



NEW ZEALAND GOVERNMENT GAZETTE.

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. VII. AUCKLAND, TUESDAY, AUGUST 10, 1847. No. 17.

Colonial Secretary's Office,
Auckland, 9th August, 1847.

HIS EXCELLENCY the Governor has been pleased to appoint

FREDERICK WARD MERRIMAN, Esquire,

to be a Justice of the Peace for the Territory of New Zealand, and to direct that the name of Mr. Merriman be inserted in the Commission of the Peace, the third on the list of the non-official Justices, after the names of William Brown, Esq., and Alfred Domett, Esq.

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

Colonial Secretary's Office,
Auckland, August 9th, 1847.

HIS EXCELLENCY the Governor has been pleased to appoint

FREDERICK WARD MERRIMAN, Esq., J. P.,
to be a Member of the Legislative Council, in the place of William Donnelly, Esq., resigned.

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

Colonial Secretary's Office,
Auckland, 9th August, 1847.

HIS EXCELLENCY the Governor has been pleased to appoint

EDWARD MAYNE, Esq.,
to be a Justice of the Peace for the Territory of New Zealand.

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

Colonial Secretary's Office,
Auckland, August 9th, 1847.

HIS EXCELLENCY, Lieutenant Governor EYRE, has been pleased to appoint

WILLIAM GIBBORNE, Esq.,

to be his Private Secretary.

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

Colonial Secretary's Office,
Auckland, August 10, 1847.

HIS EXCELLENCY the Governor has been pleased to direct the publication of the following documents for general information.

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

EXTRACTS FROM DESPATCH No. 41.

Dated Downing-street, 10th February, 1847.

"The series of your despatches, which I enumerate in the margin, exhibit so clearly the injurious tendency of those measures, and the necessity of resorting to some prompt and effectual remedy, that I think it needless to enlarge on those topics. My immediate purpose is rather to satisfy to the utmost of my power, the demand which you make for the support and assistance of Her Majesty's Government, in arresting the progress of the danger which you anticipate from Governor Fitzroy's decision on this subject.

The steps taken by yourself with this view, appear to me to have been judicious. I approve of your determination to allow all claimants under the proclamations of the 26th March, and of the 10th October, 1844, or under the notice of the 7th December in the same year, to send in their claims within a prescribed period, on pain of the exclusion of them. I approve of your projected appointment of a commission to report

on every purchase, and your decision not to issue, except under very special circumstances, any grant to any such purchaser until you shall have received the further instructions of Her Majesty's Government."

"These measures, however judicious in themselves, are, as you have pointed out, quite inadequate to encounter an evil of such magnitude. The effectual remedy must be of a different character, and must be taken under the immediate authority of Her Majesty's Government.

On referring to the official correspondence, I find that Governor Fitzroy's first Proclamation, waiving the Crown's right of pre-emption, was dated on the 26th March, 1844. It formed one of a great body of enclosures in his despatch of 15th April in the same year. The effect of that Proclamation was to require the payment to the Crown of Ten Shillings in respect of every nine acres out of ten, of which the pre-emption should be so waived.

Six months later, that is, on the 10th October, 1844, Governor Fitzroy issued a second proclamation, reducing the payments to the Crown in those cases, from Ten Shillings to one Penny an acre. This last Proclamation was transmitted by the then Governor, on the 14th of the same month of October, 1844.

Lord Stanley's Despatch of the 30th November, 1844, though disapproving the first of these Proclamations, gave a distinct, but reluctant sanction to it. On the 27th June, 1845, his Lordship, in his Despatch of that date to yourself, directed you to recognise any sales which Governor Fitzroy might have sanctioned under his second proclamation. But his Lordship expressed his opinion, that it was a most impolitic arrangement, and earnestly impressed upon you the inexpediency of allowing such purchases for the future. On the 14th August, 1845, Lord Stanley recurred to the subject, and expressed his desire that the practice might be discontinued as soon as it could be safely done, and he explained that he had understood the first proclamation as limited to a particular district, which he proceeded to define, and he stated his earnest wish to revert to the original plan of prohibiting all direct purchases from the natives.

