



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, FRIDAY, NOV. 7, 1851. No. 33.

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

HIS Excellency the LIEUTENANT-GOVERNOR has directed the publication of the following Regulations relating to the occupation of Crown Lands for the Depasturing of Stock and for Cutting Timber, in the Province of New Ulster.

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

RULES AND REGULATIONS

FOR THE ISSUE OF PASTURE AND TIMBER LICENSES  
FOR THE OCCUPATION OF WASTE LANDS OF THE  
CROWN OUTSIDE HUNDREDS.

*Issue of Depasturing Licenses outside the  
Boundaries of Proclaimed Hundreds.*

1. All persons requiring Licenses for Runs on unoccupied portions of the Crown Lands, or for portions of the same which they now occupy, shall lodge a description of such Run (as near as may be in the form of Schedule B. hereunto annexed) with the Commissioner of Crown Lands for the District in which such Run is situated.

2. If no objection exist to the applicant being allowed to occupy such Run, the Commissioner will thereupon publicly notify that it has been claimed as a Run, and he will at the same time publish (in the *Government Ga-*

*zette*, or in a local newspaper), whenever he has the means of so doing, the name of the person claiming the Run, and the description of it.

3. No person shall be allowed to dispute the claim of another person to any Run described according to these Regulations, unless he shall do so within three months subsequently to the date of the publication above alluded to.

4. From the date of the expiration of the abovenamed period of three months, the applicant will be required to pay rent for the Run at the rate and in the manner after mentioned; and he will be required to distinguish, by marked trees or posts, or in such manner as shall be satisfactory to the Commissioner, such boundaries of the Run as are not distinctly defined by streams or natural boundaries.

5. Any person who shall have a Run, or any considerable part thereof, unoccupied by the requisite amount of stock for a period of six months after he shall have claimed the same, shall be liable to be regarded as having abandoned such Run or part thereof; and if the Commissioner of Crown Lands shall find it necessary publicly to notify that such Run or part thereof has been so abandoned, it shall thereupon be given into the occupation of the first applicant for it.

6. In estimating the Sufficiency of Stock for any Run applied for, the Commissioner shall not allow for natural increase in any proportions, with respect to the amounts of Stock on the Run, greater than those set forth in the following scale:—

For any number of Sheep up to 500 inclusive, Run to be granted for any number not exceeding .....	5000 Sheep
For every additional hundred between 500 and 1000 for ....	500 additional [Sheep.
„ 1000 and 3000.....	400 „
„ 3000 and 5000.....	200 „
„ 5000 and 10,000 .....	100 „

And in no case shall a Run be granted capable of containing more than 25,000 Sheep. In estimating Runs for great Cattle, one head of such Cattle shall be rated as six Sheep.

7. In case of any question arising as to attempts to evade the foregoing Regulation, or to obtain unduly the benefits thereof, the Commissioner shall have full power to decide such questions in such manner as may most effectually carry out the true spirit and meaning of such Regulation.

8. So soon after the time at which rent for a Run may have become payable under these Regulations, as the occupant may, in the opinion of the Commissioner, have sufficiently stocked the same, he will be entitled to a License to Depasture Stock upon it for fourteen years, in the form of Schedule A. hereunto annexed, and subject to the following conditions :—

1st. If at any time during the currency of such License the Land comprised therein, or any part thereof, shall be included within the boundaries of any Hundred, the said License shall cease and determine as to so much of the land as shall be included within such boundaries, ~~from and after the day of the date of the Proclamation by which such Hundred shall be constituted.~~

2nd. If at any time during the currency of such License, the land comprised therein, or any part thereof, shall be sold by or on behalf of the Crown, then and in that case also the said License shall cease and determine as to so much of the land as shall be sold as aforesaid, from and after the day of the date of the *Government Gazette* in which notice of such sale shall be published.

3rd. The annual License Fee shall be in all cases at least five pounds, and each person who occupies a Run shall pay annually in addition a further License Fee at the rate of one pound sterling for every thousand sheep above five thousand which the Run so occupied shall be estimated to be capable of containing, and in the same proportion for Great Cattle; six Sheep being rated as one head of Great Cattle.

