



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, and are to be obeyed accordingly.

By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary.

VOL II.] AUCKLAND, SATURDAY, MARCH 4, 1854. [No. 5.

PROCLAMATION.

By His Excellency Lieutenant-Colonel ROBERT HENRY WYNYARD, Companion of the Most Honourable Order of the Bath, the Officer Administering the Government of the Islands of New Zealand, &c., &c., &c.

WHEREAS, by an Act made and enacted in the Parliament holden in the fifteenth and sixteenth years of the reign of her Majesty Queen Victoria, intituled "An Act to grant a Representative Constitution to the colony of New Zealand," it is amongst other things enacted that whenever any Bill shall have been assented to by the Superintendent as in the said recited Act provided, the Superintendent shall forthwith transmit to the Governor an authentic copy thereof, and it shall be lawful for the Governor at any time within three months after any such Bill shall have been received by him to declare by Proclamation his disallowance of such Bill, and that any such disallowance shall make void and annul the same, from and after the day of the date of such Proclamation or any subsequent day to be named therein.

And whereas an Ordinance hath been enacted by the Superintendent of the Province of New Plymouth, with the advice and

consent of the Provincial Council thereof, intituled "An Ordinance to authorize the raising of a loan for the purchase of Native Lands within the Province of New Plymouth," Session 1, No. 4, and the said Ordinance was received by me on the eighteenth day of February, 1854.

And whereas it is expedient that the said recited Ordinance should be disallowed; Now therefore, I, the Officer administering the Government of New Zealand in pursuance of the authority vested in me in that behalf by the said recited Act of Parliament, do hereby proclaim and declare my disallowance of the said recited Ordinance.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand at Auckland, in the Islands aforesaid in the seventeenth year of the reign of Her Majesty Queen Victoria, and on the twenty-second day of February, in the year of our Lord, one thousand eight hundred and fifty-four.

R. H. WYNYARD,

The Officer administering the Government of the Islands of New Zealand.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

GOD SAVE THE QUEEN!

Colonial Secretary's Office, Auckland,
16th February, 1854.

HIS Excellency the Officer Administering the Government, has been pleased to direct that the following Proclamation issued by the Lieutenant-Governor of New Brunswick, under the 85th clause of the Passengers Act of 1852, should be published for general information.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

A PROCLAMATION.

By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c., &c., &c.

WHEREAS by an Act of the Imperial Parliament made and passed in the 15th and 16th years of the Reign of Her present Majesty, entitled "An Act to amend and consolidate the Laws relating to the carriage of Passengers by Sea," it is provided that it shall be lawful for the Governor of any of Her Majesty's Possessions abroad, by any Proclamation to be by him issued for that purpose, to declare what shall be deemed for the purposes of the said Act, the length of the Voyage of any ship carrying Passengers from such Possessions to any other place whatsoever; and also what articles of Food and Provisions may be substituted for those named in the said Act, and what Medicines, Medical Instruments, and other matters shall be deemed necessary for the medical treatment of the Passengers during such Voyage.

Now, therefore, under the power and authority in me vested by the said Act of Parliament, I do hereby proclaim and declare that the length of the Voyage of a "Passenger Ship" proceeding from this Province to the undermentioned places, shall be determined by the following scale, that is to say:—

If the Ship be propelled by Sails alone—

To Western Australia, . . . 120 days.

To any other of the Australian Colonies, . . . 140 "

To the Western Coast of America, north of the Equator, and the Islands adjacent thereto 180 "

If the Ship be propelled wholly by Steam Engines of not less power than after the rate of twenty horses to every one hundred registered tons, or by such Steam Engines in aid of Sails—

To Western Australia, . . . 85 days.

To any other of the Australian Colonies . . . 90 "

To the Western Coast of North America, north of the Equator, and the Islands adjacent thereto, . . . 90 "

And I do hereby further proclaim and declare, that the supply of Medicines, medical

Instruments, and other matters necessary for the medical treatment of the Passengers during the said several Voyages, shall be regulated in accordance with the Fortieth Section of the said act, and shall be provided pursuant thereto in every respect.