The result therefore seems to be that the first, or (as it has been called), the "Ten Shilling an acre" Proclamation, has been sanctioned by Her Majesty's Government, in reference to the particular district defined by Lord Stanley; that the "Penny an acre" proclamation (as it has been termed), has been sanctioned by Her Majesty's Government to this extent, viz.—that any sales which Governor Fitzroy might have sanctioned under it, were to be recognised. To whatever extent the faith of the Crown is thus pledged to the purchasers, it must be maintained inviolate, be the consequent inconvenience what it may. But, except to the extent to which any such pledge has been given, Her Majesty remains perfectly free to take such measures as the welfare of Her subjects in New Zealand requires.

In assuming the right to issue any such Proclamation, your predecessor was plainly exceeding his lawful authority. This must be perfectly obvious to any one who reads the Royal Charter, Commission and Instructions, which enacted and limited his powers. But though Captain Fitzroy thus exceeded his authority, in a manner which, even if, had there been no other reasons for doing so, would have rendered it indispensable that he should be removed from the government of New Zealand, to refuse now to acknowledge the Claims of individuals, founded upon acts done by him while he was in the exercise of the powers conferred upon him by

Her Majesty's Commission, would be inexpedient, since it might unjustly affect persons who have availed themselves of the Proclamation, in ignorance of the defective authority on which they rested, and, also because it might very injuriously impair the authority of those who exercise the power of the Crown in its distant colonial possessions, thus to establish the principle that their exceeding their authority, vitiated their acts, and that private individuals cannot safely regulate their conduct upon the principle that whatever a Governor may do under his Commission, is to be assumed to be lawfully and properly done, until the contrary is declared by superior authority. While therefore, on the ground of Captain Fitzroy's having disobeyed his instructions, and also on that of the manifest impolicy of the Proclamations of the 26th March, 1844, and of the 10th October, 1844, and of the Notice of the 7th December, 1844, waiving the Crown's right of pre-emption, the Queen is pleased to disallow and annul those acts, and each of them, Her Majesty is nevertheless farther pleased to declare that this order of disallowance shall not prejudice any acts which may have been done in strict pursuance of the Proclamation of the 26th March 1844, antecedently to your receipt of this Despatch, or any acts which may have been done in strict pursuance of, and under the authority of the Proclamation of 10th October, 1844, antecedently to the receipt by the Governor of New Zealand, of Lord Stanley's Despatch of the 27th June, 1845. It is Her Majesty's further pleasure that all such acts so done before such respective periods shall be as valid and effectual as if the Proclamations under which respectively such acts may have been done had been confirmed and allowed by Her Majesty.

Having thus reconciled the observance of the faith of the Crown, with the prospective abrogation of these unfortunate acts of your predecessor, it remains for me to observe that the claimants under these Proclamations have a title resting on no other ground but that of a strict and positive legal right, and that their titles have no support from justice, equity, or public policy.—To whatever extent they can clearly bring their cases within the true meaning of Governor Fitzroy's Proclamations to that extent their demands must be satisfied.

But it is not merely competent to you, but is your plain duty, to withhold any grant from the Crown, and any aid in any other form, from every purchaser under these Proclamations who shall not be able to prove in the strictest manner that he has completely and literally satisfied the requisitions of the Proclamations in every particular they contain.

You will, therefore, refer every such claim to the Attorney General for New Ulster, calling on him to report whether it is in exact conformity with the Proclamation under which it may be preferred. And you will make no Crown Grant to any such Claimant without the previous certificate from the Attorney General to that effect.

It will further be necessary that before any such Crown Grant be issued, the Attorney General should certify to you that the natives from whom the purchases may have been made were, according to the native laws and customs, the real and the sole owners of the land that they undertook to sell. It will be the business of parties claiming the benefit of such sales to produce such evidence as the Attorney General may consider to be required to enable him so to certify; and they must do this at their own charge without cost to the colonial Treasury. Finally, in

every grant which you may make in pursuance of these Proclamations, it must be expressly declared that Her Majesty enters into no guarantee or warranty of the title to the lands, save only so far as to engage that the grant shall be considered as barring the title of the Crown to such lands, and as transferring to the Grantee any right to the lands, which, at or previously to the date of the Grant, may have been vested in the Queen."

