



NEW ZEALAND GOVERNMENT GAZETTE.

Published by Authority.

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By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary.

VOL. V.] AUCKLAND, SATURDAY, MAY 31, 1845. [No. 12.

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.

THE GOVERNOR, do hereby advertise and proclaim that, at Eleven o'clock, on Monday, the 30th day of June, 1845, the Colonial Treasurer will put up to Auction at the Treasury, the under-mentioned Lots, on the terms and conditions and under the provisions of an Act of Parliament, passed in the fifth and sixth years of the reign of Her Majesty Queen Victoria, chap. 36, intituled "An Act for regulating the Sale of Waste Lands belonging to the Crown in the Australian Colonies."

Deposit on the purchase-money, Ten pounds per centam.

TOWN OF AUCKLAND,
COUNTY OF EDEN,
PARISH OF WAITEMATA,

Upset price—£100 per acre.

SECTION No. 7.

Lot No. 9, containing 0 acres, 0 roods, and 20 perches, more or less.

Lot No. 10, containing 0 acres, 1 rood, and 3 perches, more or less.

SECTION No. 42.

Lot No. 11, containing 0 acres, 1 rood, and 17 perches, more or less.

Lot No. 15, containing 0 acres, 1 rood, and 9 perches, more or less.

Lot No. 16, containing 0 acres, 2 roods, and 0 perches, more or less.

Lot No. 23, containing 0 acres, 1 rood, and 12 perches, more or less.

Lot No. 25, containing 0 acres, 1 rood, and 5 perches, more or less.

Lot No. 26, containing 0 acres, 1 rood, and 24 perches, more or less.

Lot No. 27, containing 0 acres, 1 rood, and 24 perches, more or less.

Lot No. 29, containing 0 acres, 1 rood, and 5 perches, more or less.

Lot No. 30, containing 0 acres, 1 rood, and 15 perches, more or less.

SECTION No. 43.

Lot No. 6, containing 0 acres, 2 roods, and 9 perches, more or less.

Lot No. 8, containing 0 acres, 1 rood, and 28 perches, more or less.

Lot No. 11, containing 0 acres, 1 rood, and 3 perches, more or less.

Lot No. 20, containing 0 acres, 1 rood, and 14 perches, more or less.

Lot No. 21, containing 0 acres, 1 rood, and 10 perches, more or less.

Lot No. 22, containing 0 acres, 1 rood, and 5 perches, more or less.

Lot No. 23, containing 0 acres, 1 rood, and 0 perches, more or less.

Lot No. 24, containing 0 acres, 1 rood, and 3 perches, more or less.

Lot No. 25, containing 0 acres, 1 rood, and 3 perches, more or less.

Lot No. 26, containing 0 acres, 1 rood, and 3 perches, more or less.

SECTION No. 45.

Lot No. 2, containing 0 acres, 1 rood, and 10 perches, more or less.

Lot No. 3, containing 0 acres, 1 rood, and 6 perches, more or less.

Lot No. 4, containing 0 acres, 1 rood, and 9 perches, more or less.

Lot No. 5, containing 0 acres, 1 rood, and 14 perches, more or less.

Lot No. 6, containing 0 acres, 1 rood, and 25 perches, more or less.

Lot No. 7, containing 0 acres, 1 rood, and 24 perches, more or less.

Lot No. 8, containing 0 acres, 1 rood, and 32 perches, more or less.

SUBURBAN LANDS,
COUNTY OF EDEN.

PARISH OF WAITEMATA.

Upset price—£10 per acre.

SECTION No. 6.

Lot No. 21, containing 5 acres, 3 roods, and 0 perches, more or less.

COUNTRY LANDS,

PARISH OF TAKAPUNA.

Upset price—£1 per acre.

Lot No. 98, containing 197 acres, 2 roods, and 0 perches, more or less.

Lot No. 99, containing 80 acres, 3 roods, and 0 perches, more or less.