Given under my hand and Seal, at Fredericton, the first day of June, in the year of our Lord one thousand eight hundred and fifty three, and in the sixteenth year of Her Majesty's Reign.

EDMUND HEAD.

By His Excellency's command,

J. P. PARTELOW.

Colonial Secretary's Office, Auckland,
24th February, 1854.

HIS Excellency the Officer administering the Government has been pleased to direct the publication of the following amended and additional Bye-Laws for the Hundred of Auckland, which have received His Excellency's assent, and which will come into operation on the 5th of April, 1854, according to the provision of the Crown Lands Ordinance.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

AMENDMENT OF BYE-LAWS OF AUCKLAND HUNDRED.

Bye-Law No. 2.

That each and every person who shall depasture cattle on such waste lands shall be assessed, and is and are hereby assessed, for each and every head of great cattle the sum of sixpence per quarter, and for each and every head of sheep the sum of threepence per quarter, payable quarterly in advance, and that cattle for any portion of time within any quarter shall be chargeable and paid for as if running the entire quarter.

Bye-Law No. 3.

That the assessment hereby made shall be paid to the Wardens of the said Hundred quarterly in advance, at their Office, the first day of every quarter, commencing in January.

New Bye-Law 15.

That any person driving licensed cattle from off the Waste Lands of the Hundred, in order to facilitate the driving of other cattle from the run or otherwise, shall be fined the sum of One Pound for each and every head so driven off, unless notice be left in writing at the Warden's Office, within 12 hours from the time of such driving stating at what place such cattle had been separated or left, for the guidance of their owners.

Wardens' Office, Auckland Hundred,
17th February, 1854.

A TRUE and PERFECT SCHEDULE of all UNCLAIMED BALANCES of DECEASED PERSONS' ESTATES, administered by THOMAS OUTHWAITE, Esquire, Registrar of the Supreme Court of New Zealand, as Official Administrator, and paid into the Treasury of the Colony of New Zealand, from the first day of October to the 31st day of December, 1853.

Names of Intestates.	Colonial Residence.	Supposed British Residence of Family.	Money Received.	Payments made.	Balance in the hands of the Registrar.	Balance in Treasury.	Remarks.
Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.

I, Thomas Outhwaite, Registrar of the Supreme Court of New Zealand, do solemnly and sincerely declare that the above is a true and faithful Return of all Unclaimed Balances belonging to Deceased Persons' Estates administered and paid by me into the Treasury of the Northern District and Colony of New Zealand, from the first day of October, 1853. Made and declared at Auckland this 20th day of January, 1854, before me

WM. MARTIN, C.J.

I certify that the above Return corresponds with the amounts rendered for the period in question.

A. SHEPHERD, Colonial Treasurer.

Colonial Secretary's Office, Auckland,
20th February, 1854.

NOTICE is hereby given that His Excellency the Officer administering the Government has been pleased to appoint the Ports of KAIPARA and KAWHIA, in the Province of Auckland, to be Ports of Entry for the Colony.

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

Colonial Secretary's Office, Auckland,
22nd February, 1854.

HIS Excellency the Officer administering the Government has been pleased to appoint

CHARLES HEAPHY, Esquire,
to be District Surveyor for the District of Mahurangi.

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

Colonial Secretary's Office, Auckland,
26th February, 1854.

HIS Excellency the Officer Administering the Government has been pleased to direct that the following Despatches from Her Majesty's Secretary of State for the Colonies should be published for general information.

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

Downing-street,
10th October, 1853.

SIR,—I transmit to you the copy of a letter and its enclosures, received from the Board of Trade, by which you will perceive that the Lords of the Committee of Privy Council for Trade have, with the concurrence of the Lords Commissioners of the Admiralty, resolved to discontinue, forthwith, the practice of Registration by Tickets of British Merchant Seamen, as required by the 53rd and 56th Sections of the Act 7 and 8 Vic, cap 112. You will observe, however, that their Lordships are anxious that the records of the Merchant Seamen of the country should continue to be kept accurately, notwithstanding the discontinuance of this practice; and in pursuance of their wishes on the subject, I have to instruct you to call the attention of the Officers of Customs in the Colony under your Government, to the provisions contained in the 75th Section of the Act 13 and 14 Vic. cap. 93.

