



# NEW ZEALAND GOVERNMENT GAZETTE.

Published by Authority.

All Public Notifications which appear in this Gazette with any Official Signatures thereunto annexed, are to be considered as Official Communications to Persons to whom they may relate, and are to be obeyed accordingly.

By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary

VOL. III.] AUCKLAND, TUESDAY, OCT. 30, 1855. [No. 28.

## PROCLAMATION.

By his Excellency Colonel THOMAS GORE BROWN, Companion of the most Honorable Order of the Bath, Governor of the Colony of New Zealand &c., &c., &c.

WHEREAS by an Ordinance enacted by the Governor of New Zealand with the advice and consent of the Legislative Council, Session 3 No. 1, intituled "An Ordinance for establishing "a Supreme Court" the Governor of New Zealand is empowered with the advice of the Executive Council by Proclamation from time to time to divide the Colony into Districts for the purposes of the said recited Ordinance, and the limits of such Districts from time to time to alter, as occasion may require.

And whereas the said Colony is now divided into two Districts called respectively the Northern District and the Southern District.

And whereas by the recited Ordinance the Governor is also empowered to assign to each of such Districts a Judge or Judges, who shall have within the same all the powers and jurisdiction thereby given to the Supreme Court.

Now therefore I the Governor in pursuance of such authority do hereby proclaim and declare that on and after the first day of November next, I have assigned to the Northern district

SIDNEY STEPHEN, Esquire  
Chief Justice of the said Court during the absence of William Martin, Esquire and to the Southern District

DANIEL WAKEFIELD, Esquire

a Judge of the said Court during the absence of the said William Martin, Esquire.

Given under my hand, and issued under the Public Seal of the Colony of New Zealand at Auckland, in the Colony aforesaid this twentieth day of October, in the year of our Lord One thousand eight hundred and fifty-five.

THOMAS GORE BROWNE.

By His Excellency's command,

ANDREW SINCLAIR,  
Colonial Secretary.

GOD SAVE THE QUEEN.

## PROCLAMATION.

By His Excellency Colonel THOMAS GORE BROWNE, Companion of the most Honorable Order of the Bath, Governor of the Colony of New Zealand, &c.

WHEREAS, by an Act of the General Assembly of New Zealand, intituled "The Waste Lands Act, 1854," it is provided that if the Superintendent and Provincial Council of any Province shall recommend to the Governor any Regulations for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within such Province, it shall be lawful for such Governor, if he shall think fit, with the advice of his Executive Council, by Proclamation in the New Zealand Government Gazette, to issue and put in force such Regulations within such Province, on a day to

be named in the Gazette in which the same shall be published, not being less than one calendar month from the publication thereof.

AND WHEREAS the Superintendent and the Provincial Council of the Province of New Plymouth have recommended to me the following Regulations for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the said Province.

Now therefore I, the Governor, pursuant to the authority vested in me in that behalf by the said recited Act, do hereby, with the advice of the Executive Council, *proclaim and issue the following Regulations, and I do hereby declare* that the same shall come into force one month from the day of the date of the publication of such Regulations in the *Government Gazette* of the Province of New Plymouth, not being less than one month from the date hereof.

Given under my hand and issued under the public seal of the Colony of New Zealand, at Auckland, in the Colony aforesaid, this twentieth day of October, in the year of our Lord One thousand eight hundred and fifty-five.

THOMAS GORE BROWNE,  
Governor.

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

GOD SAVE THE QUEEN!

## REGULATIONS

FOR THE SALE AND DISPOSAL OF THE  
WASTE LANDS OF THE CROWN WITHIN  
THE PROVINCE OF NEW PLYMOUTH.

### I.—GENERAL.

1—All regulations now in force in the Province of New Plymouth for the sale and disposal of the Waste Lands of the Crown within the said Province are hereby repealed.

2—All such Waste Lands shall, from and after the day on which these Regulations shall come into force, be sold and disposed of according to these Regulations and not otherwise.

3—So soon as the Native title shall be extinguished in any district, and the same shall be open for settlement, the fact shall be duly notified to the Superintendent.

### II.—SURVEYS AND RESERVES.

4—The Surveyor-General, or other proper Officer, shall, with all convenient speed, make a general survey of any district in which the Native title shall be extinguished after the issue of these Regulations, and also of the unsold portions of the districts in which such title has already been extinguished, and shall prepare maps thereof exhibiting, so far as practicable, their character and natural features, and shall transmit the same to the Superintendent, accompanied by reports containing any information obtained by the Surveyor which cannot be conveyed by a map.