Lot No. 100, containing 80 acres, 3 roods, and 0 perches, more or less.

Lot No. 151, containing 62 acres, 0 roods, and 0 perches, more or less.

Lot No. 152, containing 76 acres, 0 roods, and 0 perches, more or less.

Lot No. 153, containing 22 acres, 0 roods, and 0 perches, more or less.

Lot No. 154, containing 54 acres, 0 roods, and 0 perches, more or less.

Lot No. 155, containing 60 acres, 0 roods, and 0 perches, more or less.

Lot No. 156, containing 58 acres, 0 roods, and 0 perches, more or less.

Lot No. 158, containing 110 acres, 0 roods, and 0 perches, more or less.

Lot No. 159, containing 66 acres, 0 roods, and 0 perches, more or less.

Lot No. 160, containing 59 acres, 0 roods, and 0 perches, more or less.

Lot No. 162, containing 68 acres, 0 roods, and 0 perches, more or less.

Lot No. 163, containing 65 acres, 0 roods, and 0 perches, more or less.

Lot No. 164, containing 41 acres, 0 roods, and 0 perches, more or less.

Lot No. 117, containing 70 acres, 0 roods, and 20 perches, more or less.

Lot No. 121, containing 108 acres, 1 rood, and 28 perches, more or less.

Lot No. 122, containing 122 acres, 0 roods, and 2 perches, more or less.

Lot No. 123, containing 83 acres, 1 rood, and 3 perches, more or less.

Lot No. 129, containing 75 acres, 0 roods, and 22 perches, more or less.

Lot No. 130, containing 62 acres, 0 roods, and 37 perches, more or less.

PARISH OF PAKAPURA.

Lot No. 35, containing 212 acres, 0 roods, and 0 perches, more or less.

PARISH OF HAWKIA.

Lot No. 6, containing 358 acres, 0 roods, and 3 perches, more or less.

Lot No. 7, containing 320 acres, 0 roods, and 0 perches, more or less.

Lot No. 8, containing 310 acres, 0 roods, and 0 perches, more or less.

Lot No. 17, containing 160 acres, 0 roods, and 0 perches, more or less.

Lot No. 18, containing 160 acres, 0 roods, and 0 perches, more or less.

Lot No. 22, containing 300 acres, 0 roods, and 0 perches, more or less.

Lot No. 23, containing 225 acres, 0 roods, and 0 perches, more or less.

Given under my Hand, and issued under the Public Seal of the Colony, at Government House, (L. S.) Auckland, this twenty-ninth day of May, in the year of Our Lord One thousand eight hundred and forty-five.

BORRER Fitz Roy,
Governor.

By Command,
ANDREW SINCLAIR,

Colonial Secretary,
GOD SAVE THE QUEEN!

Colonial Secretary's Office,
Auckland, 30th May, 1845.

HIS Excellency the Governor has been pleased to appoint

WILLIAM E. CORMACK, Esquire,

to the Commission of the Peace for the Colony of New Zealand.

By Command,

ANDREW SINCLAIR,
Colonial Secretary.

Colonial Secretary's Office,
Auckland, 30th May, 1845.

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

By Command,

ANDREW SINCLAIR,
Colonial Secretary.

Auckland, 27th May, 1845.

SIR,—I have the honor of submitting to Your Excellency a summary of my Military operations at the Bay of Islands, as detailed in my Despatches, dated 1st, 7th, 9th, and 12th instant.

The vessels *Slains Castle* and *Velocity*, taken up to convey the Force under my immediate command to the Bay of Islands, sailed from Auckland on the 27th April, and anchored off Kororareka on the afternoon of the 28th April, where I was glad to find Her Majesty's Ship *North Star* at anchor.—I immediately consulted with Sir Everard Home, relative to re-establishing Her Majesty's authority at Kororareka—the Grenadier Company of the 58th Regiment (as a guard of honor) was landed about 5 o'clock p. m.—the Proclamation was then read, and the Union Jack hoisted under a salute of 21 guns from the *North Star*—the yards were then manned, and three cheers from the party on shore were answered by the seamen and troops on board the Transports.