I have, &c.,
(Signed) NEWCASTLE.
Governor Sir George Grey, K.C.B.,
&c., &c., &c.

Office of Committee of Privy Council for Trade,
23rd September, 1853.

SIR,—I am directed by the Lords of the Committee of Privy Council for Trade to inclose, for

the information of the Duke of Newcastle, copy of correspondence between this Board and the Admiralty on the subject of the system of Register Tickets for British Seamen, established by the Act 7 and 8 Vict., cap. 112, from which it will be seen that my Lords have, with the concurrence of the Admiralty, determined to exercise the powers given to them by the Act 13 & 14 Vict., cap. 93, sect. 32, and to dispense with the observance of so much of the Act 7 & 8 Vict., cap. 112, as relates to the Register Tickets in question from the 1st October next.

I am, therefore, to request you to move the Duke of Newcastle to give such instructions as may be necessary, in order to inform the Officers of Customs in the Colonies of this determination, so that they may not after the date above mentioned, or at the time at which the instructions on the subject may reach them, require the production of the Register Tickets of Seamen under the 53rd and 56th Sections of the Act 7 & 8 Vict., cap. 112, or take any other steps founded on the continuance of the system.

As it is important that the records of the Merchant Seamen of the country should be kept accurately, notwithstanding the discontinuance of Registration by Tickets, I am to request that the attention of the Colonial Officers of Customs may be called to the 75th Section of the Act 13 & 14 Vict., cap. 93, by which it is provided that if any Seaman on or before being engaged, makes a false statement of the name of his last ship or last alleged ship, or of his own name, he shall forfeit out of his wages a sum not exceeding Five Pounds, and that the Officers in question, may be instructed, when superintending engagements of Seamen, to call the attention of any man whom they have reason to suspect of making such false statement, to the penalty he incurs by so doing.

I am, &c.,
(Signed) T. H. FARRER,
Assistant Secretary.

H. Merivale, Esq.,
&c., &c., &c.,
Colonial Office.

(Copy.)

Office of Committee of
Privy Council for Trade,
12th September, 1853.

SIR,—I am directed by the Lords of the Committee of Privy Council for Trade, to request you to call the attention of the Lords Commissioners of the Admiralty to the system of Registering Seamen by means of Tickets, under the Act 7 & 8 Victoria, cap. 112, and to the subsequent Act 13 & 14 Victoria, cap. 93, sect. 32, by which power is given to the Board of Trade, with the concurrence of the Admiralty, to abolish this system.

This power my Lords are now desirous to exercise, if the Admiralty are prepared to give their concurrence.

Among the various objects which were contemplated when the system was established, one of the most important was, no doubt, to assist in procuring men for the Royal Navy, by affording means of identifying and tracing the seamen engaged in the Merchant Service. Other objects which it has also been intended to answer, are to be found in the facilities it gives for tracing seamen's services, in order to prove their claims on the Merchant Seamen's Fund, for keeping a record of character and conduct, and for checking desertion.

It is obvious that every one of these objects must fail, unless the system can be thoroughly and stringently carried into effect, and that if seamen can under any pretence serve without