4th. If at any time during the currency of such License, such Annual Fees, and the Annual Assessment imposed by law, should not be paid by the holder of it, in the manner and at the time required by the Local Ordinance, and by these Regulations; then and in that case the License shall cease and determine, and the Com-

missioner of Crown Lands will thereupon be empowered to notify publicly the forfeiture of such License, and to let the Run to which it relates, by Public Auction, to the highest bidder, for a term of 14 years, subject to the conditions of these Regulations and of any law for the Regulation of pastoral pursuits.

9. No such License for fourteen years will be granted to any applicant for a Run until he shall have paid all arrears of rent and assessments which may be owing by him for such Run:

10. In the event of any dispute arising between two or more claimants regarding the boundaries of their respective Runs, it shall be in the power of the Commissioner of Crown Lands to make such alterations in the boundaries of their Runs, or of any of them, as he may, upon enquiry, judge to be just and expedient.

11. Every proper facility will be afforded for the acquisition of homesteads on their Runs not exceeding eighty acres, to persons who may be desirous of purchasing the same; but the Government will not undertake to survey and offer for sale any smaller block than fifty acres of land.

12. Whenever it becomes necessary to offer for sale by Public Auction any homestead of the licensed occupier of a Run on which he has made improvements, such improvements will be valued by two arbitrators appointed respectively by the Government and by the lessee, or by an umpire chosen by them, and the homestead will be offered for sale at a price made up of the upset price of the land and the value of the improvements. Should the holder of the License not become the purchaser, the value of his improvements, estimated as above, will be paid to him immediately after the sale. But should there be no bidding for such homestead, the holder of the License will be required to purchase the land at the upset price immediately after the sale. Should he not do so, the Government will at any time sell the homestead at the price at which it shall have been last offered to the holder of the license, or at any other price which it may judge expedient.

#### ISSUE OF TIMBER LICENSES.

13. Persons occupying Waste Land of the Crown, for the purpose of cutting Timber, will be required to pay a fee of Five Pounds yearly to the Crown upon the issue of the License.

14. The Commissioner of Crown Lands will determine the extent of land to which such License shall give a right of occupancy, and the Licenses are only to have effect within the District specified in them.

15. No fresh applicant for a License will be permitted injuriously to interfere with a portion of forest upon which any other person may have expended capital and labour.

16. In the event of any occupant of a portion of forest, upon which he may have expended any considerable sum in the formation of roads or improvements to facilitate the removal of Timber, wishing to resign his License, he will, if in the consideration of the Commissioner he should be regarded as having established a claim to this indulgence, be permitted to transfer his License and right of pre-occupancy to such person as he may select.

17. All applicants for Timber Licenses must address their applications to the Commissioner of Crown Lands, stating their names and residences in full.

18. When the application has been approved, it will be forwarded to the Colonial Treasurer, by whom, upon payment of the required fee, the License will be issued.

19. No person will be allowed to cut or remove Timber, on or from the Crown Lands which have been reserved by Government for the public use.

20. The form of Timber License will be according to Schedule C. hereunto annexed.

#### GENERAL.

21. All Annual Licenses to be drawn so as to expire simultaneously on the last day of each year.

22. Licenses applied for after the 1st June in each year, will only be chargeable with half of the usual fee.

23. Licenses to be signed and issued by the Colonial or Provincial Treasurer, upon payment of the proper fee.

24. No License will preclude the Government from including within a Hundred, or Selling, or will in any way affect the rights of the Crown to Land occupied in virtue of such Licenses.

25. All disputes between holders of Licenses having reference to depasturing Stock, or cutting Timber, shall be heard and decided by the Commissioner of Crown Lands, who is authorized by the Crown Lands Ordinance to charge, at his discretion, to the party against whom his decision shall be made, a fee of Five Pounds.

26. Licenses for depasturing purposes can be transferred from one person to another, with the authority of the Government previously obtained through the Commissioner of Crown Lands.