"You will give immediate publicity to Her Majesty's decision, and to the motives of it, as I have already explained them. I anticipate that the result will be that of the purchases made under Governor Fitzroy's Proclamations very few indeed will be sustained. I have no difficulty in avowing that it will be gratifying to me to learn that such is the result, for the whole transaction is one which it is impossible to contemplate without a lively regret that any persons should be benefited by it at the public expense, and an earnest desire to confine that benefit strictly within the limits which the Royal faith as pledged by Lord Stanley's despatches prescribes.

I am Sir, &c.

(Signed)

GREY.

To Governor Grey.

ATTORNEY GENERAL'S REPORT.

On the course to be pursued under the terms of Lord Grey's despatch on the subject of Claims to Land, under Governor Fitzroy's Proclamation; I have the honor to report, as follows:—

The result appears to be this. That Governor Fitzroy's Proclamations are declared to have been issued by him without authority, and to be null and void; but that the acts done under them are to be recognised so far as they were done in strict pursuance of them. That in order to entitle any claim (whether under the first or the second Proclamation,) to be entertained, two things must be proved. 1st. That Governor Fitzroy in waiving the right of pre-emption, did so, in manner, within the extent, and according to the terms of his own proclamation,—and 2ndly. That the claimant on his part, complied strictly with the requisitions of the Proclamation: in other words, that the proceedings were throughout "in strict pursuance of," and "under the authority of the Proclamation."

The Proclamations declared that the right of pre-emption would be waived over "*limited portions of land*," and in the notice of the 7th Dec., 1844, Governor Fitzroy declared that by the term "*limited portion*" was meant "*a few hundred acres*."

In cases where the right was waived over a greater quantity than a *few hundred acres*, the act not being in *strict pursuance* of the Proclamation, the claim would by a rigid construction of Lord Grey's despatch, be *out of Court*. But an interpretation more favourable to the claimant might I think, be adopted, without a violation of the fair spirit of the despatch, viz:—That the mere fact of the waiver being excessive, shall not invalidate the claim, but that if in other respects valid, the claimant may receive a grant not exceeding "*a few hundred acres*," (say 500 acres.)

In no case whatever, can the claimant, according to Lord Grey's despatch, receive an *absolute Crown Grant*, in the usual form, but simply a

deed, releasing in favour of the claimant, any right which the Crown may have in the land.

The course to be pursued in the investigation of a claim preferred under the Despatch would be this:—

1st. It would be examined in order to ascertain whether Governor Fitzroy's act in waiving the right was in "*strict pursuance*" of the Proclamation. If it should be found that the right had been waived over land reserved by the provisions of the Proclamation, or in any other manner at variance with the terms of the Proclamation, then, the claim would at once fall to the ground.

If it should be found to be correct, so far as Governor Fitzroy's acts were concerned, then the inquiry would be:—Has the claimant on his part complied strictly with the requisitions of the Proclamation? If it should be found that the claimant had purchased the land from the natives before obtaining the waiver of the right of pre-emption, or wilfully understated the quantity of land, &c., &c., then the claim must fall to the ground, by reason of the claimant having on his part failed to comply strictly with the requisitions of the Proclamation.

But assuming a claim to have passed the first two stages of the enquiry, then would arise the question of title. Was the land purchased from the true native owner, or owners, according to native law and custom? The necessary evidence on this point is to be produced at the expense of the claimant, and failing to be satisfactory, the claim would, after all the expense and delay incurred in the course of the investigation, fall to the ground.

But assuming the evidence to prove satisfactory, then the claimant would be entitled to receive a Deed releasing the Crown's right only; and in no case for a greater quantity of land than 500 acres; the remainder, if any, falling to the Crown, as part of the Royal demesne.