Register Tickets, or if they have lost them, can procure other tickets without being identified and traced, the system is, in the proportion in which such practices prevail, rendered valueless. There is good reason to believe that such practices have hitherto prevailed to a very considerable extent, and it is also clear in my Lords' opinion, that no measures of stringency which could be adopted, would effectually check them, even were the law as to the manning of Merchant ships to remain in its present condition. But the change in this law effected by the recent Act 16 and 17 Vict., cap. 131, sect. 31, under which a British shipowner may, from the 1st October next, employ any number of Foreigners, materially increases the difficulty of carrying into effect the law concerning Register Tickets. As every Master of a British ship has hitherto been required to employ none but British seamen in the Coasting Trade, and to have a proportion of three-fourths of his crew British seamen in the Foreign Trade; and as he could not engage any British seaman without first procuring from him his Register Ticket, it follows that British seamen could rarely obtain employment in British ships without producing their tickets. But, as the law will stand from the 1st October, a seaman who has lost, or does not choose to produce his Ticket, will merely have to state that he is a Foreigner, and the Master, no longer limited to British subjects, will be at liberty to accept him without requiring it, and will generally have no motive to require it. There is reason to believe that at present the penalties to which British seamen are subjected for the non-production of the Register Ticket not unfrequently induce them to pass as Americans, and it is manifest that this tendency will increase when the change above referred to shall have taken place.

My Lords have laid great stress on this point, as it is the one which will principally engage the attention of the Lords Commissioners of the Admiralty, but they desire me to add that, as regards the welfare and character of the seamen, and of their employers, and the commercial interests of the country, they do not hesitate to express their strong opinion that there are no objects attained by this system which may not equally well be attained by other and better means, and that it is, on the other hand, a constant source of annoyance to the seamen, and consequently proves a frequent cause of falsehood and immorality, as well as an inducement to seek employment under a Foreign Flag.

In conclusion, I am to point out, that if a change is to be made, the time at which the Act above referred to comes into operation, viz., the 1st October next, will be the most convenient time at which to make it, and I am to request that the Lords Commissioners of the Admiralty will favour my Lords with their reply to this communication at their earliest convenience.

I am, &c.,
(Signed) J. EMERSON TENNENT.

The Secretary to the Admiralty.

(Copy.)

Admiralty,
15th September, 1853.

SIR,—With reference to your letter of the 12th instant, calling the attention of my Lords Commissioners of the Admiralty to the system of registering seamen by means of tickets under the Act 7 and 8 Vict., cap. 112, and to the subsequent Act of 13 and 14 Vict., cap. 93, sect. 32, by which power is given to the Board of Trade, with the concurrence of the Board of Admiralty, to abolish this system, and stating that the Lords of the Committee of Privy Council for Trade are now desirous to exercise this power, if this Board is

prepared to give its concurrence, my Lords command me to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that the abolition of the Manning Clauses of the Merchant Seamen's Act renders it expedient, in the opinion of my Lords, that the production of Register Tickets should no longer be required of British seamen, and they therefore entirely concur in the proposition of the Board of Trade, and in the desirableness of the change taking place on the 1st of October next, and I am further commanded to request, that at the earliest convenience of the Lords of the Committee of Privy Council for Trade, and when the Register Ticket shall have been abolished, their Lordships would state to the Board of Admiralty whether they or the Registrar of Seamen have any proposition to make or anything to suggest as a substitute for the Registry Ticket.

I am, &c.,
(Signed) W. A. B. HAMILTON,
Sir J. Emerson Tennent, Bart.,
&c., &c., &c.
Board of Trade.

CIRCULAR, Downing-street,
21st October, 1853.

SIR,—

I transmit to you, for your information and guidance, the copy of a letter from the Secretary to the Lords of the Committee of Privy Council for Trade, desiring that certain penalties, Fines, and Forfeitures which have hitherto been payable to that Department, may, in future, be accounted for and paid to Mr. John Wilkin, of No. 10, Spring Gardens, who holds the appointment of Receiver of Fines and Forfeitures for the Crown.

I have, &c.
(Signed) NEWCASTLE.
Governor Sir George Grey, K.C.B.,
&c., &c., &c.

Office of Committee of Privy Council for Trade,
6th October, 1853.