27. These Regulations are not intended to affect any rights already acquired by occupants of purchased Land to depasture upon Crown Lands in their vicinity a certain quantity of Cattle in proportion to the extent of purchased Land which they may occupy, whether such rights have been acquired under Regulations issued by the Government, or by the New Zealand Company.

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

#### SCHEDULE A.

##### FORM OF LICENSE.

WHEREAS \_\_\_\_\_ of \_\_\_\_\_ has made application for a License to (depasture Stock) upon the Waste Lands of the Crown, within the District of (Boundaries), and has this day paid into my hands the sum of £ \_\_\_\_\_ s. \_\_\_\_\_ d. I do hereby License the said \_\_\_\_\_ to (depasture Stock) upon the said Land for the term of Fourteen Years from the date hereof, subject nevertheless to be sooner determined pursuant to the provisions of \_\_\_\_\_ and of the Regulations under which this License is issued, and to be cancelled as by Law and these Regulations is provided.

Dated this \_\_\_\_\_ day of \_\_\_\_\_  
Signed \_\_\_\_\_

#### SCHEDULE B.

Description of a Run on the Waste Lands of the Crown, claimed by \_\_\_\_\_  
Situation \_\_\_\_\_  
Boundaries \_\_\_\_\_  
Estimated extent \_\_\_\_\_  
Number and description of Stock left upon the Run. \_\_\_\_\_  
(Signature.) \_\_\_\_\_

#### SCHEDULE C.

Timber License to \_\_\_\_\_ at \_\_\_\_\_ Permission to cut, saw, split, and remove Timber on and from the Waste Crown Lands at \_\_\_\_\_ within such limits as may at any time be assigned by the Commissioner of Crown Lands, subject to the provisions of \_\_\_\_\_ and to the provisions of such rules as may be duly made by His Excellency the Governor-in-Chief in conformity with Law, is hereby granted to \_\_\_\_\_ of \_\_\_\_\_ by direction of the Governor of New Zealand \_\_\_\_\_  
( \_\_\_\_\_ )  
Colonial Treasurer.

N.B.—If the holder of the above License shall contravene or violate any order or regulation of the Government made with respect to any of the purposes for which this License is granted, the Government reserves to itself the power of declaring the License of any such person so offending to be cancelled, and such License shall thereupon become null and void, and shall not be pleaded in justification of any offence committed against the provisions of any Ordinance relating thereto.

Colonial Secretary's Office,  
Auckland, 7th November, 1851.

HIS Excellency the LIEUTENANT-GOVERNOR has been pleased to direct the following Return to be published for general information.

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



OF NEW ULSTER DURING THE QUARTER ENDED 30TH SEPTEMBER, 1851;  
THE CORRESPONDING QUARTER OF THE YEAR 1850.