Apart from its small intrinsic value, such a title, differing so widely from the ordinary absolute Crown Grant, would always be looked upon with suspicion in the market. The claimant under it would be liable at any time within a certain number of years, to actions and claims by native claimants, and would frequently for the sake of quiet possession, have to buy off or satisfy, native claims which had not been considered, when the purchase was originally made.

W. SWAINSON,

Attorney-General.

August 7, 1847.

GOVERNOR'S MINUTE.

GENTLEMEN OF THE LEGISLATIVE COUNCIL,

I think it right to lose no time in making you acquainted with the nature of the instructions which I have received from Her Majesty's Government, relative to the mode in which the Claims to Land which have originated under the ten shilling an acre and penny an acre proclamations, are to be disposed of.

It will be seen from the annexed report of the Attorney-General, on the course which would have to be pursued under the terms of Lord Grey's despatch on the subject of claims to land which have arisen under my predecessor's proclamations, that by a rigid adherence to these instructions, a great number of the claimants might fail to make good their claims,—that they would all be subjected to much expense and delay, and would in all instances receive a title which would be comparatively worthless;—and, finally, the question would be almost as far as ever removed from a complete

settlement. In some cases also it might be said, that those claimants who have been carrying on their operations in reliance upon the terms of the local Ordinance relating to this subject, would suffer an injury which could not have been in the contemplation of Her Majesty's Government, as they were ignorant of the fact of the Ordinance having been passed.

I should also state that since the period when I applied to Her Majesty's Government for instructions as to the mode in which the claims which had originated under the ten shillings an acre and penny an acre proclamations, were to be disposed of—great changes have taken place in the circumstances of the Colony, of which changes Her Majesty's Government cannot even yet be fully informed.

The state of the Colony at the period to which I am alluding, in reference to the then existing land claims, and to those which were likely to arise, may be said to have been this:—

It was generally believed that the Governor of this Colony could legally waive the Crown's right of pre-emption, in favor of a particular individual, over any portion of land, whatever might be its extent. It was further believed that private individuals might, in defiance of the law, purchase or lease lands from the pretended native owners, without rendering themselves amenable to any punishment. At the same time, also, the usual right of pre-emption possessed by the Crown in all countries similarly circumstanced, had in New Zealand been actually abandoned. The Governor of the Colony had also formally declared to the Home Government, that the fear of insurrection which Europeans were concerned in exciting had forced him to take this step—and many of the best informed persons believed that this course having once been adopted, the Crown, from an apprehension of existing discontent amongst the native population, which might be augmented by designing Europeans, would never venture to attempt to resume this right. Relying upon these several circumstances, Europeans continued to make purchases and leases of land direct from the natives, and without any regard to the rights of the Crown or the interests of the public, trusting ultimately to force the Government to recognise the new claims which were being thus created. At the same time, claims to tracts of land of more than one hundred thousand acres in extent, had arisen, and Grants for these lands were demanded from the Government, in some instances, in a manner which clearly evinced a disposition to intimidate by threats, and not to ask for the concession of just rights. I should still add, that some individuals had purchased from the natives the tracts of land they claimed, by supplying them with fire-arms and ammunition, whilst the same natives were within a short period of time afterwards most prominent in their attacks upon British settlements. In fact, at the time of which I speak, a system was in existence which had given rise to land claims, to the extent of upwards of one hundred thousand acres, and under which new claims were daily arising, the limit of which it was impossible to foresee.

Now, the state of the country in reference to these land claims may be said to be as follows:—

A formal decision of the Supreme Court has been pronounced; declaring that the Governor of this Colony has no power to waive the Crown's right of pre-emption, and that he cannot legally do so.

There is, thus, no probability that such a step will ever again be taken by a Governor of New Zealand, nor will there be any inducement for persons to attempt to urge him to do so. As there would be no possibility of any such act upon his part being recognised, and they could establish no claims for consideration upon the ground of ignorance of his powers, these having been now ascertained, and declared in the most formal manner.