5—If it shall not be possible to survey the whole of any tract of land without great delay or

undue expense, the Superintendent, with the approval of the Provincial Council, may direct that portions thereof, to be defined by him, shall be successively surveyed and declared open for purchase.

6—The Governor will in the first place appoint such reserves for military purposes and for civil purposes of the General Government as he shall think expedient.

7—Other public reserves and also sites for towns will be appointed by the Governor, being first recommended by the Superintendent and the Provincial Council.

8—The Superintendent, with the approval of the Provincial Council, shall from time to time determine upon the division of the Rural Land into sections, where the intended mode of sale shall render such division requisite. Town Land shall in all cases be divided into sections, which shall be determined upon by the Superintendent and Provincial Council.

9—Reserves, lines of road, and sections, shall be laid down on the proper maps, each section in a district having a distinguishing number or mark. A separate plan shall be made of each town site.

10—Further reserves for civil or military purposes may from time to time be made, if deemed requisite, by the like authority and in like manner as the first reserves.

11—The subdivision into sections of rural land and town sites, and the laying out of roads and streets, may from time to time be altered by authority of the Superintendent with the approval of the Provincial Council.

12—Roads and streets shall not be less than one chain in width, except where local circumstances shall render an adherence to this rule impracticable.

13—In laying out rural sections the following rules shall be adhered to as nearly as possible :—

1. Every section shall front on a road.
2. Road and water frontage and natural advantages shall be equally distributed.
3. Road frontage shall not exceed two-thirds of the depth of the section.
4. Natural boundaries shall be availed of.
5. Acute angles in the boundary line shall be avoided.

14—No rural section shall exceed in area 240 acres, and at least one-half of the total area of any rural land which shall be divided into sections prior to sale shall be laid out in sections not exceeding 100 acres.

15—No town section shall exceed in area one quarter of an acre.

16—An authentic copy of the map or plan of every district and town site, and all reports of the Surveyor respecting the same, shall be deposited in the office of the Commissioner of Crown Lands, or with such other Officer as shall be appointed by the Governor for that purpose, not less than one calendar month before such district or town site, or any part thereof, shall be declared open for purchase; and such maps, plans, and reports shall, during the said period of one month, and at all times thereafter, during office hours, remain open to public inspection. The Commissioner of Crown Lands, or other Officer appointed as aforesaid, shall from time to time be informed by the Superintendent of any correction in the said maps and plans requisite in consequence of further reserves, or of alterations in the sub-division into sections of any rural land or town site, and of all other requisite corrections in the said maps and plans, and shall cause such corrections to be made

in the copies thereof deposited with him as aforesaid, so as to maintain the exactitude of the said copies.

17—In every district declared open for purchase under these regulations, one-twentieth part of the total area of the district, and also a belt of land surrounding each town site, equal in area to such town site, shall be reserved as an endowment for public schools for general education.

18—All unalienated lands within the town site of New Plymouth, together with the unalienated portions of Victoria Park, Somes' Park, the Botanic Garden, and the Town Belt, but exclusive of roads, streets, and squares, will also be reserved as an endowment for public schools for general education, and will be vested in the Superintendent under the provisions of "The Public Reserves Act, 1854." Provided that before the issue of a Crown Grant thereof under the said Act it shall be lawful for the Governor to make any reserves deemed necessary for military purposes out of the same lands.

19—The roads and reserves for roads throughout the Settlement (including streets and squares in the Town of New Plymouth) will be vested in the Superintendent, under the provisions of the aforesaid Act, as public thoroughfares.

### III.—SELECTIONS FOR RELIGIOUS PURPOSES.

20—Ministers or Trustees of Religious Bodies shall be at liberty to apply to the Superintendent for permission to purchase rural land, not exceeding in any one district ten acres for Burial Grounds, and as sites for Churches, Chapels, or Schools, and also not exceeding one acre in every town site, as sites for Churches, Chapels, Schools, or other Buildings devoted to religious or educational purposes; and any such application being recommended by the Superintendent to, and approved of by, the Provincial Council, the applicants or other persons on behalf of the Religious body shall be admitted to purchase the land applied for at such rate as shall be fixed by the Superintendent and Provincial Council, not being less than ten shillings per acre for rural land, and twenty pounds per acre for town land, before the district is opened for public selection.

