



# 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, TUESDAY, OCT. 24, 1854. [No. 33.

## PROCLAMATION.

By His Honour ROBERT HENRY WYNYARD, Companion of the most Honourable Order of the Bath, Superintendent of the Province of Auckland.

WHEREAS by an Act made and passed in the Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted that it shall be lawful for the Superintendent, by proclamation in the 'Government Gazette,' to fix such place or places within the limits of the Province, and such times for holding the first and every other Session of the Provincial Council as he may think fit.

Now, therefore, pursuant to the authority in me vested in that behalf, I, the Superintendent of the Province of Auckland, do hereby proclaim and declare that the Second Session of the Provincial Council shall be holden at Auckland, and shall commence on Wednesday the 25th day of October, now next ensuing, and the Members of the said Council are hereby warned to give their attendance at the said time and place accordingly.

Given under my hand at Auckland this twenty-eighth day of September, in the year of our Lord one thousand eight hundred and fifty-four.

R. H. WYNYARD,  
Superintendent.

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

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

JOHN B. BENNETT, Esq.,  
to be Registrar-General for New Zealand, and Registrar for the district of Auckland, under the Marriage Act, 18th Victoria.

By His Excellency's command,

ANDREW SINCLAIR,  
Colonial Secretary.

Colonial Secretary's Office, Auckland,  
14th October, 1854.

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

LIEUTENANT GEORGE WYNYARD,  
of Her Majesty's 58th Regiment, to be his Aide-de-camp, vice-Lieutenant Gladwyn J. H. Wynyard resigned.

By His Excellency's command,

ANDREW SINCLAIR,  
Colonial Secretary.

Colonial Secretary's Office, Auckland,  
19th October, 1854.

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

Captain A. MACDONALD  
to be Resident Magistrate at Howick, vice-Captain C. H. M. M. Smith resigned.

By His Excellency's command,

ANDREW SINCLAIR,  
Colonial Secretary.

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

**H**IS Excellency the Officer administering the Government has been pleased to direct the publication of the following Commission, issued by His Excellency for the purpose of obtaining the information relative to the Compensation Arrangements of the New Zealand Company requested in the addresses of the House of Representatives, dated 21st June and the 10th September, 1854.

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

By His Excellency Colonel ROBERT HENRY WYNYARD, a Companion of the most Honourable Order of the Bath, the Officer administering the Government of New Zealand, &c., &c.

**W**HEREAS the founders of the New Zealand Company's Settlements of Wellington, Nelson, and New Plymouth, incurred severe disappointments, losses, and sufferings, by reason of the inability of the said Company to fulfil certain expectations and promises by the holding out of which it induced such persons to emigrate; and in consequence of representations made to the said Company on behalf of such persons, it was led to dispose of a large amount of land gratuitously, by way of compensation to them for such disappointments, losses, and sufferings. And whereas, in the distribution of the land so disposed of by the Company, it is alleged that injustice and wrong were done to many whose claims to compensation were undeniable, and especially to persons of the labouring classes, whose disappointments, losses, and sufferings were prominently represented to the Company amongst the grounds of the general claim upon it for compensation. And whereas the House of Representatives by an Address to the Officer administering the Government, on the 21st of June last, and by another Address on the 10th of September last, prayed for a return of ample and very minute information concerning the compensative arrangements of the New Zealand Company, and it appears by a letter from the Commissioner of Crown Land at Wellington to the Colonial Secretary, dated 3rd September, 1854, which was by Message from the Officer administering the Government transmitted to the House of Representatives on the 5th of September last, that difficulties have occurred in the endeavour to procure such information, which there is reason to believe may not be overcome by an exercise of the ordinary authority of the General Government: AND WHEREAS it is expedient that authentic information concerning the aforesaid alleged injustice and wrong should be obtained with a view, if the same should be

clearly established, to the redress thereof by competent authority, but not in such manner as to disturb or question the validity of any title to land derived from the aforesaid compensation arrangements of the New Zealand Company. Now therefore I, the Officer administering the Government do hereby appoint the persons hereinafter named to be "Commissioners of Compensation Enquiry," for the Provinces of New Plymouth, Wellington, and Nelson, respectively.

And I do further hereby direct the said Commissioners to proceed with diligence and care to investigate the whole subject of the compensation in land which has heretofore been awarded to claimants in virtue of arrangements made by the New Zealand Company, and, in particular, to obtain the information applied for as aforesaid by the House of Representatives by their Address to the Officer administering the Government, dated 21st June last, whereof a copy is hereunto appended; to enquire generally into the nature of such claims as are alleged to have been but partially satisfied or entirely overlooked; and to ascertain the particulars of any such alleged claims as, in the opinion of the said Commissioners, may justly deserve satisfaction, calculating in each case the amount of land which, in the opinion of the said Commissioners, shall be reasonably sufficient to satisfy justice.

And I do hereby further direct that the proceedings of the said Commissioners shall be conducted in a public manner, by means of Board Meetings (whereof reasonable notice shall be given by public advertisement) open to every one who may choose to attend the same, and at which shall be taken all parole evidence relating to the subject of the enquiry.

And I do hereby further direct that the said Commissioners shall keep a Record of their proceedings both written and parole, including full particulars of every claim submitted to them, and of the evidence taken thereupon, together with a statement of the reasons for their final opinion thereupon.

