of the Otahuhu creek to the middle of the Otahuhu portage road to its junction with the Great South Road; on the West, by the middle of the Great South Road to the eastern boundary of suburban section No. 12,

thence by the said eastern boundary of suburban section No. 12 to its junction with Campbell's road, thence by the middle of Campbell's road to its junction with the Auckland and Tamaki road, thence by the middle of the Auckland and Tamaki road to its junction with the Point England road.

#### 9. OTAHUHU WARD.

Bounded on the North by the middle of the Otahuhu portage road and by the middle of the Otahuhu creek; on the East, by the western shore of the Tamaki river and by the middle of the Pukaki portage road; on the South, by the middle of the Mangare road; on the West, by the western boundary of Fairburn's grant to the shore of the Manukau harbour, thence by the shore of the Manukau harbour to the middle of the Otahuhu portage road, including all land that may be reclaimed from the sea adjoining to and west of the above described land.

#### 10. HOWICK WARD.

Bounded on the North by the sea; on the East, by Mangamangaroa creek to the Creek road; on the South by the middle of the Creek road to the Pakuranga creek; on the West, by the middle of Pakuranga creek to Mooney's creek; thence by Mooney's creek and by a stream running thereinto to the source of the said stream; thence by a line bearing north by compass to the south-eastern corner of lot No. 58 in the parish of Pakuranga; thence along the eastern boundary of said lot No. 58 to a road; thence by a line north by compass across the said road to the south-eastern corner of lot No. 57, also in the said parish of Pakuranga; thence along the eastern boundary of said lot No. 57 to the sea, including all land that may be reclaimed from the sea adjoining to and north of the above described land.

#### 11. EPSOM EAST WARD.

Bounded on the North by the shore of Orakei creek and Hobson's bay; thence by the Remuera stream following the eastern boundary of section 14 suburban; thence by the middle of the Auckland and Tamaki road to the Epsom road; on the West, by the middle of the Epsom road to its junction with Mount Smart road; thence by the middle of Mount Smart road to the Spring road; thence by the middle of the Spring road to the Manukau harbour: on the South, by the Manukau harbour to the Otahuhu portage road, and by the middle of the Otahuhu portage road to its junction with the Great South Road; on the North-east, by the middle of the Great South Road to its junction with Potter's road; thence by the middle of Potter's road to its junction with the Auckland and Tamaki road, and thence by a direct line to the nearest point of the southern arm of the Orakei creek, including all land that may be reclaimed from the sea adjoining to and north or south of the above described land.

#### 12. EPSOM WEST WARD.

Bounded on the North by the Waitemata

harbour, to the Scoria creek; thence by the Scoria creek to Karangahape road; thence along the middle of Karangahape road to its junction with the Cabbage-tree road; thence along the middle of the Cabbage Tree road to the Scoria road; thence along the middle of the Scoria road to the Quarry road; thence along the middle of the Quarry road, continuing by the middle of the Kyber pass road to the Epsom road: on the East, by the middle of the Epsom road to its junction with the Mount Smart road, whence the boundary runs in a westerly direction by the middle of the Mount Smart road to the north-western corner of section No. 98 of the village of Onetunga; thence in a southerly direction, by the western boundary of the said section No. 38, to the shore of the Manukau harbour; on the South by the shore of the Manukau harbour to the Wao portage road: on the West, by the middle of the Wao Portage road, from the shore of the Manukau harbour to the Wao creek; thence by the eastern shore of the Wao creek to the Waitemata harbour, including all land that may be reclaimed from the sea adjoining to and north or south of the above described land.

#### 13. TAMAKI WEST WARD.

Bounded on the North by the sea: on the West, by Hobson's bay, and thence by the Orakei creek to the termination of the southern arm of the same; thence by a direct line to the junction of the Tamaki road with Potter's road; thence by the middle of Potter's road to its junction with the Great South Road: on the South-west, by the middle of the Great South Road to the eastern boundary of suburban section No. 12: on the South-east by the eastern boundary of suburban section No. 12 to its junction with Campbell's road; thence by the middle of Campbell's road to its junction with the Auckland and Tamaki road; thence by the middle of the Auckland and Tamaki road to its junction with the Point England road; thence by the middle of the Point England road to the Tamaki river; and on the East, by the western shore of the said Tamaki river, including all land that may be reclaimed from the sea adjoining to and north of the above described land.