In obedience to Your Excellency's instructions, I prepared to attack the rebel Chiefs and to destroy their property; and as Pomare was one of the proscribed Chiefs, and his pah the most exposed to an attack, the *North Star* and Transports got under weigh on the morning of the 29th April, and proceeded to Otuhu, but light winds delayed the vessels until midnight, at which time they anchored off Pomare's pah.

At daylight, I was much surprised to see a white flag flying in Pomare's pah, but as the Proclamation only authorized loyal Natives to shew it, I could not recognize it as an emblem of peace from a rebel—the troops commenced disembarking, and when landed, I sent two Interpreters with a message into the pah, to desire Pomare to come to me directly; his answer was, "The Colonel must go to me." He sent the same answer to a second message. One of the Interpreters now offered to remain as a hostage in the pah—this I would not hear of. I then sent my final message to Pomare, that if

he did not come to me in five minutes, I would attack his pah; this threat induced Pomare to come. I had it explained to him that his conduct had been very bad—that he must go on board the *North Star*, and that he must accompany me to Auckland to account for it, to His Excellency the Governor.

I preferred proceeding in the manner stated in preference to hostilities, because I did not consider that it would add to the reputation of the British army, or secure the safety of New Zealand, if a force consisting of three hundred bayonets attacked an open pah, and defended by a Chief, with about fifty slaves, whose wife and children were with him, and who is connected with almost every powerful Chief in this Island. I have no hesitation in asserting that, if Pomare or any member of his family had been killed that morning, most of the neutral tribes about Hokianga would have taken up arms against the Government; and I am not convinced, even now, that Pomare's death would not have shaken Walker Nene's fidelity to our cause, and many tribes to the southward would also have been in arms against us. As far as I could judge, Pomare did not evince much reluctance to go with me on board the *North Star*—and during his stay on board of her, he and his wife and children were treated with much kindness by Sir Everard Home.

It was my intention to advance from Otuhu in the direction of Kawiti's pah, but my information about the country through which my march lay, was so contradictory, and I must have acted without the assistance of any loyal natives, that I decided upon postponing that movement; and accordingly the troops re-embarked, and all the vessels returned to an anchorage off Kororareka.

I had another motive for so deciding—Paratine Rekeao urged me to lose no time in attacking Heke, and by my request he sent a message to Tamati Waka Nene to visit me on board the *North Star*, for I could not undertake a march of about thirty miles from the Coast, until the return of H. M. S. *Hazard*, from Auckland. On the morning of the 1st instant, Tamati Waka arrived, and it was on that day finally arranged that the force should disembark at Onewero, on the morning of the 3rd instant, and make two marches to his pah. About noon on the 3rd instant, the force, consisting of the small-armed seamen and marines of the *North Star* and *Hazard*, and the troops, in all about four hundred men, was ready to march; but an unforeseen obstacle retarded my progress, which was casually produced, Walker Nene being unable to produce the number of natives he had promised me, and whom I required to carry the spare ammunition,—the volunteers from Auckland being employed in carrying the hospital establishment and other articles; and as I had no alternative, the destruction of the settlement of Kororareka having placed the means of transport beyond my reach, by being under the vigilance of the rebels, I was obliged to issue spare ammunition to the extent of thirty rounds to

every man, to carry in his haversack,—a very unmilitary arrangement, and thereby endangering the lives of the soldiers, and exposing the ammunition to be damaged and lost:—in this way, without a single tent or day's ration of liquor, a force commenced its march into the interior of New Zealand to crush a rebellion which had existed for many months. After a march of nine miles, the force halted for the night; at midnight it rained heavily, and in the morning it poured. As there was no shelter for the troops at Waka Nene's pah, I immediately marched to Kiri Kiri, and occupied the large store and other buildings at that place: the spare ammunition was inspected, and two-thirds of it found unfit for use, and the five day's biscuit which each man had received was unfit to be eaten.

