



NEW ZEALAND GOVERNMENT GAZETTE.

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official Signature thereupon 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, THURSDAY, OCT. 10, 1844. [No. 23.

PROCLAMATION.

By His Excellency **ROBERT FITZROY**,
Esquire, Captain in Her Majesty's Royal
Navy, Governor and Commander-in-Chief
in and over the Colony of New Zealand,
and Vice Admiral of the same, &c., &c., &c.

WHEREAS, by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, Session 3, No. 8, intituled "An Ordinance to establish Courts of Requests for the more easy and speedy recovery of small Debts." The Governor is empowered, with the advice of the Executive Council, by Proclamation, from time to time to appoint fit places for the holding of such Courts, and to define the District within which the jurisdiction of each of such Courts shall be exercised, and the limits of each District to alter from time to time as occasion may require.

Now, therefore, I, the Governor, with the advice of the Executive Council, in pursuance of the authority aforesaid, do hereby proclaim and declare that for the purposes of the said Ordinance, the following are the appointed places whereat such Courts shall be holden, and that the Districts within which the Jurisdiction of such Courts shall be exercised, shall be defined as follows:—

The Northern District shall comprise all places within the limits of the Northern Division of New Zealand, as stated in the Proclamation issued under my hand and under the seal of the Colony, bearing date the eighteenth day of

January, 1844; and the Southern District shall comprise all places within the Southern Division of New Zealand, as stated in the afore-mentioned Proclamation. And the places whereat such Courts shall be holden are, in the Northern District—

AUCKLAND,
RUSSELL, and
NEW PLYMOUTH.

And in the Southern District—

WELLINGTON, and
NELSON.

And I do hereby further proclaim and declare, that the first Sittings of the said Courts of Requests, shall be holden at Auckland and Wellington, respectively, on the first Wednesday in the month of November next ensuing.

Given under my Hand, and issued under the Public Seal of the Colony, at Government House, Auckland, this first day of October, in the year of Our Lord One thousand eight hundred and forty-four.

(L. S.)

ROBERT FITZROY.
Governor.

By Command,

ANDREW SINCLAIR,
Colonial Secretary

GOD SAVE THE QUEEN!

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

HIS Excellency the Governor has been pleased to appoint

PERCIVAL BERRIDGE, Esquire,

to be Commissioner of the Court of Requests in the Northern District of New Zealand.

By Command,

ANDREW SINCLAIR,

Colonial Secretary.

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

HIS Excellency the Governor has been pleased to appoint

MR. EDWARD HARDY,

to be Clerk of the Court of Requests in the Northern District of New Zealand.

By Command,

ANDREW SINCLAIR,

Colonial Secretary.

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

HIS Excellency the Governor has been pleased to appoint

WILLIAM TYE,

to be Bailiff for the Court of Requests in the Northern District of New Zealand.

By Command,

ANDREW SINCLAIR,

Colonial Secretary.

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

HIS Excellency the Governor has been pleased to appoint the following Officers to be Collectors of Revenue, under the Ordinance of the Governor and Council of New Zealand, Section 4, No. 2.

PETER DODS HOGG, Esq., Chief Collector.

Messrs. JOHN M'CAWNEY,

STEPHEN CARREK,

JAMES WEBSTER,

THOMAS PRINGLE,

to be Collectors in the Districts of Auckland, Wellington, Nelson, New Plymouth, and Russell, respectively.

By Command,

ANDREW SINCLAIR,

Colonial Secretary.

NOTICE.

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

COLLECTORS of Revenue will be required to collect in those places which are nearer to their respective residences—measured in a

straight line across the Map—than to the residence of any other Collector of Revenue.

Collectors of Revenue will not be required to call on Officers of the Army or Navy on full pay—who do not possess House or Land in New Zealand—as they are not deemed to be “resident” in the Colony.

By Command

ANDREW SINCLAIR,

Colonial Secretary.

PROCLAMATION.

By His Excellency ROBERT FITZROY, Esquire, Captain in Her Majesty's Royal Navy, and Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice Admiral of the same, &c., &c., &c.

WHEREAS by a Proclamation bearing date the 26th day of March, 1844, it was notified to the Public that the Crown's right of Pre-emption would be waived over certain portions of Land in New Zealand;—and whereas the terms and conditions set forth in such Proclamation on which the right of pre-emption would be so waived, have in some cases been disregarded, either by persons making purchases of land from the Natives without first applying for, and obtaining, the Governor's consent to waive the right of pre-emption, or by much understating the quantity of land proposed to be purchased from the Natives:—and whereas, certain persons have misrepresented the objects and intentions of Government in requiring that a fee should be paid on obtaining the Governor's consent to waive the right of pre-emption—on behalf of Her Majesty—who, by the Treaty of Waitangi, undertook to protect the Natives of New Zealand—and, in order to do so, has checked the purchase of their lands while their value was insufficiently known to their owners.