2ndly. The local Legislature has passed an enactment which imposes a fine of £100 upon any person who may attempt to purchase or lease lands from the natives, thus effectually preventing the growth of any future land claims.

3rdly. The Crown's right of pre-emption over the lands in this Colony has now been for several months actually resumed, and this resumption has in practice

been completely acquiesced in both by Europeans and Natives.

4thly. The sale of arms and ammunition, and the manufacture and repair of arms, have been prohibited by law.

5thly. By the Government notice of the 15th June, 1846, the exact extent of the existing claims has been ascertained and defined.

6thly. The illegality, impolicy, and injustice of all the proceedings connected with these claims, have been fully recognised by the Home Government.

I think therefore that all the most material duties of a Government in reference to these claims, may now be said to have been fulfilled. An illegal system was in operation, which had already produced great evils, for both races inhabiting this country, and which might have increased these evils to an extent, the limits of which no one could foresee. The Government have now reverted to the law, and have enforced it, and they have taken measures which have completely checked the evil which existed, and have defined precise limits beyond which it cannot spread, they have farther taken precautions, which in as far as human foresight can extend, appear to remove all possibility of the recurrence of such evils for the future.

The only remaining duty of the Government is to apply such a remedy to the evil which was formerly created, as may most speedily restore the country to a healthy state.

For the reasons stated in this minute, I feel justified in doing that upon a somewhat broader basis, than is prescribed by my instructions; and as the evil is one, which until it is adjusted, will certainly retard the prosperity of this portion of New Zealand, and I am sincerely desirous of making this adjustment in the most liberal spirit, I trust the Government will find in all parties a desire to facilitate by all means in their power, so desirable a measure.

I must confess, however, to the Council, that I have for many reasons, experienced great difficulty in arriving at this determination, for I cannot but remark, that Her Majesty's Government have recorded it as their opinion, that many of the claims which are about to be adjusted, are unsupported by equity, justice, or public policy, an opinion to which the knowledge I have acquired of them, compels me to give the fullest assent. On the other hand, however, I must admit that the claims of the bona fide and industrious settler, require, under all the circumstances of the case, a most indulgent consideration from the Government, and that this may be afforded to them, I am prepared to adopt a plan, which, whilst it will secure to the real settler the greatest possible facilities, will extend to all the land claimants far greater advantages than they would be entitled to under the instructions I have received.

The regulations the Government intend to adopt are as follows:—

The choice of any one of three modes of proceeding will be left open to all the claimants.

1stly.—Either to avail themselves of the provisions of the instructions from Her Majesty's Government which I have now laid upon the table;

Or 2ndly.—To avail themselves of the provisions of the Local Ordinance, (No. 22. Seas. 7.) "to authorize compensation in Colonial Debentures to be made to certain claimants to land in the Colony of New Zealand."

Or 3rdly.—To avail themselves of the following regulations which the Government are prepared to adopt.

The Government will issue at once to all claimants under the Ten Shillings an acre Proclamation, (who complied strictly with the terms of the Government notice of the 15th June, 1846, and whose claims have already been investigated, or may hereafter be investigated, by the Commissioner, and favourably reported upon by him,—Absolute crown grants in the usual form, on their paying within one month from the date of the report of the Commissioner, the remainder of the fees due. The Grants to include the reserved tenths, (at One Pound an acre), in cases where the whole quantity granted does not exceed 200 acres.

The same rule will be extended to the Penny an acre claimants for blocks not exceeding five hundred acres, (whether the land may be cultivated or not), whose claims have been, or may hereafter be favorably reported on by the Commissioner, on their paying Five Shillings an acre, within the same period of time.

The same Grant and a Title upon the same terms, will be issued to all the Penny an acre claimants, in whose favor the Crown's right of pre-emption may have been waived over more than five hundred acres of land. But in these cases, the quantity of land granted (on which alone the fee will be demandable), will never exceed five hundred acres, and any title which the claimant may have acquired, over the remaining portion of the claim, will remain in the Crown; but the Government will not undertake to extend this last rule to a distance from the town of Auckland exceeding twenty miles.