The bad weather lasted until the morning of the 6th instant, but during its continuance Tamati Waka Nene sent instructions to his tribe to erect several warres for the accommodation of the Europeans. The march on the 6th instant was about seventeen miles, and the path heavy. When the force arrived at the pah I was pleased to see two large warres ready for the men, although not of sufficient capacity to contain all the force.

At noon on the 7th instant, I and several of the Officers went to a hill about a mile from Heke's pah, to reconnoitre it. From observation and enquiries I was soon convinced the pah was a strong fortification, trebly stockaded, with walls inside, traverses cut from side to side, a deep ditch, and each face loopholed—and to add to its strength, the phormium tenax, or New Zealand flax, was interwoven, which made the pah impregnable to musketry.

I now felt convinced that it was not practicable to take the pah with no other means than physical strength, and to attempt it with such means would cause an unnecessary sacrifice of human life—I subsequently made arrangements to take up a position near Heke's fortification, to fire the rockets and see their effect, and as the chances of war are many and uncertain, I formed half the force into three parties of assault, and pointed out to each commander his position, and there to wait for further orders—I was thus prepared to assault the fortification.

About nine o'clock on the morning of the 8th instant, I placed the reserve behind a ridge within three hundred yards of the pah, and ordered the three parties of assault, consisting of the small armed seamen of Her Majesty's Ships *North Star* and *Hazard*, under the command of acting Commander George Johnson; of the Light Company of the 58th Regiment, under the command of Captain Denny, and of the detachment of Royal Marines and of the 96th Regiment, under the command of Lieutenant and Adjutant M'Leis, 58th Regiment, to advance to their respective posts—in doing so they were exposed to a heavy and galling fire from two faces of the pah, but the parties moved on with unflinching steadiness, and crowned a height within two hundred yards of

the fortification. As I was now so close to the pah I saw its real strength, and my former opinion was fully confirmed that it was not to be taken without the aid of artillery.

The rocket party, under the direction of Lieutenant Egerton, of the *North Star*, now fired twelve rockets, but the result was not so favourable as I had anticipated: a few of the rebels were observed to leave the pah on the two first being fired, but the alarm was only momentary. About this time the parties on the height advanced their right flank, and opened a heavy fire—this movement arose from a loyal native having discovered a large body of rebels under Kawiti lying in ambush, for the purpose, I have since ascertained, of attacking the parties in rear, if they should assault the pah,—the rebels were charged and dispersed, with loss.

I was about to order the parties to retire and rejoin the reserve, when the British ensign was unexpectedly hoisted by Heki, and on another flag-staff a small red flag was hoisted, (Thomas Walker Nene called it Heki's fighting flag); this flag was hoisted up and pulled down several successive times—its meaning was soon explained, being immediately followed by a combined attack on the three parties by the rebels under Kawiti, and about one hundred and fifty of those under Heki, who rushed from the fortification. The reserve fired on the latter, and although the distance was great it checked their advance; a few reached the height and were there killed. Kawiti's attack was repulsed at the point of the bayonet, with a severe loss.

As many of the soldiers had been wounded I ordered the parties to retire, and they were descending from the height when they were a third time attacked by Kawiti, who was not this time supported by Heki—skirmishers were sent out, and the rebels were again repulsed. This was the last effort of the rebels to defeat a brave body of seamen and soldiers; the parties afterwards retired, and brought off all the wounded men.

I have thus, your Excellency, briefly detailed the movements of the force under my command to the 8th instant, inclusive; and it now becomes my duty to express how much I feel indebted to the parties of assault for their gallant conduct in taking up their positions under a heavy fire of musketry early in the morning of the 8th instant, and for three times repulsing, at the point of the bayonet, during that day, a large body of rebels under Kawiti.