### IV.—SCRIP.

21—Government Scrip shall be taken in payment for town land at the nominal value of such Scrip in pounds sterling.

22—In the purchase of Rural Land one pound in Government Scrip shall represent the selling price of one acre, where such selling price does not exceed twenty shillings, and in other cases shall represent its nominal value of one pound.

### V.—SALES.

23—The Superintendent, with the approval of the Provincial Council, shall notify in the *Government Gazette* of the Province the day on which Rural Land and Town Land respectively shall be first open for purchase—such day being never less than one calendar month after the publication of the notice—and being always, as respects Rural Land, one of the sale days for Rural Land hereinafter appointed, and as respects Town Land the fifteenth day of the month, unless the same fall on a Sunday or Good Friday, in which case the following day may be appointed. And to every such notice respecting Rural Land, which shall be divided into sections, there shall be appended a tabular statement shewing the distinguishing number or mark of each section and its area.

24—No further sale of lands in any district already declared open for purchase shall take place until the same shall have been surveyed and

declared open for purchase conformably with these regulations.

25—Rural Land and Town Land shall be sold by public auction in manner hereinafter prescribed, and not otherwise.

26—All sales shall take place at the Crown Lands Office, in the Town of New Plymouth, and shall commence at the hour of Eleven a.m., and close not later than the hour of Three p.m. The Superintendent may from time to time, by notice in the said *Gazette*, appoint any other place or hour of sale; but no such notice shall take effect until the expiration of one calendar month from its publication.

27—The sub-Treasurer of the General Government or his deputy for the purpose approved of by the Superintendent, or some other person appointed for the purpose by the Governor, shall conduct the sales.

28—There shall be a periodical sale of Rural Land on the first day of every month, unless the same fall on a Sunday or on Good Friday, and in that case on the following day.

29—The biddings at sales of Rural Land shall be of a certain sum per acre for a section to be immediately afterwards chosen by the bidder in any district duly declared as open for purchase—(all such districts within the Province, or the unsold portions thereof, being at every sale open for selection)—and the highest bidder for each successive choice shall accordingly forthwith select a section on the map or plan, and declare his choice to the officer conducting the sale, and shall become the purchaser of the same section at such sum per acre as he shall have last bidden. The said officer shall, after each selection, proceed to invite another set of biddings, and shall so continue the sale on the same, and, if requisite, on the following day or days, so long as there shall be any bidder for a selection at the upset price per acre.

30—Rural Land may, at the discretion of the Superintendent, exercisable with consent of the Provincial Council, be sold either in sections marked out prior to the sale, or in sections whereof the area and general position may be determined by the purchaser at the time of sale; but in the latter case no section shall exceed 240 acres or be less than 40 acres, and the purchaser shall be subject to the conditions prescribed by Article 13, respecting the laying out of rural sections so as not to engross frontage and other advantages, and shall not be permitted to select so as to leave detached parcels of land less than 40 acres in area or otherwise not advantageously saleable as separate sections; and shall be subject also to such other conditions, general or special, respecting the laying out of such sections as may from time to time be prescribed by the Superintendent, with the approval of the Provincial Council. A competent person may be appointed by the Superintendent to attend at any sale, with authority to see to the execution of this article, and to forbid any selection attempted in contravention thereof. And, if necessary, any sale may be adjourned till the following day, or suspended till the next periodical sale day, for the purpose of accurately determining the boundaries of the selections already made before proceeding to further sales.

31—The upset price for Rural Land shall be ten shillings per acre.

32—Town Land shall be sold only on such days as the Superintendent shall appoint by notice published in the said *Gazette*. Provided that the day so appointed be always the 15th day of the month, unless the same fall on a Sunday or Good Friday (in which case the following day may

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be appointed) and be not less than one calendar month after the publication of the notice.

33—The sale of Crown Land shall be conducted in all respects similarly to the sale of Rural Land, save that Town land shall be put up to sale in sections previously marked out, and the Superintendent shall, by every notice of sale, limit the number of selections to be made at such sale, and shall in like manner prescribe some particular town site or town sites in which the selections or any number thereof are to be made; and the biddings shall be of a certain sum per section.

34—The upset price or prices of Town Land shall be such sum per section as shall, for each particular sale and town site, be appointed by the Superintendent, and shall be specified in the notice of sale, and a scale of upset prices may be appointed according to the order of selection.