## EXPENDITURE.

AUCKLAND.	Quarter ended 30th Sept., 1850.		Quarter ended 30th Sept., 1851.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
<b>CIVIL ESTABLISHMENT.</b>					
Establishment of His Excellency the Governor ..	133	4 7	146	5 8	
Do. do. Lieut.-Governor ..	0	0 0	141	7 5	
Colonial Secretary's Department .. ..	305	5 0	330	12 0	
Councils .. ..	25	0 0	12	10 0	
Colonial Treasury .. ..	219	3 4	227	18 5	
Audit Department .. ..	112	10 0	112	10 0	
Colonial Bank of Issue .. ..	29	4 8	50	0 0	
Customs .. ..	330	2 6	412	6 5	
Post Office Department .. ..	114	0 0	76	10 0	
Native Secretary's Department .. ..	119	7 0	87	10 0	
		1,387	17 1	1,597	9 11
<b>JUDICIAL ESTABLISHMENT.</b>					
Supreme Court .. ..	350	10 0	340	0 0	
Attorney General .. ..	120	0 0	112	10 0	
Resident Magistrates' Department .. ..	238	10 7	231	8 9	
Armed Police Force .. ..	440	2 5	520	5 1	
Sheriff and Gaol .. ..	181	18 0	342	12 4	
Coroner .. ..	6	7 3	12	6 3	
Registrar of Deeds, &c. .. ..	67	10 0	73	0 4	
		1,404	18 3	1,632	2 9
<b>LAND AND SURVEYS.</b>					
Survey Department .. ..	298	18 7	432	15 7	
Commissioner of Crown Lands .. ..	75	0 0	75	0 0	
Crown Lands within Hundreds .. ..	0	0 0	48	17 6	
Compensation to Land Claimants .. ..	223	18 1	23	3 6	
Land Purchases .. ..	174	10 0	205	10 0	
		772	6 8	790	6 7
<b>PUBLIC WORKS AND ROADS.</b>					
Public Works and Roads .. ..	415	1 4	764	17 1	
Wharf in Commercial Bay .. ..	0	0 0	284	13 0	
		415	1 4	1,049	10 1
<b>MISCELLANEOUS.</b>					
Medical .. ..	269	3 5	248	11 7	
Relief to Sick and Destitute .. ..	73	10 3	90	9 0	
Aborigines .. ..	84	0 9	16	8 3	
Disbursements under Walker Nene's Annuity Ordnc.	30	0 0	0	0 0	
Printing .. ..	66	7 10	16	17 8	
Stationery .. ..	102	16 10	49	7 9	
Travelling Expenses .. ..	11	10 0	105	7 8	
Colonial Chaplain .. ..	50	0 0	50	0 0	
Pensions .. ..	9	4 0	18	8 0	
Auckland Pound .. ..	2	7 8	0	0 0	
Incidents .. ..	153	5 1	35	19 0	
Drawbacks allowed on Duties of Customs ..	9	10 6	10	9 0	
Payment for Goods undervalued on entry at Customs	168	0 0	0	0 0	
Schools .. ..	980	0 0	575	0 0	
		2,009	16 4	1,216	17 11
Harbour Department .. ..	152	3 0	69	2 4	
Pilot, Hokianga .. ..	36	0 0	12	0 0	
Government Cutter .. ..	28	17 0	39	8 4	
		218	0 0	120	16
Interest on Debentures .. ..	0	0 0	296	3 9	
Debentures paid in cash .. ..	0	5 0	0	0 0	
		0	5 0	296	3
Immigration .. ..		0	0 0	4	16
New Plymouth, payments on account of ..		47	2 9	24	9
				24	9
<b>TOTAL...</b> ..		£ 6,255	7 5	£ 6,732	7
<b>RUSSELL.</b>					
Customs .. ..		127	13 0	79	5
Post Office .. ..		5	8 6	5	16
Resident Magistrate's Department .. ..		68	15 2	84	1
Armed Police Force .. ..		222	5 0	191	18
Harbour Department .. ..		48	6 0	48	6
Pensions .. ..		11	0 0	17	2
Thomas Walker Nene's Annuity .. ..		25	0 0	25	0
Gratuities to Chiefs .. ..		10	0 0	65	0
<b>TOTAL</b> ..		£ 518	7 8	£ 516	8

RETURN OF REVENUE AND EXPENDITURE ON ACCOUNT OF THE PROVINCE  
SHOWING ALSO THE REVENUE AND EXPENDITURE FOR

RECEIPTS.

NEW PLYMOUTH.	Quarter ended 30th Sept., 1850.		Quarter ended 30th Sept., 1851.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Customs—Spirits .. .. .	131	9 10	98	14 1
Tobacco .. .. .	73	18 0	54	5 0
Duties on Imported Goods .. .. .	130	11 6	88	4 4
		335 19 4		241 3 5
Post Office .. .. .		15 18 7		11 10 2
Fees, Resident Magistrate's Court (Civil) .. .. .		3 15 0		7 7 0
" ditto (Police) .. .. .		1 16 6		1 13 10
Fines, ditto (ditto) .. .. .		0 16 6		0 7 6
Receipts on account of Harbour Boats .. .. .		34 16 9		96 17 4
Fees on Registration .. .. .		0 0 0		7 9 0
Incidental .. .. .		1 0 0		0 0 0
<b>TOTAL .. .. .</b>	<b>£</b>	<b>394 2 8</b>	<b>£</b>	<b>366 8 3</b>
<b>RECAPITULATION.</b>				
	£	s. d.	£	s. d.
AUCKLAND .. .. .	7,962	15 2	7,644	17 2
RUSSELL .. .. .	414	3 3	357	0 1
NEW PLYMOUTH .. .. .	394	2 8	366	8 3
<b>TOTAL .. .. . £</b>	<b>8,771</b>	<b>1 1</b>	<b>8,368</b>	<b>5 6</b>