My thanks are due to Lieutenant Egerton, and the Rocket party under his direction, for their assistance.

The reserve under the command of Major Bridge, 58th Regiment, only wanted the opportunity to distinguish themselves.

To Major Bridge, commanding the 58th Regiment, and to Ensign O'Connell, 51st Regiment, (aide-de-camp to the Lieutenant-General commanding the troops in Australia) my

acting Brigade-Major, my best thanks are due for their assistance; and to all the other Officers I beg to convey the expression of my warmest approbation.

I regret to say our loss has been severe; that of the rebels could not be correctly ascertained, but it must have been great. Ruku and his son, a son and nephew of Kawiti's, and several other Chiefs, are said to be among the killed.

In consequence of the bad accommodation for our numerous wounded, and no means of procuring proper nourishment for them,—as there was not an ounce of tea or sugar in the camp—I decided on retiring to Kiri Kiri as soon as litters could be made for the wounded; but bad weather again detained me until the morning of the 10th inst. When the force was ready to march on that day, another difficulty arose in getting a sufficient number of natives to transport the wounded—eight men being required for each litter—as Tamati Waka Nene could not leave his pah defenceless. I was reluctantly compelled to order the fighting men to carry their wounded comrades, and half the force was so employed from eleven o'clock, A. M. to nine o'clock, P. M.—but all, seamen and soldiers, performed this unusual duty with a spirit that can scarce be surpassed. The volunteers carried the arms and appointments of the sick and wounded.

I had previously written to Sir Everard Home to send boats up the Kiri Kiri river to receive the wounded, and on the 11th instant the whole of them were conveyed on board the *North Star*, in which vessel every comfort had been prepared for them.

The re-embarkation of the troops was now a matter of necessity, and could not be delayed. The force had been on shore ten days, exposed to very inclement weather; had been for seven days on a half ration, consisting of meat and a small quantity of potatoes—the biscuit, as previously stated, had been spoiled by the rain; and the Medical Officers were unanimous in their opinion, that any further continuance of discomforts would produce much sickness among the troops. On the 11th instant, the force marched to the coast, and re-embarked.

During my absence, and by the directions of Captain Sir Everard Home, Bart., Lieutenant Philpotts, on the 7th instant, with parties of seamen of Her Majesty's ships *North Star* and *Hazard*, burnt five small villages belonging to Heki—broke up two large canoes, and brought off two other large ones; and on the 9th instant, Mr. Lane with a party, broke up two large canoes, and brought off four large and small boats belonging to Europeans, which had been taken away from Kororareka.

In conclusion, I beg to express my sense of the cordial support and able assistance which I have received from Captain Sir Everard Home, in disembarking and re-embarking the force—and to Acting-Commander Johnson, and to all the other Officers—and to all the Seamen and Marines, my thanks for their zeal and assistance.

My best thanks are due to Major Bridge, commanding the 58th Regiment—to Ensign O'Connell, 51st Regiment, acting Brigade-Major, and to all the other Officers for their able support,—and to the Troops employed, for their strict discipline, their conciliatory conduct in their intercourse with the loyal natives, their exemplary cheerfulness under privations of rations, and great exposure to bad weather—and particularly for their exertions on the 11th instant, in carrying one-half of their wounded comrades on litters a distance of about 18 miles, over a bad road, or rather path.

I beg to annex a List of the killed and wounded on the 8th instant.

I have the honor to be,

Sir,
Your obedient humble Servant,
W. HULME, Lieut.-Col.,
Commanding the Force at Bay of Islands.

His Excellency
Captain FITZ ROY,
Governor of New Zealand.

—
List of the killed and wounded in the action near the rebel chief Heke's camp, on the 8th May, 1845.

Her Majesty's Ship North Star.

