



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,

HENRY SEWELL, Colonial Secretary.

VOL. IV.] AUCKLAND, WEDNESDAY, MAY 14, 1856. [No. 16.

NOTICE.

Private Secretary's Office,
May 14th, 1856.

HIS Excellency the Governor, directs it to be notified for general information that he will hold a Levee at the new Government House, on Saturday the 24th inst., at two o'clock, p.m., in honor of Her Majesty's Birthday.

By command,
F. G. STEWARD,
Private Secretary.

Colonial Secretary's Office, Auckland,
May 12th, 1856.

HIS Excellency the Governor directs it to be notified for general information, that in virtue of the power vested in him by the New Zealand Constitution Act, 15th and 16th Victoria, Section 38, he has been pleased to appoint,

The Honourable THOMAS HOUGHTON BARTLEY,
Esquire, M.L.C.,

to be Speaker of the Legislative Council of New Zealand, in the room of the Honourable Frederick Whitaker, Esq., M.L.C., resigned.

By His Excellency's command,
HENRY SEWELL,
Colonial Secretary.

Colonial Secretary's Office, Auckland,
14th May, 1856.

SATURDAY the 24th inst., being the Anniversary of Her Majesty's Birthday, His Excellency the Governor has been pleased to

direct that it be observed as a holiday at the Public Offices.

By His Excellency's command,
HENRY SEWELL,
Colonial Secretary,

Colonial Secretary's Office, Auckland,
9th May, 1856.

HIS Excellency the Governor has been pleased to direct that the names of the following Gentlemen should be added to the Commission of the Peace for the Province of Wellington.

WILLIAM WARING TAYLOR, Esq.
PETER MORRISON HERVEY, Esq.
ROBERT PARK, Esq.
SEPTIMUS LANCELOT WORSLEY, Esq.
CHARLES DUDLEY ROBERT WARD, Esq.
CHARLES WILLIAM SCHULTZE Esq.
HENRY JOSEPH COOTE, Esq.
WILLIAM FOX, Esq.
MOSES CAMPBELL, Esq.
CHARLES C. DES VŒUX, Esq.
HENRY SHAFTO HARRISON, Esq.
JAMES WILSON, Esq.
BENJAMIN WILLIAM RAWSON TRAF-
FORD, Esq.
RICHARD BARTON, Esq.
JOHN GRACE, Esq.
DONALD GOLLAN, Esq.
JOHN CHILTON LAMBTON CARTER, Esq.
JOHN CURLING Esq.
HENRY RUSSELL, Esq.
JAMES ANDERSON, Esq.

By his Excellency's command,
HENRY SEWELL,
Colonial Secretary

Colonial Secretary's Office, Auckland,
May 9th, 1856.

HIS Excellency the Governor has been pleased to direct that the name of the undermentioned Gentleman should be added to the Commission of the Peace for the Province of Auckland.

EDWARD MARSH WILLIAMS, Esq,
By His Excellency's command,
HENRY SEWELL,
Colonial Secretary

Colonial Secretary's Office, Auckland,
May 9th, 1856.

HIS Excellency the Governor has been pleased to appoint

Mr. JOHN TURNBULL THOMPSON,
to be Chief Surveyor of the Province of Otago.

By His Excellency's command,
HENRY SEWELL,
Colonial Secretary

IN THE SUPREME COURT OF NEW
ZEALAND.

*In the Estates of WILLIAM YOUNG, of
Auckland, and WILLIAM CHARLTON, of
Wungarie, deceased Intestate.*

PURSUANT to the Rule of this Honorable Court, the Creditors of the above named Intestates, are, on or before the 6th day of August next, to come in and prove their Debts before Laughlin O'Brien, Esq., Registrar of the said Court, at his Office, in the Court House, Queen Street, Auckland, or, in default thereof, they will be peremptorily excluded from all benefit arising from the said Estates.

L. O'BRIEN,
Registrar.

Supreme Court Office, Auckland,
6th May, 1856.

PROCLAMATION.

By his Excellency Colonel THOMAS GORE BROWNE, Companion of the most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand, and Vice-Admiral of the same, &c., &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 Auckland 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 from and after the 15th day of June, one thousand eight hundred and fifty-six.

Given under my hand and issued under the public seal of the Islands of New Zealand, at Auckland, in the Islands aforesaid, this fourteenth day of May, in the year of our Lord One thousand eight hundred and fifty-six.