And whereas, the evil consequences of misrepresenting the motives of Government, and asserting that to be a mark of oppression—even of slavery—which is in reality an effect of parental care—are already manifest;—and are certain to increase seriously if the cause be not removed.

And whereas, the Natives of New Zealand have become perfectly aware of the full value of their lands—and are quite alive to their own present interests—however indifferent at times to those of their children.

Now, therefore, I, the Governor, acting on behalf of Her Majesty the Queen, do hereby proclaim and declare, that from this day no fees will be demanded on consenting to waive the right of pre-emption:—that the fees payable on the issue of Crown Grants, under the following regulations, will be at the rate of one penny per acre; and that—until otherwise ordered—I will consent, on behalf of Her Majesty, to waive the right of pre-emption over certain

limited portions of land in New Zealand—on the following conditions:—

1. Application is to be made in writing to the Governor, through the Colonial Secretary, to waive the Crown's right of Pre-emption over a certain number of acres of land at, or immediately adjoining a place distinctly specified: such land being described as accurately as may be practicable.

2. The Governor will give, or refuse his consent to waive the Crown's right of pre-emption, as His Excellency may judge best for the public welfare; rather than for the private interest of the applicant. He will fully consider the nature of the locality; the state of the neighbouring and resident natives; their abundance or deficiency of land; their disposition towards Europeans, and towards Her Majesty's Government;—and he will consult with the Protector of Aborigines before consenting, in any case, to waive the right of pre-emption.

3. No Crown title will be given for any Pah, or Native burying-ground, or land about either, however desirous the owners may now be to part with them: and, as a general rule, the right of pre-emption will not be waived over any land required by the Aborigines for their own use; although they themselves may now be desirous that it should be alienated.

4. The Crown's right of pre-emption will not be waived over any of that land near Auckland which lies between the Tamaki road and the sea to the northward, or over any land reserved for the use of the Aboriginal Natives.

5. Of all land purchased from the Aborigines in consequence of the Crown's right of pre-emption being waived,—one-tenth part, of fair average value, as to position and quality, is to be conveyed, by the purchaser, to Her Majesty, her heirs and successors, for public purposes, especially the future benefit of the Aborigines.

6. All transactions with the sellers; all risks attendant on misunderstandings; on sales made improperly; or on incomplete purchases—must be undertaken by the buyers until their respective purchases have been allowed, and confirmed by Grants from the Crown.

7. As the Crown has no right of pre-emption over land already sold to any person not an Aboriginal Native of New Zealand: and whose claim is or may be acknowledged by a Commissioner of Land Claims—no Grant will be issued to any other than the original Claimant, or his representative, whose claims have been, or may be investigated by a Commissioner, and recommended by him to the Governor for a Grant from the Crown.

8. Land so obtained is to be surveyed, at the expense of the purchaser, by a competent surveyor, licensed or otherwise approved of by Government,—who will be required to declare to the accuracy of his work, to the best of his belief, and to deposit certified copies of the same at the Colonial Secretary's office, previous to the preparation of a Crown Grant.

9. Copies of the Deed or Deeds, conveying such lands, are to be lodged at the Colonial

Secretary's office as soon as practicable, in order that the necessary enquiries may be made; and notice given in the Maori, as well as in the English Gazette, that a Crown Title will be issued;—unless sufficient cause should be shown for its being withheld, for a time—or altogether refused.

10. No Crown Grants will be issued until, at least, twelve months after the receipt at the Colonial Secretary's office, of certified Copies of the Surveys and Deeds of Sale above-mentioned; and, on the issue of Grants—Fees, at the rate of one penny per acre, will be required by Government

11. The Government, on behalf of the Crown and the Public, will reserve the right of making and constructing roads and bridges for public purposes, through or in lands so granted;—the owners being fairly compensated by other equivalent land, as settled by arbitration.

12. No Crown Grants will be issued under the foregoing arrangements to any person or persons who may be found to have contravened any of these regulations;—and the Public are reminded, that no Title to land in this Colony, held or claimed by any person not an Aboriginal Native of the same, is valid in the eye of the Law, or otherwise than null and void unless confirmed by a Grant from the Crown.

Given under my Hand, and issued under the Public Seal of the Colony, at Government House, Auckland, this tenth day of October, in the year of Our Lord One thousand eight hundred and forty-four.