It must also be distinctly understood that the Government will in no case extend the rules relating to the Penny an acre claims, to those cases, in which there is any probability of the title to the land being justly disputed by adverse native claimants.

The fee of Five Shillings an acre demanded upon claims of this character, are intended to cover the expenses of the Commissioner's court, the Government surveys, and to satisfy any native claimant, who may afterwards appear, the Government by giving an absolute title taking upon itself to make the title good.

I should further state to the Council one important modification which will, whenever necessary be made in these regulations, and the reasons upon which it is grounded.

The Governors of all British possessions, previously to permitting lands to be offered for sale, are required to cause them to be examined by the Surveyor General, in order that such lands as are required for public purposes, especially as the sites of villages, and towns, &c., may be reserved for public purposes. In the instance of the claims which have arisen in this colony, no such examination was previously made by the Surveyor General, nor was the country mapped, or the boundaries of the claims definitely assigned, or their position in reference to each other defined. It will therefore not be in the power of the Government to give grants to any of the claimants for those lands which may be indispensably required for public purposes, and in all grants which may be issued, the Government will reserve to itself the right of marking out and taking possession of the land required for present or future public roads through such grants, at any time within twelve months from the date of the grant, without making any compensation to the proprietors.

In those cases, however, in which lands claimed under my predecessor's proclamations, are retained by the Government for sites of Towns or Villages, any expenses which the claimants may have been justly put to, shall be returned to them, and some compensation in the form of land in the Village or Town shall be made to them.

The Council will also perceive that the Government, by the means which have been taken to have accurate surveys of these claims made, and their boundaries clearly defined, in the manner in which they will appear in the Grants, have in as far as possible removed all grounds of future dispute and litigation between the respective claimants.

It only remains for me to repeat, that I have adopted the arrangements I have detailed to the Council, from a most sincere desire to terminate speedily and satisfactorily, the almost inextricable mass of difficulties which have arisen with respect to these claims—and at the same time from a cordial wish to promote to the utmost, the interests of the really industrious settler, with whom I always warmly sympathise; I trust, therefore, that the Council will lend me any aid in their power for the purpose of promoting the speedy completion of the proposed objects.

G. GREY.

Council Chamber,
Auckland, August 7th, 1847.

LIST OF CLAIMS REPORTED ON BY THE COMMISSIONER, AND THE TITLE DEEDS FOR WHICH ARE NOW IN COURSE OF PREPARATION.

No. of Pre-emption Certificate	No. of Acres waived over.			Names of Claimants.	Recent Government Survey.		
	A.	R.	P.		A.	R.	P.
No. 1 (10s.)	50	0	0	C. H. Moffitt	31	1	27
" 3 (10s.)	5	0	0	W. C. Hayes	3	0	0
" 12 (10s.)	16	0	0	William Turner	32	3	0
" 32 (10s.)	16	1	19	"			
" 17 (10s.)	6	0	0	Jean Barr and John Finlay	7	2	20
" 45 (10s.)	50	2	24	William Potter	50	2	24
" 13 (10s.)	6	0	0	Robert Austin	9	1	20
" 170 (10s.)	2	1	10	"			
" 28 (10s.)	9	0	0	Thos. Somerville	9	1	16
" 5 (10s.)	40	0	0	James Dilworth	170	2	4
" 36 (10s.)	107	0	26	"			
" 37 (10s.)	12	0	14	"			
" 46 (10s.)	11	0	0	"			
	170	1	0				
" 10 (10s.)	40	0	0	George Graham	82	2	0
" 27 (10s.)	33	0	0	"			
" 54 (10s.)	8	0	0	"			
	81	0	0				
" 20 (10s.)	4	0	0	James Wilcox	4	0	0
" 6 (10s.)	8	0	0	James Rutherford	3	1	20
" 15 (10s.)	3	3	37	Philip Kunst	4	0	10
" 8 (10s.)	5	0	6	acres. Joseph Young	4	1	14
" 31 (10s.)	6	0	12	James Gamble	5	2	35
" 108 (10s.)	8	2	0	Henry Hayr	10	2	20
" 219 (1d.)	3	0	0	"			
" 64 (1d.)	62	0	0	Joseph May	62	0	0
" 95 (1d.)	20	0	0	Daniel Lynch	16	2	16
" 194 (1d.)	8	0	0	Geo. May, pchd.	25	0	0
" 234 (1d.)	16	3	2	from John Scott			
" 59 (1d.)	48	2	0	Thomas Shepherd	49	0	16
" 23 (10s.)	4	0	0	Hugh Lang	3	3	33
" 130 (1d.)	40	0	0	Henry McCann	40	3	31
" 30 (10s.)	8	0	0	Samuel A. Wood	8	0	0
" 30 (10s.)	50	0	0	James Mages	50	3	25
" 201 (1d.)	34	3	20	"	34	0	20
" 239 (1d.)	8	2	0	Robert Forbes	9	3	30
" 60 (1d.)	30	0	0	G. O. Ormsby	117	2	0
" 9 (10s.)	50	0	0	George Hart	78	0	16
" 35 (10s.)	28	0	0	"			
" 34 (10s.)	9	0	0	"			
" 11 (10s.)	50	0	0	"	56	0	20
	137	0	0				
" 14 (10s.)	50	0	0	Edward Other	64	1	0
" 40 (10s.)	37	3	28	Charles Robinson	38	2	0