35—It shall be a condition of every sale that one-tenth of the purchase money be immediately paid in cash to the Officer conducting the sale, and that the remainder be paid to the proper Officer within one calendar month. If default be made in either payment, the sale shall be void. If default be made in the latter payment, the instalment of one-tenth shall be forfeited.

36—The Officer conducting the sale, whether of Rural or Town Land, shall certify to the Superintendent, and also to the Commissioner of Crown Lands, the distinguishing numbers or marks of the sections sold, and it shall be the duty of the said Commissioner from time to time to cause the sections sold to be distinctly marked as sold, or to be otherwise clearly distinguished in the proper map or plan.

VI.—MILITARY SETTLERS.

37—Military and Naval Officers will be allowed the privileges accorded to them in the purchase of Crown Lands by any Regulations in force within the Province previously to the issue of these Regulations. But the remission money given to them in the terms of such Regulations will be subject to the rules hereinbefore prescribed relative to Government Scrip.

38—Government Scrip, available only within the Province, may be issued at par to any such officer for the amount of his remission money on his signing and depositing with the Commissioner of Crown Lands a memorandum declaring that, by acceptance of such Scrip, he holds himself to have come under an honorable obligation, and does accordingly engage, to reside within the Province for the space of two years from the issue of such Scrip.

39—Non-commissioned officers and privates in Her Majesty's Army or in the Royal Militia, who being on service in the Province shall obtain their discharge there (such privates being discharged with good conduct certificates) shall, after a residence within the Province of one year after discharge, be entitled to the issue of Government Scrip available only within the Province to the amount following:—

	£
Non-commissioned Officers .....	80
Privates .....	40

VII.—MINERAL LAND.

40—It shall be competent to the Superintendent, with the approval of the Provincial Council, to reserve, for the purpose of letting the same, any tract or section known or supposed to have especial value as containing minerals.

41—Leases of Mineral Land shall be made to such persons for such terms of years, under and subject to such rents, royalties, reservations, and covenants, and generally in such manner as, hav-

ing been proposed by the Superintendent to, and approved of by, the Provincial Council, shall be finally approved of by the Governor, and not otherwise. This provision is without prejudice to the fulfilment of any existing engagement entered into by the Crown.

VIII.—FEES ON CROWN GRANTS.

42—By Ordinance No. 2 of Session VII., the sum of twenty shillings is payable before the delivery of every Crown Grant by the person entitled to receive the same. No other fee is payable on the issue of Crown Grants.

IX.—COMMENCEMENT OF OPERATION.

43—These Regulations shall come into force at the expiration of one calendar month from the issue thereof.

CHARLES BROWN,  
Superintendent.

New Zealand Company's  
Land Claims Commission,  
Wellington, 4th October, 1855.

I, FRANCIS DILLON BELL, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session XI., of the Legislative Council of the Islands of New Zealand, to hear and determine claims to land by persons claiming title, from, through, or under the New Zealand Company, report that the claims of the undermentioned persons having been duly referred to me, I do hereby decide the said persons to be respectively entitled to the Crown Grants set opposite their names.

F. D. BELL,  
Commissioner.

No. of Report.	No. of Claim.	Claimant.	Commissioner's Decision.
912	903	Henry Blakey.	Claimant entitled to a Grant for Section No. 819, Town of Wellington.
913	1010	Joshua Blakey.	Claimant entitled to Grants of Section No. 833 Town of Wellington, and of Country Sections 33 Hutt District, 41 Karori District, and 33 Horokiwi Valley District, subject to a direction of the Commissioner.
914	1005	W. B. Rhodes.	Claimant entitled to the remaining portion of Town acre 212 in Wellington, to a part whereof he was declared entitled by report No. 417 (claim 392) published in the Gazette of 10th December, 1852.
915	1012 & 1052	George Brown.	Claimant entitled to a Crown Grant of eighty-three acres and a quarter, part of the Country Section, numbered 24 in the Porirua District.

916	536	William Blackson.	Claimant entitled to Crown Grants of parts of the Town Sections Nos. 209 and 145 in Wellington.
917	787	William Lort.	Claimant entitled to a Crown Grant of Town Sections Nos. 86 and 87, in the City of Wellington.
918	1056	John Gooder.	Claimant entitled to a Crown Grant of the Town acre No. 237, in Wellington.
919	1047	John Minifre.	Claimant entitled to a Crown Grant of the Town Section numbered 704, in the City of Wellington.
920	991	William Little.	Claimant having assigned to Alfred Fell and Henry Seymour, the latter entitled to a Crown Grant of the Town acre numbered 286, in Wellington.