THOMAS GORE BROWNE,
Governor.

By his Excellency's command,

HENRY SEWELL,
Colonial Secretary.
GOD SAVE THE QUEEN!

LAND REGULATIONS.

Regulations for the Sale, Letting, Occupation, and Disposal of the Waste Lands of the Crown within the Province of Auckland.

1. From and after the 15th day of June, 1856, the Waste Lands of the Crown in the Province of Auckland, in the Colony of New Zealand, shall be disposed of in the manner and according to the regulations hereinafter prescribed, and not otherwise.

2. Nothing herein contained shall affect any promise or engagement made heretofore by or on behalf of her Majesty, with, or to any person respecting any of the said lands, or be construed as intending to prevent the fulfilment or performance thereof.

3. Provided always, that it shall be lawful for the Waste Lands' Commissioner, to be appointed as hereinafter provided, within three months after notice shall have been given in the "Government Gazette" for the Province of Auckland, to have surveyed at applicant's coast (which shall be paid by him before the Crown Grant shall be issued) all lands remaining unsurveyed, which shall have been applied for and the application granted under previous Regulations relating to unsurveyed lands.

4. The Governor of the said Colony may, from time to time, and as to him it shall seem meet, reserve portions of the said lands

for the use and benefit of the aboriginal inhabitants of such Province, and for any purposes of public safety; and may alienate portions thereof, either in perpetuity or for any term, in exchange for other lands (whether the same belong to private persons or are holden by the Crown or private persons in trust for public purposes), or in satisfaction of any equitable claim to lands in the said Province, belonging to or claimed by the Crown, or of any equitable claim against the Crown, in respect of lands situate therein.

5. The Superintendent of the said Province may, from time to time, and as to him it shall seem meet, reserve portions of the said lands for public roads or other internal communications, whether by land or water, or for the sites of future towns or villages, or for the sites of public buildings, or as and for the sites of common schools, or for the purpose of endowments for such schools, in which shall be taught reading and writing in English, arithmetic, and English grammar; such reserves for said schools to be one-twentieth of the whole of such lands: or as endowments for charitable purposes, or as places for the interment of the dead, or for the recreation and amusement of the inhabitants of any town or village, or as the sites of public quays or landing-places on the sea coast, or shores of navigable streams, or for any other purpose of convenience, health, or enjoyment.

6. Such Superintendent shall and may, from time to time, and whensoever, and as often as to him it shall seem meet, divide the said Waste Lands into Town Lands, Suburban Lands, and Country Lands, and vary, alter, or annul such division, and make a new division thereof.

7. Subject to the provision herein contained, Town Lands, and Suburban Lands, and such of the Country Lands, as the Superintendent shall in that behalf appoint shall not be sold or otherwise disposed of except by way of public auction.

8. Such public sales shall be holden and conducted by such person, and at such times, and in such places within the said Province as the Superintendent shall, in that behalf, from time to time, by notification in the "Government Gazette" for the Province of Auckland, nominate and appoint, which person shall be styled the Waste Lands Commissioner for the Province of Auckland, who shall transact all the business of the Waste Lands Office.

9. The upset prices of the Lands to be sold at such public sales shall be fixed from time to time by the Superintendent.

10. The Superintendent shall from time to time, notify through such *Gazette* what lands are to be sold at such public sales, and the upset prices thereof respectively, and such

lands shall not be so offered to public sale until one calendar month shall have elapsed from and after first publication of such notification as aforesaid. The purchase money of every allotment of land sold at such public sales shall be paid by the purchaser thereof or his agent unto such person as the Governor shall appoint to receive the same; one moiety thereof to be paid at the time of sale, and the other moiety to be paid within one calendar month from and after such time. In the event of the second moiety of such purchase money not being paid unto the person so appointed to receive the same within the said calendar month, such sale shall be void, and the first moiety shall thereupon be forfeited to the Crown.

11. In the case of lands thus forfeited by non-completion of the contract for their purchase, it shall be lawful for any person, within the next twelve calendar months after the auction at which the bidding for such lands was made, to purchase such lands for the highest amount that was then bid for them.

12. It shall also be lawful for any person, within the next twelve calendar months after any auction, to become, without any further auction, the purchaser of any land so put up for sale as aforesaid, and not then sold, by offering and paying for the same the upset price at which the same may have been put up for sale.