And I do hereby authorise the said Commissioner, in the name and on behalf of the Governor, to call for information on the subject of their enquiry, from any whom they may deem capable of furnishing the same, whether orally or in writing. And I direct, that the said Commissioners as hereinafter appointed for each of the three aforesaid Provinces respectively shall make to the Governor, as soon as they may be able, full Reports in writing on the subject of the enquiry entrusted to them, both generally and with respect to particular claims. And further, that, in respect of each of the aforesaid Provinces, a copy of the Report from the Commissioners to the Governor shall be by them delivered to the Superintendent, with a request that His Honour will be pleased to lay the same before the Provincial Council.

And I hereby declare that amongst the Commissioners hereinafter appointed for each of the said Provinces respectively, any two sit-

ting together shall constitute a Board, and I authorise and empower the said Commissioners in each of the said Provinces respectively to appoint a Secretary if they shall see fit.

Finally, I do hereby nominate and appoint to be "Commissioners of Compensation Inquiry" as defined, being the pleasure of the Governor of New Zealand.

For the Province of New Plymouth—

Josiah Flight, Esquire,  
William Halse, Esquire,  
George Cutfield, Esquire.

For the Province of Wellington—

The Hon. Henry St. Hill, Esquire,  
M.L.C.  
Edward Gibbon Wakefield, Esquire,  
M.H.R., and M.P.C.  
George Moore, Esquire.

For the Province of Nelson—

The Hon. Matthew Richmond, Esq.,  
M.L.C.  
William Thomas Locke Travers, Esq.,  
M.H.R.  
John Waring Saxton, Esq., M.P.C.

Given under my hand and issued under the Public Seal of the Islands of New Zealand, at Auckland, this 24th day of Oct., in the year of our Lord one thousand eight hundred and fifty-four.

R. H. WYNYARD,  
Officer Administering the Government.  
By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.

Wednesday, 21st June, 1854.

RESOLVED—That a Return of the amount of Land Scrip awarded by the New Zealand Company on the Government, as compensation to sufferers, in respect of Land purchased from the Company, in their settlements of Wellington and Whanganui, and also of the cases in which such compensation was not awarded in such respect; shewing the name of each original purchaser of a Land Order from the New Zealand Company, and the number and date of each Land Order, the name of every Transferee of any Land Order, with the date of each Transfer; the name of every Claimant for compensation, and the amount and nature of each Claim, distinguishing between Residents and Absentees, the amount and nature of each award, and the name of the person to whom each award was made, with the statement of the grounds of the award or non-award, in each case distinguishing between Residents and Absentees and between original Purchasers and Transferees, the name of the person to whom the grant of Land has been made in respect of each award, with the date of the Grant, and the reason for making it, when not made to the person to whom the Scrip was awarded, and any recorded proceedings of the body of Resident Purchasers

by whom the general claim was made, and of the Committee of that Body by whom the particular claims were investigated and determined" be laid on the table.

(True Extract.)

(Signed) C. GIFFORD, Speaker.

Colonial Secretary's Office, Auckland,  
17th October, 1854.

HIS Excellency the Officer administering the Government has been pleased to authorize W. B. White, Esq., Resident Magistrate at Mongonui, to act as an Agent of the Surveyor-General, and receive applications to purchase land in that district.

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

Colonial Secretary's Office, Auckland,  
18th October, 1854.

HIS Excellency the Officer administering the Government has been pleased to direct that the several Postmasters in the Colony are for the future to correspond direct with this office on all subjects connected with their departments.

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

Colonial Secretary's Office, Auckland,  
13th October, 1854.

IN pursuance of the 29th clause of the Resident Magistrate's Courts Ordinance Session 7, No. 16, I hereby select and appoint the following Aboriginal Native to be an Assessor along with the Resident Magistrate for the district of Rotorua, for settling disputes between persons of the Aboriginal Race; that is to say—

NGAHURUHURU, of Ohinemutu.

R. H. WYNYARD,  
Officer Administering the Government.  
By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.

IN THE SUPREME COURT OF NEW ZEALAND.

In the Estate of WILLIAM SMALLEY, of Auckland, deceased, intestate.

PURSUANT to the rule of this honorable Court, the creditors of the above-named intestate are on or before the first day of January next to come in and prove their debts before Thomas Outhwaite, Esq., Registrar of the said Court, at his office in the Court House, Auckland, or in default thereof they will be peremptorily excluded from all benefit arising from the said estate.

THOS. OUTHWAITE,  
Registrar.

Supreme Court Office,  
Auckland, 1st October, 1854.

**COLONIAL BANK OF ISSUE.**

**Total Amount of Notes in circulation at the Office of the Colonial Bank of Issue, at Auckland, on the 14th day of Oct., 1854, being the close of the preceding four weeks:—**

£5 and upwards .....	£6,105
Under £5 .....	3,844
<b>Total.....</b>	<b>£9,949</b>

**Total Amount of Coin held by the same office on the same day:**

Gold .....	£4462
Silver .....	23

**Total.....£4,485**

I, Alexander Shepherd, the Colonial Treasurer, do hereby certify that the above is a true account, as required by the Ordinance No. 16, Session 8.

**A. SHEPHERD,**  
Colonial Treasurer.

Dated at Auckland this  
16th day of Oct., 1854.