SIR,—I am directed by the Lords of the Committee of Privy Council for Trade to request you to call the attention of the Secretary of State for the Colonies to the 26th Section of the Act, 15th and 16th Vict., cap. 131, according to which certain Penalties, Fines, and Forfeitures heretofore payable to the Board of Trade under the Acts 13th and 14th Vict., cap. 93., 14th and 15th Vict., cap. 96., 14th and 15th Vict. cap. 79., and 14th and 15th Vict., cap. 102, are, from the 1st instant, to be paid into the Exchequer, in such manner as the Commissioners of Her Majesty's Treasury may direct. In pursuance of this Enactment, my Lords have communicated with the Lords Commissioners, who have informed them that the most convenient plan will be, that the Penalties, Fines, and Forfeitures in question should be accounted for, and paid to Mr. John Wilkin, of No. 10, Spring Gardens, who holds the appointment of Receiver of Fines and Forfeitures for the Crown, to be by him paid into the Exchequer periodically with other Fines.

I am, therefore, to request you to move the Duke of Newcastle to take such steps as may be necessary, in order to instruct the authorities in the British Colonies to remit the Penalties, Fines, and Forfeitures imposed there under the Acts above referred to, to Mr. Wilkin, in accordance with the instructions of the Treasury.

I am to add, that the Penalties, &c., referred to in Section 26, of 16th and 17th Vict., cap. 131, include Penalties and Forfeitures under 7th and 8th Vict., cap. 112,

and 8th and 9th Vict., cap. 116, as these Penalties, &c., have hitherto, under 13th and 14th Vict., cap. 93., sect. 111, been payable to the Board of Trade.

I have, &c.,
(Signed) JAMES BOOTH,
H. Merivale, Esq.,
&c., &c., &c.
Colonial Office.

Colonial Secretary's Office, Auckland,
10th February, 1854.

HIS Excellency the Officer Administering the Government, has directed that the following Returns should be published for general information.

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

RETURN of BIRTHS, DEATHS, and MARRIAGES, (so far as ascertained,) in the District and Province of Auckland, for the Quarter ending the 31st of December, 1853.

BIRTHS,	
(Being the number registered at the office of the Deputy Registrar in Auckland.)	
Males	40
Females	42
Total.....	82

DEATHS,
(Being the number registered at the same office. 35, viz.,—twenty Males, and fifteen Females.

Of these there were,	
Under 2 years of age	13
From 2 to 5	9
From 5 to 20	4
From 20 to 30	none
From 30 to 40	2
From 40 to 50	2
From 50 to 60	4
From 60 to 70	none
From 70 to 80	1
	35

The following were the reported Causes of Death:—

Cancer in face	1
Consumption	1
Convulsions	3
Croup	2
Delirium Tremens	2
Disease of the Bladder	1
Dropsy	1
General breaking up of Constitution	1
General Debility	3
Hooping Cough	12
Inflammation of Throat	1
Influenza	1
Paralysis	1
Scrofulous Disease	1
Water on the Brain	2
Worms	2

MARRIAGES.	
In the City of Auckland ..	9
In other parts of the District, so far as Returns have been received	7
Total	16

JOHN B. BENNETT,
Registrar General,
Registrar General's Office,
Chapel-street, Auckland, Feb. 22, 1854.

In the Supreme Court of New Zealand.

A TRUE and PERFECT SCHEDULE of all ESTATES of DECEASED INTESTATES placed under the charge of ROBERT ROGER STRANG, Esquire, Registrar of the Supreme Court of New Zealand, at Wellington, and Receiver of Intestate Estates at Wellington, in the Southern District of New Zealand.

Printed and Published by WILLIAMSON & WILSON, for the New Zealand Government.