13. Notwithstanding anything herein contained, it shall be competent for the Superintendent, instead of permitting any land to be purchased as authorised by the above clauses 11 and 12, to cause any lands, which shall not have been already applied for under the said clauses, to be put up again to auction, giving such notice thereof as is hereinbefore provided in respect of land to be offered at auction.

Country Lands.

14. Subject to the provisions hereinafter in that behalf contained, all Country Lands shall be sold, by the said Commissioner, at the fixed price of ten shillings an acre, excepting such parts thereof as shall be reserved for public purposes or sale by auction, as and in manner aforesaid, or as shall contain less than forty acres.

15. The Superintendent shall and may from time to time notify through the *Government Gazette* for the Province of Auckland, what blocks of Country Lands are to be sold at such fixed price, and the days on and after which the same shall be respectively open to sale, provided that none of the said blocks, excepting such as have been heretofore declared open for sale or settlement shall be so offered to sale until one calendar

month shall have elapsed from and after such notifying thereof as aforesaid.

16. As soon as the Superintendent shall have so notified that any block of such lands will be open to sale on and after a certain day, any person desirous of purchasing any surveyed or unsurveyed allotment, of not less than forty acres in such block, shall by himself or his agent make application in writing unto the Waste Lands Commissioner; and such application shall contain the name of the intending purchaser, the area and situation of the allotment, and a description of its boundaries.

17. In the case of such allotment being unsurveyed, and fronting on a river, road, lake, or coast, it must be as nearly as possible of a rectangular form, and the depth thereof must be at least three times the length of such frontage, and in all cases so as not unduly to interfere with the advantageous dividing of the adjoining lands into convenient allotments. Provided always, that, under special circumstances, persons desirous of completing their properties may be allowed to purchase adjoining lands in blocks of irregular shape and of small extent.

18. Such application shall be put under a sealed cover, on which shall be legibly endorsed the name of the intending purchaser, and the number of acres which he contemplates purchasing.

19. Such intending purchaser or his agent may then tender such application for the allotment therein mentioned unto the Waste Lands Commissioner at his office, during office hours, and the purchase money unto the person appointed to receive the same.

20. The Waste Lands Commissioner shall not receive such application unless such intending purchaser or his agent shall, at the time of tendering the same, exhibit to him the receipt for the purchase money of such allotment.

21. The Waste Lands Commissioner shall immediately thereupon (and in the presence of the said intending purchaser or his agent, if such purchaser or agent should desire the same,) enter in a minute book, to be in that behalf by him provided and kept, a minute of the receipt of such application and purchase money, and of the endorsement on such application.

22. The minutes to be so entered in such book shall be consecutively numbered, from one upwards, and shall set forth the date of the reception of every such application, the name of the intending purchaser, the number of acres which he contemplates purchasing, and the amount which he shall

have so paid as the purchase money thereof.

23. Such book shall be open to the public for inspection at all times, during office hours, at the Land Sales Office, during which time any person may take a copy of any minute entered therein.

24. The applications so received shall not be unsealed until the first day appointed in manner aforesaid by the Superintendent for the sale of such block, on which day no further applications for such block shall be receivable.

25. The Waste Lands Commissioner shall on the day last mentioned, and in presence of such of the intending purchasers or their agents as may please to attend at his office in that behalf, proceed to unseal and open all such applications so received.

26. Where it shall appear, on unsealing and opening the said applications, that but one person has in manner aforesaid given notice of his intention to purchase any one allotment, and that he has, as in manner aforesaid, paid the purchase money thereof, such person shall be deemed the purchaser of such allotment.

27. But if it should at such time appear that two or more intending purchasers have given such notice respecting the same allotment or part thereof, and that each of them has, as and in manner aforesaid, paid the purchase money of and for the said allotment or part thereof, as the case may be, the said allotment or part thereof shall be disposed of in the following manner.

28. The Waste Lands Commissioner shall appoint a time and place whereat the said two or more intending purchasers or their agents, as the case may be, may attend, and shall give notice unto them of such time and place, and shall there and then sell by auction, to the highest bidder of and amongst such intending purchasers or their agents, the said allotment or part thereof (as the case may be), and the upset price of the said allotment or part thereof at such auction shall be ten shillings an acre.

29. Such of the said intending purchasers as shall be by himself or his agent the highest bidder at such auction, shall be deemed the purchaser of the said allotment or part, upon paying in manner aforesaid, unto the person appointed to receive the same, the additional purchase money of and for the said allotment arising from such sale by auction.