F. D. BELL,  
Commissioner.

New Zealand Company's  
Land Claims Commission,  
Wellington, 4th October, 1855.

I FRANCIS DILLON BELL, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session XI., of the Legislative Council of the Islands of New Zealand, to hear and decide claims to land by persons claiming title from, through, or under the New Zealand Company, report that the claims of the undermentioned persons having been duly referred to me, I do hereby decide the said persons to be respectively entitled to the Government Scrip set opposite their names.

F. D. BELL,  
Commissioner.

No. of Report.	No. of Claim.	Claimant.	Commissioner's Decision.
921	941 & 946	William Henry Rawson.	Claimant entitled to Government Scrip to the amounts of two hundred and fifty pounds (£250) and two hundred and five (£205) pounds, for assessments of sections reserved for the natives.
922	978	James Aked.	Claimant and Edward Aked entitled to Government Scrip to the amount of two hundred and fifty (£250) pounds for assessment of a section reserved for the natives.
926	987	Harry Hughlings.	Claimant entitled to Government Scrip to the amount of two hundred and fifty

924	892	Joseph Tyrrell.	Claimant entitled to Government Scrip to the amount of three hundred (£300) pounds under the Company's compensation agreement, and a further amount of one hundred pounds (£100) for assessment of a section reserved for the natives.
925	1044	Henry Wise.	Claimant entitled to Government Scrip to the amount of (£150) one hundred and fifty pounds, in exchange for Company's Land Orders.
926	990	Charles Waring Saxton.	Claimant entitled to Government Scrip to the amount of one hundred and fifty (£150) pounds, in exchange for New Zealand Company's Land Orders.
927	991	William Little.	Claimant having assigned to Alfred Fell and Henry Seymour, the latter entitled to Government Scrip to the amount of (£100) one hundred pounds, for assessment of a country section reserved for the natives, and seventy-five (£75) pounds under the N. Z. Company's agreement of 6th November, 1849.
928	1039	Alexander Currie.	Claimant entitled to Government Scrip to the amount of one hundred and fifty (£150) pounds, in fulfilment of an award of H. M. Colonial Land and Emigration Commissioners.
929	1051	Samuel Waterhouse.	Claimant entitled to Government Scrip to the amount of one hundred (£100) pounds, in exchange for a section of land.
930	1057	Charles Ibbotson.	Claimant entitled to Government Scrip to the amount of seventy-five (£75) pounds in exchange for a Land Order, and of three hundred and fifty (£350) pounds for assessment of a section reserved for the natives.
931	1064	Henry White.	Claimant entitled to Government Scrip to the amount of seventy-five (£75) pounds, under the N. Z. Company's agreement of 6th November, 1849.
932	1089	William Todd.	Claimant entitled to Government Scrip to the amount of seventy-five (£75) pounds in exchange for a Land Order.

## SUPREME COURT.

933	1090	Archibald Todd.	Claimant entitled to Government Scrip to the amount of one hundred and fifty (£150) pounds, under the N. Z. Company's agreement of 16th Sept., 1848.
934	1094	Thomas McDonald.	Claimant entitled to Government Scrip to the amount of one hundred and fifty (£150) pounds, under the N. Z. Company's agreement of 6th November, 1849.
935	1102	Robert T. Hippiusley	Claimant entitled to Government Scrip to the amount of seventy-five (£75) pounds in exchange for a Land order of the N. Z. Company.
936	1152	William Bowler.	Claimant entitled to Government Scrip to the amount of three hundred (£300) pounds in exchange for three sections of land (300 acres), and of two hundred and twenty-five (£225) pounds, in exchange for three Land orders of the N. Z. Company.

F. D. BELL,  
Commissioner.

NOTICE is hereby given that a Sitting of the Supreme Court for the despatch of Criminal Business will be holden at the Court House, Auckland, on Saturday the first day of December 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 Friday the seventh day of December next at ten o'clock in the forenoon, at which times and place all persons under Recognizance to appear as Prosecutors, Defendants, or Witnesses, are required to give their attendance

THOMAS OUTHWAITE.

Registrar.

Supreme Court Office, Auckland,  
27th October, 1856.