#### 14. TAMAKI EAST WARD.

Bounded on the North-east by the sea and by the eastern boundaries of lots 57 and 58 in the parish of Pakuranga, crossing the road between these lots; thence south by compass to a stream running into Mooney's creek; thence by the said stream and by Mooney's creek to Pakuranga creek; thence by the middle of Pakuranga creek to the junction of Creek road; thence by the middle of Creek road to Mangamangaroa creek; thence by the eastern shore of Mangamangaroa creek to the junction of the Hundred's road: on the East, by the middle of the Hundred's road to a road forming the Northern boundary of Clendon's grant: on the South, by the middle of the last mentioned road to its junction with Manurewa road; thence by the middle of Manurewa road to its junction with Buckland's road; thence by the

middle of Buckland's road to the Pukaki portage road; on the West, by the middle of the Pukaki portage road to the Tamaki river; thence by the western shore of the said river to the sea, excluding the Kaiahiku lagoon and the Otahuhu creek, including all land that may be reclaimed from the sea adjoining to and north or north-east of the above described land.

Colonial Secretary's Office,  
Auckland, 2nd September, 1851.

**H**IS Excellency the LIEUTENANT-GOVERNOR has been pleased to direct that the following Notice be re-published for general information.

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

Colonial Secretary's Office,  
Melbourne, 24th July, 1851.

His Excellency the Lieutenant-Governor directs the following Notice to be published for general information.

By His Excellency's command,  
W. LONSDALE.

#### NOTICE TO MARINERS.

A knoll of hard sand has formed nearly in the centre of the Western channel, opposite the "Swan Ponds." A Buoy chequered RED and WHITE will be placed upon it: a small Black buoy temporarily marks its position. The bearings of the sand are,  
Extreme end of Indented Head. . N.  $\frac{3}{4}$  West.  
Light House, Shortland Bluff. . S. W.  $\frac{1}{4}$  W.  
White house on the hill to the Eastward of M'Donald's, on Point Nepean, exactly } S.  $\frac{3}{4}$  E.  
midway between the white buoy No. 4, and }  
a large limekiln.

The knoll is nearly conical in shape and not more than six feet across at the top. At low water and easterly weather there is scant twelve (12) feet water over the sand, with from nineteen (19) to twenty one (21) feet within an oar's length on all sides. Vessels running or working through the channel have plenty of room and deep water on either side of the buoy.

R. H. BUNBURY, J. P.  
Harbour Master.

Commissioner of Crown Lands' Office,  
Auckland, 5th Sept., 1851.

**T**HE Commissioner of Crown Lands begs to notify, for the information of existing Hundreds, the following additional powers con-

ferred upon the Wardens thereof, by the "Crown Lands Amendment and Extension Ordinance," (No. 10, Session XI.), recently passed at Wellington by the General Legislature of New Zealand:—

1. The power of impounding cattle unlawfully trespassing upon any lands, within a Hundred, whether such lands shall be the property of the Crown, or of any private person.
2. The power of making Bye Laws, for the purposes of the Ordinance, binding upon persons to whom no depasturing licenses have been issued, and upon their lands, situated within the Hundred.
3. The power of transferring such licenses from one occupant of land under Crown grant to another, within the same Hundred.
4. The power of issuing such licenses, at any period of the year, for the remainder of the then current year.

W. GISBORNE,  
Commissioner of Crown Lands.

**N**OTICE is hereby given, that the Partnership lately subsisting between RICHARD MATTHEWS and J. J. R. DALLISTON, of Auckland, Surgeons, under the firm of MATTHEWS & DALLISTON, Druggists, was dissolved by mutual consent on the 31st day of July last; and that all debts due to, or owing by the said firm will be received and paid by the said Richard Matthews.

Witness our hands this second day of September, 1851.

RICHARD MATTHEWS.  
J. J. R. DALLISTON.

**I**MPOUNDED at the Public Pound, Hobson's Bridge, a Red Heifer, small horns, no brand legible, and no appearance of having ever been branded; age, about two years.

If not claimed, will be sold at the Pound, at noon of the 26th day of September, 1851.

DAVID G. SMALE,  
Poundkeeper.

Public Pound, Sept. 5, 1851.