30. The Waste Lands Commissioner shall, immediately after such auction, give unto each of the unsuccessful parties thereof, or

his agent, an order on the person so appointed by the Governor to receive such purchase money, for the return unto such unsuccessful party or agent the purchase money so paid by him for such allotment or part thereof.

31. The persons so appointed to receive such purchase money shall, on presentment of such order, return forthwith to such unsuccessful party or agent the purchase money mentioned in such order.

Subsequent Applications.

32. From and after the day of unsealing and opening, any person desirous of purchasing any allotment in such block may by himself or his agent tender an application in writing unto the Waste Lands Commissioner, which application shall contain the name of the intending purchaser, the area and situation of the allotment, and a description of its boundaries.

33. The Waste Lands Commissioner shall not receive such application unless such intending purchaser or his agent shall, at the time of tendering the same, exhibit to him the receipt for the purchase money of such allotment; and until such payment shall have been so made, the allotment shall be deemed and taken to be unsold.

34. The Waste Lands Commissioner shall, immediately there (and in the presence of the said intending purchaser or his agent, if such purchaser or agent should desire the same), enter in the said Minute Book the date of the reception of such application, the name of such purchaser, the area and situation of the allotment so purchased, the block whereof such allotment forms a part, and the amount which such purchaser shall have so paid as the purchase money of and for such allotment.

35. At the time of any application for unsurveyed land being granted, the applicant shall be informed that the land so selected shall be surveyed at the expense of the Government, or that the applicant must have the same surveyed at his own expense, by a surveyor authorized by the Waste Lands Commissioner, to survey for the district in which such land shall be situate; in which latter case such applicant shall be entitled to receive an allowance of five acres for every hundred acres so surveyed, as compensation for the cost thereof.

36. Every survey to be made by the applicant must be completed within twelve months after the applicant shall have been informed that the land is to be so surveyed, and in default thereof it shall be lawful for the Waste Lands Commissioner either to have the land surveyed at the applicant's expense (which shall be repaid before the

Crown grant shall be issued), or it shall be disposed of to any other person; and in such latter case the purchase money paid by the first applicant shall be returned to him on demand, after deducting one-tenth part thereof as a forfeiture for the default.

37. All allotments in such blocks shall be respectively sold, subject to the right of the Crown to make public roads or railways over and through such allotments, upon making compensation to the persons seized thereof respectively.

Country Land offered to Sale at fixed price, and not Sold.

38. When any block of Country Land, or part thereof, shall remain unsold for the space of six calendar months from and after the first day fixed by the Superintendent through such notification as aforesaid for the said block being so open to sale at such fixed price, the Superintendent may from time to time, and as to him it shall seem meet, cause the same to be sold by public auction, at an upset price of not less than one shilling per acre, and in allotments not containing respectively more than six hundred and forty acres; provided that no such lands shall be so offered for sale until the Superintendent shall have given notice in such *Gazette* of such intended sale, and until three calendar months shall have elapsed from and after the appearance of such notice.

Scrip.

39. In all sales of the said Waste Lands whether by auction or otherwise, all Scrip to be issued under any Act or Acts of the Local Legislature of this Province, and any Scrip which may be issued by the Governor in lieu of granting land in exchange, under the ninth and tenth sections of the Crown Titles Ordinance, shall be deemed and taken to be money for the amount for which the same shall have been issued, and shall be receivable for such amount as payment or part payment for any allotment of the said waste land to be sold under and subject to these Regulations.

40. So far as lands purchased by private persons before the Treaty of Waitangi from the aboriginal inhabitants of New Zealand, or purchased under the Pre-emption Proclamation of Governor Fitz Roy, may be deemed or held to be Waste Lands of the Crown, it shall be lawful for the Governor to convey and assure unto the purchasers of such lands or those claiming under them (as the case may be), the lands so purchased, upon their proving to the satisfaction of the Governor that such purchases were effected *bona fide*.

Land containing Minerals.

41. The Superintendent shall and may from time to time, as to him it may seem meet, lease by public auction or public tender (excepting in the case hereinafter mentioned) in allotments not containing more than one hundred and sixty acres, and for any term not exceeding twenty-one years, any of the Waste Lands containing minerals, unto such persons as may desire to become the lessees thereof.

42. In the event of any person discovering minerals in such Waste Lands, the Superintendent may lease unto him by private contract an allotment of such Waste Lands, not containing more than one hundred and sixty acres, for any term not exceeding twenty-one years, and at such annual rental as he shall deem meet.