ROBERT FITZROY,
Governor.

By Command,
ANDREW SINCLAIR,
Colonial Secretary.

GOD SAVE THE QUEEN!

NOTICE.

Colonial Secretary's Office,
Auckland, 1st October, 1844.

ON and after this day neither Light dues—Port charges—nor Harbor dues of any kind will be demanded from any Vessel whatever in or near any part of New Zealand.

Taking a Pilot will be optional with the Master or Commander of any Vessel: but if one be taken, his charge for pilotage will be Three shillings per foot—into or out of any harbor or port—and One shilling per foot for his services in any roadstead—when harbor pilotage is not paid.

There are no duties of Customs—or public charges of any kind—payable by Vessels in New Zealand.

By Command,
ANDREW SINCLAIR,
Colonial Secretary.

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

ATENTION is required to the following extract from the Act of the Imperial Parliament, 5 & 6 Victoria, cap. 47—Sec. 57, 58—and it is hereby made known that the Harbor Master, or person lawfully acting in such capacity, is the "Proper Officer" therein referred to, who is authorised to give certificates and clearances.

By Command,

ANDREW SINCLAIR,
Colonial Secretary

47. And whereas by one other of the said Acts intituled "An Act to regulate the Trade of the British Possessions abroad," it is enacted, that the Master of every ship bound from certain British Possessions, shall before any Goods be laden therein, deliver to the Collector or Comptroller, or other proper Officer, an entry outwards, under his hand, of the destination of such ship, stating her Name, Country and Tonnage, and if British the Port of Registry, the name and country of the Master, the country of the Owner, the number of the crew, and how many are of the country of such ship; and that if any Goods be laden on board any ship before such entry be made, the Master of such ship shall forfeit the sum of Fifty Pounds; and that before such ship depart, the Master shall bring and deliver to the Collector or Comptroller, or other proper Officer, a content in writing, under his hand, of the goods laden and the names of the respective shippers and consignees of the Goods, and the Marks and Numbers of the Packages or Parcels of the same, and shall make and subscribe a Declaration to the truth of such content, as far as any of such particulars can be known to him; and that the Master of every ship bound from such Possessions, whether in ballast or laden, shall before departure, come before the Collector and Comptroller, or other proper Officer, and answer upon Oath all such questions concerning the ship and the cargo, if any, and the crew, and the voyage, as shall be demanded of him by such Officer; and that thereupon the Collector and Comptroller, or other proper Officer, if such ship be laden, shall make out and give to the Master a certificate of the clearance of such ship for her intended voyage, containing an account of the total quantities of the several sorts of goods laden therein, or a certificate of her clearance in ballast as the case may be; and that if any ship shall depart without such clearance, or if the Master shall deliver a false content, or shall not truly answer the questions demanded of him, he shall forfeit the sum of One Hundred Pounds; and whereas it is further enacted, that no goods shall be stated in such certificate of clearance of any ship from any such Possessions to be the produce thereof, unless such goods shall have been expressly stated so to be in the entry outwards of the same; and that all goods not expressly stated in such certificate of clearance to be the produce of such Possessions shall, at the place of importation in any other such Possession, or in

the United Kingdom, be deemed to be of Foreign production: And whereas it is also enacted, that the person entering any such goods shall deliver to the Collector or Comptroller, or other proper Officer, a Bill of Entry thereof, fairly written in words at length, containing the name of the Exporter or Importer, and of the Ship, and of the Master, and of the place to or from which bound, and of the place within the Port where the goods are to be laden or unladen, and the particulars of the quantity and quality of the goods, and the packages containing the same, and the marks and numbers on the packages, and setting forth whether such goods be the produce of the said Possessions or not; and such person shall at the same time pay down all Duties due upon the goods; and the Collector or Comptroller, or other proper Officer, shall thereupon grant their warrant for the lading or unlading of such goods; Be it therefore enacted, That so much of the said Act as is herein-above recited shall from and after the first day of January, one thousand eight hundred and forty-three, extend to all goods entered for exportation, and to all vessels clearing outwards in any of the British Possessions abroad, except the Territories subject to the Government of the Presidencies of *Fort William in Bengal, Fort St. George, and Bombay.*

58. Provided always and be it enacted, That where there is no Collector or Comptroller or Officer of Customs at the Port or Place of shipment of such goods, that then the Principal Civil Officer in the service of Her Majesty at such place, or his sufficient representative, shall be deemed and taken to be the proper Officer for the performance of all such duties with respect to such goods as by the said Act are required to be performed by the Collector or other Officer or Officers of Customs."