Land Commissioner's Office,
Auckland, 9th August, 1847.

I, HENRY MATSON, a Commissioner appointed for examining and reporting on all Claims to Compensation preferred according to the provisions of an Ordinance, Session 7, No. 22, intituled "An Ordinance to authorise Compensation in Colonial Debentures to be made to certain Claimants to Land in the Colony of New Zealand," do hereby notify, that I will investigate the undermentioned Claims at the Council Chamber, on Monday, the 30th day of August, 1847, at ten o'clock in the forenoon.

The Cases will be heard in the order in which they stand in the following List, and all parties interested, are hereby summoned to be in attendance with their documents and witnesses.

HENRY MATSON,
Commissioner

Case No. 33—Pre-emption Certificate, No. 87
—WILLIAM GEORGE GODDARD, of Auckland, settler.

44a. 1r. 30., Forty-four acres, one rood, and thirty perches, situated near One Tree Hill, bounded on the north by land belonging to the Natives, on the east by land belonging to the Natives, on the south by land belonging to Patrick London, and on the west by land belonging to Thomas Henry.

Alleged to have been purchased from the native chief, Davis.

Consideration—£8. 10s.

Case No. 34—Pre-emption Certificate, No. 220—C. H. MORFITT, of Auckland, Dentist.

400 a., Four hundred acres, situated near One Tree Hill, adjoining the lands purchased by Messrs. Cretnay and Henry, and taking in a portion of the Tamaki Lake.

Alleged to have been purchased from the native chiefs Paora, Tamati Waka, Ratapu, Hoterene.

Consideration—£30, in cash, 1 double barrelled gun, 1 rifle and case, 2 boxes percussion caps, bag of balls and flask, 1 pair trousers, 1 waistcoat.

Case No. 35—Pre-emption Certificate, No. 182—BENJAMIN SMITH, of Epsom, settler.

55 a., Fifty five acres, situated at Onehunga, near Mount Smart, adjoining Mr. Deane's farm.

Alleged to have been purchased from the native chiefs Kawau, Te Hira, Keene and Matua.

Consideration—One Pound per acre.

SUPREME COURT.

NOTICE is hereby given, that a sitting of the Supreme Court, for the despatch of Civil Business, will be holden at the Court House, Auckland, on Wednesday, the first day of September, 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 Tuesday the seventh day of September next, at the hour of Ten o'clock in the forenoon,—at which times and place all Persons under recognizances to appear either as Prosecutors, Defendants, or Witnesses, are required to give their attendance.

THOMAS OUTHWAITE,

Registrar.

Supreme Court Office,
Auckland, July 29, 1847.

Auckland:—Printed by J. WILLIAMSON, for the
New Zealand Government.