43. In every lease of Waste Lands containing minerals, a royalty shall be reserved to the Crown of one-fifteenth of the minerals to be raised in the allotment thereby demised, and such lease shall contain clauses for the several purposes following, namely,—

1. For securing the payment of the royalty or rent.
2. For enabling some person, on the part of the lessor, from time to time to enter and examine the mine.
3. For securing the regular, proper, and efficient mining and working of the minerals.
4. For making void the lease on breach of the stipulations on the part of the lessee therein contained.
5. For delivering up the property at the termination of the lease in good tenable repair.
6. For enabling the lessee to abandon the working of the minerals whenever he shall find the same unprofitable to work, and surrender the lease.

Sale of Country Lands on Credit.

44. Notwithstanding anything hereinbefore contained, as to the sale, letting, occupation, or disposal of the said Country Lands, the Superintendent shall, and may, from time to time, set apart allotments thereof, for the purpose of being sold, on and subject to the terms and conditions hereinafter mentioned.

45. Such allotments shall contain, respectively, not less than twenty acres, nor more than one hundred acres, and shall be sold at the uniform price of fifteen shillings an acre, and but one of them shall be sold to the same person.

46. The intending purchaser of any of the said allotments, or his agent, shall on tendering his application to purchase, make a deposit with the Waste Lands Commissioner of one shilling for every acre in the allotment; and

such application shall not be received unless and until the deposit shall have been so made.

47. The purchase money of every such allotment shall be paid in manner following, namely: one-fifteenth-part thereof shall be paid on the day of sale, and the aforesaid deposit being retained shall be considered as such payment; one-fifteenth part thereof within one year thereafter; one-fifteenth part thereof within two years after such day of sale; one-fifteenth part thereof within three years after such day of sale; one-fifteenth part thereof within four years after such day of sale; and the remaining part thereof within five years after such day of sale.

48. The purchaser of every such allotment shall erect thereon, within the first year after such day of sale, a dwelling-house, of the length of twenty-four feet, and of the breadth of twelve feet and of the height of seven feet from the ground to the eaves; and having therein a fire-place and chimney, and being divided into at least two compartments; and also shall erect thereon, within two years after such day, a number of chains of fencing, equal in amount to one-half the number of acres in such allotment; and shall further erect thereon, before the expiration of the fifth year from such day of sale, an additional number of chains of fencing, equal in amount to that last mentioned, such fencing to consist of proper fences within the meaning of "The Fencing Act," Session 2, No. 5.

49. The Waste Lands Commissioner or his appointee shall have access at all reasonable times to every such allotment, for the purpose of ascertaining if the purchaser thereof hath complied with these regulations.

50. In the event of such purchaser failing to pay any of the said instalments of the purchase money within the time in that behalf hereinbefore specified, or failing to erect, as and in manner aforesaid, such house or fencing, all his estate and interest in such allotment shall cease and determine.

51. On the determination of the purchaser's estate or interest in such allotment, or as soon as may be convenient thereafter, the Superintendent shall and may appoint two landholders of the district wherein the land is situate, to make a valuation of the prescribed improvements made thereon, with power to appoint, in case of their disagreeing respecting the value thereof, an umpire, whose decision in such case shall be final; and, after such valuation shall have been so made, the allotment shall be sold by public auction, subject to such valuation, and the reasonable expenses incurred in making the same; and in the event of its realizing, when so and in such manner sold, the said sum of fifteen shillings an acre, the amount of the valuation so made shall be paid out of the proceeds of such sale, by the Waste Lands Commissioner, to the purchaser so forfeiting, or, in case of his decease, to his personal representatives.

52. All the provisions hereinbefore contained, as to the person by whom the said Country Lands shall be sold as aforesaid, at ten shillings an acre, and the mode and manner of notifying that the same are open for sale, and of applying for permission to purchase portions thereof, and the form and shape of such portions, and the mode and manner of receiving, dealing with, and finally disposing of the applications so made, and of paying the purchase money of the lands so purchased, shall extend and be applicable to all allotments of the said Country Lands to be sold on credit, as aforesaid, at fifteen shillings an acre (so far as the same can be applied thereto), as fully and effectually as if such provisions were here repeated: Provided that, where two or more persons shall apply at the same time for permission to purchase the same allotment, the right to effect such purchase shall be decided by lot, and not by auction.

Occupation of Crown Lands.