November 3, 1851.

Colonial Secretary's Office,  
Auckland, 4th Nov., 1851.

**HIS** Excellency the **LIEUTENANT-GOVERNOR** has been pleased to direct that the following Extract from Brigade Orders be published for general information.

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

*Extract from Brigade Orders.*

"Auckland, 22nd Oct., 1851.

"His Excellency the **LIEUTENANT-COLONEL** Commanding the Troops in New Zealand, having completed his Inspection of the Pensioner Corps enrolled for Service in New Zealand, feels much gratification in having it in his power thus publicly to express his entire satisfaction at the result. The appearance and movements of both Battalions were steady, soldier-like, and highly creditable both to the officers and men.

"By command,  
(Signed) "**J. GREENWOOD,**  
"Major of Brigade."

True Extract.  
**J. GREENWOOD,**  
Major of Brigade.

Colonial Secretary's Office,  
Auckland, November 1st, 1851.

**TENDERS** will be received at this office until noon on **FRIDAY**, the 14th instant, for the repair of the "White Bridge," on the road from Panmure to Howick.

The Specification of the work to be done can be seen at the office of the Superintendent of Public Works.

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

Commissioner of Crown Lands' Office,  
Auckland, Nov. 6th, 1851.

**A**LL occupants of Land under Crown Grants, or, in the case of Pensioners, Natives, or Half-castes, by permission of the Crown, within the limits of Proclaimed Hundreds, who are desirous of depasturing Stock upon the Crown Lands in such Hundreds, during the ensuing year, 1852, will be required to take out Depasturing Licenses, on or before the first day of January next.

These Licenses will be issued at this Office upon payment of a fee of 10s. 6d. for each License.

A return of land occupied, according to the annexed form, must be previously deposited at this office.

**W. GISBORNE,**  
Commissioner of Crown Lands.

I hereby declare that I occupy \_\_\_\_\_ acres under grant from the Crown, in \_\_\_\_\_ Hundred (or as a Pensioner enrolled for service in New Zealand, or Native, or Half-caste, as the case may be).

To the Commissioner of Crown Lands.

OF NEW ULSTER DURING THE QUARTER ENDED 30TH SEPTEMBER, 1851;  
THE CORRESPONDING QUARTER OF THE YEAR, 1850:—Continued.

EXPENDITURE.		Quarter ended 30th Sept., 1850.			Quarter ended 30th Sept., 1851.				
<b>NEW PLYMOUTH.</b>			£	s.	d.		£	s.	d.
Customs .. .. .			38	2	0		38	0	0
Resident Magistrate's Department ... ..			101	18	1		0	1	7
Post Office ... ..			12	1	3		3	15	0
Armed Police Force ... ..			227	6	10		81	1	0
Public Works .. .. .			74	0	0		0	0	0
Relief to Sick and Destitute ... ..			9	7	6		1	6	0
Aborigines ... ..			0	0	0		29	3	5
Native Industrial Schools .. .. .			17	9	0		17	9	0
Harbour Department ... ..			44	17	6		118	15	10
Medical Department ... ..			81	15	6		62	8	0
Miscellaneous .. .. .			1	0	0		9	5	8
TOTAL ... ..		£	607	17	8	£	356	5	6
<b>RECAPITULATION.</b>			£	s.	d.		£	s.	d.
AUCKLAND .. .. .			6,255	7	5		6,732	7	4
RUSSELL .. .. .			518	7	8		516	8	7
NEW PLYMOUTH .. .. .			607	17	8		356	5	6
TOTAL .. .. .	£		7,381	12	9		7,605	1	5

CHARLES KNIGHT, Auditor General.