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

THE GOVERNOR has appointed the following Officers to act as Harbor Masters, and to carry out the provisions of 5 & 6 Victoria, cap. 47, ss. 57-58—

At Auckland....Mr. DAVID ROUGH.
At Wellington...Mr. JOHN M'CARTHY.
At Russell.....Mr. THOMAS PRINGLE.
At Nelson.....Mr. STEPHEN CARKEEK.
At New Plymouth Mr. JAMES WEBSTER.
At Hokianga....ROBERT ST. AUBYN, Esq.
At Akaroa.....CHARLES B. ROBINSON, Esq.
At Wanganui....SAMUEL KING, Esq.

By Command,

ANDREW SINCLAIR,
Colonial Secretary.

CROWN GRANTS.

*Colonial Secretary's Office,
Auckland, 1st October, 1844.*

THE undermentioned Deeds of Grant are now lying at this Office, and will be delivered to the Grantees, on or after Monday, the 7th instant.

In cases where it is impossible for the Grantee to attend in person to receive his Deed, it will be delivered to the bearer of an authority according to the subjoined forms, (as the case may be), certified by a Magistrate, or by a Solicitor of the Supreme Court,

Form of Authority for Deeds of Grant on public purposes.

I hereby authorize A. B. of to receive the Deed of Grant for the [Town, Suburban, or Country, as the case may be,] Lot No. of Section No. , being a grant for

WITNESS, (Signature of Grantee.)

TOWN OF AUCKLAND.

11. Principal Officers of Ordinance, one rood and twenty perches, Lot No. 1, of Section No. 8, for such Public Service as may be required.

Form of Authority for a Deed of Grant on an approved Claim to Land.

I hereby authorize A. B. of to receive the Deed of Grant in my favor, for Land Claim Case No.

WITNESS, (Signature of Grantee.)

Signature of a Magistrate, or of a Solicitor of the Supreme Court.)

136. Charles Cook, Claim said to contain ninety-seven feet, by forty-five feet, being Case No. 181.

137. William Thomas Fairburn, Claim said to contain seventy-nine acres, being Case No. 269.

138. Gavin Houston, Claim said to contain two hundred acres, being Case No.

139. James Johnson, Claim said to contain one hundred acres, being Case No. 351.

140. John King, Claim said to contain three thousand acres, being Case No. 274.

141. John King, Claim said to contain one thousand five hundred acres, being Case No. 274 a.

142. John King, Claim said to contain five hundred acres, being Case No. 274 b.

143. John King, Claim said to contain one hundred and fifty acres, being Case No. 274 c.

144. Philip Hanson King, Claim said to contain three acres, being Case No. 275 a.

145. Philip Hanson King, Claim said to contain one acre, being Case No. 275.

146. Philip Hanson King, Claim said to contain one acre, being Case No. 275 b.

147. Philip Hanson King, Claim said to contain one thousand four hundred and thirty-six acres, being Case No. 275 c.

148. Philip Hanson King, Claim said to contain one hundred and seventy and a-half acres, being Case No. 275 d.

149. The Kororareka Land Company, Claim said to contain one hundred and sixty acres, being Case No. 340.

150. The Kororareka Land Company, Claim said to contain one hundred and eighty acres, being Case No. 340 a.

151. The Kororareka Land Company, Claim said to contain two acres, being Case No. 340 b.

152. The Kororareka Land Company, Claim said to contain two acres, being Case No. 340 c.

153. The Kororareka Land Company, Claim said to contain twenty acres, being Case No. 340 d.

154. The Kororareka Land Company, Claim said to contain three roods and one perch, being Case No. 340 e.

155. The Kororareka Land Company, Claim said to contain one acre, being Case No. 340 f.

156. The Kororareka Land Company, Claim said to contain two acres, being Case No. 340 h.

157. William Lillice, Claim said to contain thirty-five acres, being Case No. 139.

158. William James Lewington, Claim said to contain seven hundred and forty-seven acres, being Case No. 136.

159. John Lette, Claim said to contain one quarter of an acre, being Case No. 385.

160. James Leitch, Claim said to contain five hundred and fifty acres, being Case No. 134.

161. Donald M. Kay, Claim said to contain forty acres, being Case No. 421.

162. Donald M. Kay, Claim said to contain one hundred and twenty feet square, being Case No. 421 a.

By Command,

ANDREW SINCLAIR,
Colonial Secretary.