1 Private of the Royal Marines killed.
Mr. Warrington, (Clerk) slightly wounded.
3 Privates of the Royal Marines severely wounded.
1 Seaman dangerously wounded—since dead.
3 Seamen severely wounded.

Her Majesty's Ship Hazard.

Lieutenant Morgan, slightly wounded.
1 Private Royal Marines severely wounded.
2 Seamen severely wounded.

Her Majesty's 58th Regiment.

8 Rank and File killed.
2 Sergeants and 14 Rank and File severely wounded.
1 Sergeant slightly wounded.

Her Majesty's 96th Regiment.

4 Rank and File killed.
1 Sergeant and 6 rank and file severely wounded.
3 Rank and File slightly wounded.

1 Civilian, servant to Mr. Beckham, Police Magistrate, severely wounded.

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TOTAL.

13 killed.
2 Officers, and
37 Seamen, Marines, and Soldiers, wounded.

W. HULME, Lieut.-Col.,
Commanding the Force.

Bay of Islands,
17th May, 1845.

SIR,—I have the honor to report, for the information of His Excellency the Governor, the successful issue of an expedition I had the honor to command against the Waikadi tribe in accordance with instructions, and the discretionary power vested in me by Lieut. Colonel Hulme, commanding the Forces in New Zealand, previous to his departure for Auckland. Having obtained, through the assistance of Mr. Clendon, Police Magistrate of Pahia, all the necessary information of the strength and position of the pah at Waikadi, I proceeded up the Waikadi river by night on the 14th instant, with 200 men of the 58th Regiment, 8 marines, and a 12-pounder cannonade, with an armed seaman in each boat, belonging to H. M. S. Hazard, in order to reach our position before break of day, and thereby cut off the retreat of the natives from the pah; but owing to the intricate navigation of the channel, and the difficulty in finding the entrance to the proper creek in the dark, some of the boats lost their way, and as the tide went down they grounded—so that, by break of day, I found myself before the pah with only 50 men, and about 100 maories belonging to Tamati Walker and Rivers, under the Chiefs Rippa and Rivers; these I dispatched to the left of the pah, to flank it on that side, whilst a detachment and 20 men of the 58th Regiment formed a flanking party to the right—I took up a position in front, under cover of a low bank and scrub. The inmates of the pah commenced firing on us as the day broke, having heard our approach, which was returned by the friendly natives, but I did not allow my men to fire a shot for fear of injuring some of them, until I had sufficient men landed to make an attack on the pah; however, in less than half an hour, the enemy was seen deserting the pah, and our allies rushing in, we immediately followed them

up and took possession of it, whilst Rippa's and Rivers' parties followed up the fugitives, who kept up a constant fire from the bush for six or seven hours after, during which time I had to support the friendly natives with a company of the 58th Regt.—they fought most gallantly, and I regret to say, had two killed and six wounded. The Waikadi tribe, it is said, were reinforced by a party of Kawiti's men. There were about 30 men in the pah, how many joined them afterwards could not be ascertained, nor could their loss, but from the heavy fire we kept up upon them for so many hours, it must have been considerable.

I found that all the property said to be in their possession, stolen from Kororareka and other places, had been removed into the bush in anticipation of our coming, and from the thickness of the bush it was impossible for Europeans to proceed in search of it. I however, burned down the pah, and carried away all the canoes and other things of use, and have much satisfaction in reporting that as soon as the tide served, I returned to the ship without losing a man, notwithstanding the risk we ran of having our retreat cut off, and being fired at whilst in the boats, from the banks of the river, on our return. There were two boats captured by Lieutenant Phillpotts, of the Hazard, and the canoes I allowed Tamati Waka's people to take.

I have the honor to be,

Sir,

Your most obedient servant,

CYP. BRIDGE, Com. 58th Regt.,

Commanding Troops at the Bay of Islands.

The Colonial Secretary,

&c., &c., &c.,

Auckland.

CHRISTOPHER FULTON, Government Printer, Auckland.