Commissioner of Crown Lands' Office,  
Auckland, Nov. 6th, 1851.

THE following person having applied for a Depasturing License for a defined Run, the description of the run claimed now lies at this Office, for the inspection of any person concerned.

Name of Applicant.	Situation of Run.
W. TRUSTED.	Near the River Waima, Hokianga.
	W. GISBORNE, Commissioner of Crown Lands.

**SUPREME COURT.**

NOTICE is hereby given that a Sitting of the Supreme Court for the despatch of Criminal Business will be holden at the Court House, Auckland, on Monday, the first day of December next, at ten o'clock in the forenoon, and that a Sitting for the despatch of Civil Business will be holden at the Court House, on Monday, the eighth day of December next, at ten o'clock in the forenoon, at which times and place all persons under recognition to appear as prosecutors, defendants, or witnesses, are required to give their attendance.

THOS. OUTHWAITE,  
Registrar.

Supreme Court Office,  
Auckland, 5th Nov., 1851.

**NOTICE.**

NOTICE is hereby given that the Election of Common Councillors for the under-mentioned Wards, in the Borough of Auckland, will take place at the Market House, Shortland Crescent, Auckland, on the 18th day of November next.

The Voting will commence at nine o'clock in the morning, and close at four in the afternoon.

Voters will be required to deliver to the Returning Officer a Voting Paper, containing the Christian and Surname of the party for whom he votes, together with his place of abode and description, signed with the name of the Burgess so voting, and setting forth his place of abode and description.

East Town Ward,  
Middle Town Ward,  
West Town Ward,  
Suburban East Ward,  
Suburban South Ward,  
Suburban West Ward,  
Epsom East Ward,  
Epsom West Ward,  
Tamaki West Ward.

THOS. BECKHAM,  
Returning Officer.

Resident Magistrate's Court,  
Auckland, October 31st, 1851.

## NOTICE.

**N**OTICE is hereby given that the Election of Common Councillors for the under-mentioned Wards, in the Borough of Auckland, will take place in the centre of Queen-street, Onehunga, on the 18th day of November next. The voting will commence at 9 o'clock in the morning, and close at Four in the afternoon.

Each voter will be required to deliver to the Returning Officer a Voting Paper, containing the Christian and Surname of the Party for whom he votes, together with his place of abode and description, signed with the name of the Burgess so voting, and setting forth his place of abode and description.

Onehunga Ward,  
Otahuhu Ward,  
Panmure Ward.

WM. H. KENNY,  
Returning Officer.

Resident Magistrate's Court,  
Onehunga, 31st October, 1851.

## NOTICE.

**N**OTICE is hereby given that the Election of Common Councillors for the under-mentioned Wards in the Borough of Auckland, will take place at a Cottage used as the Court

House, Nelson-street, Howick, on the 18th day of November next. The Voting will commence at 9 o'clock in the morning, and close at 4 in the afternoon.

Voters will be required to deliver to the Returning Officer a Voting Paper containing the Christian and Surname of the party for whom he Votes, together with his place of abode and description, signed with the name of the Burgess so voting, and setting forth his place of abode and description.

Tamaki East Ward,  
Howick Ward.

C. H. M. SMITH,  
Returning Officer.

Resident Magistrate's Court,  
Howick, Nov. 1st, 1851.

**A** SPECIAL MEETING of the Justices of the Peace for the Town and District of Auckland, will be holden at the Resident Magistrate's Court, at Auckland, on Tuesday the second day of December next, at 11 o'clock in the forenoon, for the purpose of receiving applications for the transfer of Publicans' Licenses.

EDWARD BARRY,  
Clerk to the Magistrates.

Resident Magistrates Court,  
Auckland, Nov. 4, 1851.