53. The Rules and Regulations for the issue of Pasture and Timber Licenses, for the occupation of Waste Lands of the Crown outside hundreds in the said Province, annexed to the Land Regulations for such Province which came into force on the fifteenth day of March, one thousand eight hundred and fifty five, and as referred to in the sixtieth section of those Regulations, shall remain in force, anything herein contained to the contrary notwithstanding.

54. No person will be allowed to purchase any portion of the land occupied by a pasture or timber license holder, wherein a homestead shall have been erected, or improvements made, until the offer of purchasing such land shall have been made to such license holder, at the price of twenty shillings an acre.

55. The license holder in such case will be allowed to exercise, within one month from the notification of such offer as last aforesaid, the right of purchasing, at such fixed price, his homestead or improved land, together with such land adjoining thereto as he may desire, not being in the whole less than forty or more

than eighty acres, and the whole being in one allotment, of a rectangular form, as nearly as circumstances will permit, and having, if fronting a river, road, lake, or coast, a depth of not less than three times the length of its frontage.

Naval and Military Settlers.

56 Every person who has heretofore received from the Waste Land Board, under the provisions in that behalf contained in the thirty-seventh and thirty-eighth sections of the Land Regulations, for the said Province, which came into force on the fifteenth day of March, one thousand eight hundred and fifty-five, a money certificate enabling him to acquire land free of cost, may select, before the first day of August, one thousand eight hundred and fifty-six, out of any blocks of Special Occupation Land, heretofore declared open for selection, and under and subject to all the provisions in that behalf contained in such Land Regulations, the number of acres mentioned in the said certificate; anything hereinbefore contained to the contrary thereof, in any wise notwithstanding.

T. H. BARTLEY,
Speaker.

Adopted by the Provincial Council
this twenty-third day of April,
One thousand eight hundred
and fifty-six.

STEPHEN E. HUGHES,
Clerk of Auckland Provincial Council.

I, John Logan Campbell, Superintendent of the Province of Auckland, do hereby recommend to the Governor the above Regulations for the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown, that they may be issued and put in force in the said Province.

J. LOGAN CAMPBELL,
Superintendent.

Colonial Secretary's Office, Auckland,
May 9th, 1856.

IN pursuance of the provisions of the New Zealand Constitution Act, His Excellency the Governor directs the publication of the following Act of the General Assembly for public information.

By His Excellency's command,

HENRY SEWELL,
Colonial Secretary.



PENSIONS ACT, 1856.

In the Nineteenth Year of the Reign of Her Majesty Queen
Victoria.

SESSION 4, No 1.

ANALYSIS.

<p>Title. Preamble.</p> <p>1. Governor may remove from office A. Sinclair, W. Swainson, and A. Shepherd.</p> <p>2. Annuities to be paid out of the General Revenue on their ceasing to hold office.</p> <p>3. To be paid quarterly.</p>	<p>4. Provision that pension or annuity shall cease or be lessened in certain cases of holding other offices under Government.</p> <p>5. Governor may commute pensions within twelve months.</p> <p>6. Short title. Schedule A. Schedule B.</p>
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Title.

AN ACT to provide for the retirement of certain Officers of the Executive Government.

(Assented to 7th May, 1856.)

Preamble.

WHEREAS an alteration is about to be made in the mode of Executive Government in the Colony of New Zealand whereby the holders of the offices of Colonial Secretary, Attorney-General, and Colonial Treasurer of New Zealand will become removable from office on grounds merely political: And whereas it is expedient with a view to the immediate retirement or removal from office of the present holders of the said offices, namely, Andrew Sinclair, Esquire, the Colonial Secretary, William Swainson, Esquire, the Attorney-General, and Alexander Shepherd, Esquire, the Colonial Treasurer, and with a view to the immediate introduction of the said altered mode of Executive Government, that a retiring provision be made for the said present holders of the said offices: Be it therefore enacted by the General Assembly of New Zealand as follows:

Governor may remove from office A. Sinclair, W. Swainson, and A. Shepherd.

1. Whenever it shall appear to the Governor that it would be expedient that the said Andrew Sinclair, William Swainson, and Alexander Shepherd, or any of them, should cease to hold office as aforesaid, it shall be lawful for the Governor to remove them or him therefrom.

2. To every of them, the said Andrew Sinclair, William Swainson, and Alexander Shepherd, on ceasing to hold office, either by such removal, or by resignation of office at the request of the Governor there shall be paid out of the General Revenue of New Zealand an Annuity or Pension for the term of his natural life after the rate set opposite to his name in Schedule A. to this Act.