Names of Intestates.	Colonial Residence.	Supposed British Residence of Family:	Money Received.	Payments Made.	Money paid into the hands of Treasurer.	Money in hands of Colonial Treasurer.	Money in hands of Receiver.	Money in hands of Sub-Treasurer, Otago.	Date of Order to Administer.	Date on which Account was closed.	Remarks
Thomas Ellison	Coalheaver.	Unknown.	23 8 6	23 8 6	0 0 0	£ s. d. 0 0 0	£ s. d. 0 0 0	£ s. d. 0 0 0	8th July, 1843		A claim for land pending.
Archibald Milne....	Wellington.	Scotland.	7 0 1	5 14 6	0 0 0	1 5 7	0 0 0	0 0 0	8th July, 1843	Nov. 7, 1854	
Henry Martineau ..	do.	Norwich.	0 16 6	0 11 2	0 0 0	0 0 0	0 5 4	0 0 0	4th Jan., 1844	Aug. 23, 1846	
Harold J. McLeod...	do.	Scotland.	14 6 0	8 15 2	0 0 0	2 13 1	2 17 9	0 0 0	19th Nov., 1846		
George Smith	Wanganui.	England.	25 16 4	4 0 2	0 0 0	21 16 2	0 0 0	0 0 0	23rd Oct., 1847	Aug. 23, 1849	
Andrew Rowand ..	Otago.	Paisley.	130 8 4	4 10 8	0 0 0	123 6 0	2 11 8	0 0 0	18th Nov., 1848		
William Gulley	Nelson.	Birmingham.	3 1 7	2 16 3	0 0 0	0 0 0	0 5 4	0 0 0	11th April, 1845	Feb. 21, 1846	
Alexander Perry....	do.	Glasgow.	1933 18 3	1781 6 8	0 0 0	0 0 0	152 11 7	0 0 0	28th June, 1847		No further dividend has been paid to the creditors during this quarter.
John Branks	Wellington.	Lanarkshire.	58 15 7½	37 0 10	0 0 0	14 14 8	7 0 1½	0 0 0	26th May, 1849		
Edward J. Abbott ..	Otago.	London.	84 5 3	51 9 6	0 0 0	0 0 0	13 2 1½	19 13 7½	12th Dec., 1849	Sept. 15, 1851	
John Ellis	Wellington.	do.	17 15 11	2 18 6	0 0 0	14 17 5	0 0 0	0 0 0	3rd June, 1850		
Andrew Wylie	Otago.	Orkney Isles.	67 10 6	38 5 6	0 0 0	0 0 0	29 5 0	0 0 0	10th Jan., 1850		
Robert Fairweather .	Wellington.	Scotland.	57 6 6	46 13 6	0 0 0	0 0 0	10 3 0	0 0 0	14th April, 1852		
William Brown	do.	Formerly of New South Wales.	15 2 6	3 2 0	0 0 0	0 0 0	12 0 6	0 0 0	14th July, 1852		
Samuel Shelly.....	do.	Staffordshire.	347 5 11	326 9 5	0 0 0	0 0 0	20 16 6	0 0 0	18th Sept., 1847		A dividend of 14s. 6d. in the pound has been paid to the creditors.
Thomas Craven	do.	England.	6 18 0	3 4 0	0 0 0	0 0 0	3 14 0	0 0 0	21st Feb., 1853		
Joseph Toms	Q. Charlotte's Sound	Weymouth.	253 5 0	21 16 9	0 0 0	218 10 0	12 18 3	0 0 0	10th Dec., 1852		
George Perkins	Wellington.	Somersetshire.	31 3 6	11 9 8	0 0 0	0 0 0	19 13 10	0 0 0	21st Feb., 1853		
Adam Waddell	Turakinoe.	Glasgow.	7 6 0	8 4 6	0 0 0	0 0 0	0 0 0	0 0 0	7th March, 1853		

I, ROBERT ROGER STRANG, Registrar of the Supreme Court of New Zealand, and Receiver of Intestate Estates at Wellington, do solemnly and sincerely declare that the foregoing is a true and faithful account of all moneys belonging to Intestate Estates received and paid by me, and of all Balances paid by me into the hands of the Colonial Treasurer at Wellington, from the 1st July to the 30th September, 1853, both days inclusive.

ROBERT R. STRANG.

Made and declared before me, SIDNEY STEPHEN, Esquire, a Judge of the Supreme Court of New Zealand, at Wellington, this tenth day of November, 1853.

SIDNEY STEPHEN, Judge.

I certify that the several amounts stated by the Return to have been paid to the Colonial Treasurer and to remain in his hands are correct.

HENRY W. PETRE, Colonial Treasurer.