ECCLESIASTICAL APPOINTMENTS:

THE following Ecclesiastical Appointments have been made by the Bishop of New Zealand —

Rev. HENRY WILLIAMS,
to be Archdeacon of the Waimate.

ORDINATION.

The following Deacons were Ordained in the Mission Church, at the Waimate, on the 22nd September, 1844.

JAMES HAMLIN,
THOMAS CHAPMAN,
JOSEPH MATTHEWS,
WILLIAM COLENZO,
CHRISTOPHER PEARSON DAVIES.

G. A. New Zealand.

QUARTERLY LIST OF UNCLAIMED LETTERS.

General Post-Office,
Auckland, 31st August, 1844.

A BRAHAM M. 4	Blacket John C.
Allen Wm.	Bradley James
Atlee Wm.	Brownie Alex.
Baldwin Wm.	Brown John A. 2
Barber John	Buckam John
Barnard A.	Burnes Richard.
Barry Edmond	Butter Thomas
Bartlett George, 2	Campbell Alex.
Beaton Daniel	Chalenger Wm.
Beck Mary	Clark Joseph 3

Collins David
 Conger Walter
 Cook Samuel
 Cormack W. E. 2
 Cowley Charles
 Crawford E. J. P.
 Croster Elias 3
 Curtis Wm.
 Darling Joseph
 Davis John
 Doods Wm.
 Doorber Sarah
 Drescher Julius
 Duke Wm.
 Dutton Wm.
 Edinborough Mr.
 English J.
 Evans Thomas & Ann
 Fearon T. R. 4
 Florence Thomas
 Gedge George
 Gee Robert
 Glover George
 Goldsworth John
 Hall Michael
 Hall Edward
 Harris S. Poverty Bay 3
 Harris James
 Haswell J. P. 2
 Hawkes Samuel, 2
 Haywood Henry
 Haymaker Wm.
 Hayward Robert
 Heath Charles, 7
 Henderson Mr.
 Hendry George
 Hoare Joseph
 Hodgson Joseph
 Holt David
 Horsley Mr.
 Hough Wm.
 Humble Peter P. 2
 Imrie John, 2

Jones Wm.
 Kearney Robert
 Kerr John
 Knox J. M.G.
 Land Joseph 2
 Lester Wm. R. 10
 Lister Wm. 3
 Lister Mr.
 Lockwood Mrs. D. 2
 Long Joseph
 Lucas Wm. B.
 M'Cormack Michl.
 M'Donald Francis
 M'Donnell John
 M'Farlane Captain
 M'Innes Alex. 2
 M'Leod John
 Mansell Wm.
 Marshall Mrs.
 Martin Thomas
 Mather Wm.
 Mehan Wm.
 Menage Jessy
 Morrison Charles
 Mulcahy Eugene
 Nicholas Albert J.
 Norway Samuel, 2
 Perry Thomas
 Potter Wm.
 Powell Edmond
 Prior Fredk.
 Reeves Fredk. A.
 Ring Joseph Wm.
 Robinson Robert 2
 Rook Thomas
 Sauaders M. 2
 Shepherd Mr.
 Skelton Mr.
 Smith George
 Smith Joseph
 Smith William
 Smith Mrs. A. M.
 Smyth Habs

Smyth Thomas
 Spence Alex.
 Spencer Rev. S.
 Stafford Edward W. 2
 Stephenson Wm. 2
 Stevens George
 Ternan Peter
 Thomas Jos.
 Thomas C.
 Townsend Dr. 2
 Trainer Charles
 Trounce Thomas
 Tuck Wm.
 Tuite T. P.
 Turner Andrew, 2

Twohey Mrs. W.
 Vallance Henry
 Ward Samuel
 Warner H. N.
 Watts H. B. 4
 Weeks Thomas R. 3
 White Henry F.
 White William
 Williams Captain P.
 Williams Wm. Tory
 Wilson John Alex.
 Wilson Alex.
 Wood James
 Woodward Alfred
 Woodward Mrs. A.

SAILORS' LETTERS.

Chaplin William
 Dyke Charles
 Forbes Charles L.
 Home Sir Everard
 Murray George D.
 Johnson Henry, *Mary Nixon*.
 Warekehake Schooner, Captain of.

FELTON MATHEW,

Acting Deputy Postmaster-General.

NOTICE is hereby given, that the Partnership hitherto existing between Alexander Ross and John Wilson, of the Wairoa River—trading under the firm of "Ross and Wilson"—is this day dissolved by mutual consent.

JOHN WILSON.

Witness: Samuel Hawke.

Wairoa River, Sept. 24th, 1844.

CHRISTOPHER FULTON, Government Printer, Auckland.