Annuities to be paid out of the General Revenue on their ceasing to hold office.

3. The said Annuities or Pensions shall commence on the several days on which the said Andrew Sinclair, William Swainson, and Alexander Shepherd shall respectively cease to hold office as aforesaid ; and shall be paid quarterly (that is to say), on the first day of January, the first day of April, the first day of July, and the first day of October in every year.

To be paid quarterly.

4. In case of any of them, the said Andrew Sinclair, William Swainson, and Alexander Shepherd, shall accept or shall have accepted any office of emolument under the British or any Colonial Government or under any of the Provincial Governments of New Zealand if the emoluments of such office shall be equal to or exceed in amount the annuity or pension hereby made payable to him, then and in every such case such annuity or pension shall wholly cease, and if such emolument shall be less than the annuity or pension hereby made payable to him then and in every such case such annuity or pension shall thenceforth be reduced by the amount of such emolument. But in either case during such period or periods only as such office of emolument shall be held by him. Provided that for the purposes of the foregoing provision any half pay or pension in respect of any office now or heretofore held by the said annuitants shall not be deemed to be an emolument of office.

Provision that pension or annuity shall cease or be lessened in certain cases of holding other offices under Government.

5. Provided always that if it shall at any time within twelve months from the passing of this Act appear expedient to the Governor of the said Colony to commute the said pensions respectively or any or either of them for a sum of money in gross, it shall be lawful for the said Governor to commute such pensions respectively for the sum of money in gross respectively mentioned in Schedule B to this Act, and to pay the same sums respectively out of the General Revenue of the said Colony.

Governor may commute pensions within twelve months.

6. This Act shall be entitled and may be cited as "The Pensions Act, 1856."

Short title.

SCHEDULE A.

PENSIONS.

	£	s.	d.
To the said Andrew Sinclair such sum as shall be fixed by her Majesty by instructions under her signet or sign manual, or signified through one of her Majesty's principal Secretaries of State, to the Governor of the said colony, not exceeding the sum of	466	13	4

	£	s.	d.
To the said William Swainson, such sum as shall be fixed as aforesaid, not exceeding the sum of	400	0	0
To the said Alexander Shepherd, such sum as shall be fixed as aforesaid, not exceeding the sum of	480	0	0

SCHEDULE B.

COMMUTATION OF PENSIONS.

To the said Andrew Sinclair, a sum equal to four years and a half purchase of such sum as shall be fixed as aforesaid as the pension payable to him
To the said William Swainson a sum calculated at the like rate
To the said Alexander Shepherd a sum calculated at the like rate.....

Examined and certified.

JAS. JOHN FIERCY,
Clerk of Legislative Council.

F. E. CAMPBELL,
Clerk of House of Representatives.

In the name of Her Majesty I assent to this Act.

T. GORE BROWNE,
Governor.

Auckland, 7th May, 1856.

Colonial Secretary's Office, Auckland,
May 9th, 1856.

HIS Excellency the Governor has been pleased to direct that the following Returns should be published for general information.

By His Excellency's command,
HENRY SEWELL,
Colonial Secretary

A RETURN of Custom Duties, at each of the Ports in the Province of Canterbury, in the year ended 31st December, 1855, as compared with the year ended 31st December, 1854.

Ports.	Amount of Duty received during					
	the year ended 31st December, 1855.			the year ended 31st December, 1854.		
	£	s.	d.	£	s.	d.
Victoria	8869	0	0	7046	2	1
Akaroa	234	16	7	426	11	6
Totals	£9013	16	7	£7472	13	7

Compiled from Records of the Colonial Secretary's Office.

HENRY SEWELL,
Colonial Secretary.

A RETURN showing the aggregate Amount of Revenue collected at the Ports of Auckland, Russell, Mongonui, Hokianga, Kaipara, Kawhia, New Plymouth, Wellington, Whanganui, Nelson, Otago on the different Articles, and under the Rates of Duties herein mentioned, for the year ending 31st December, 1855, as compared with the corresponding period in 1854.

ARTICLES.	Rate of Duty.	Quantity.	For the year ending 31st Dec., 1855.	Quantity.	For the year ending 31st Dec., 1854.	Increase in 1855.	Decrease in 1855.
			£ s. d.		£ s. d.	£ say	£ say
Spirits	6s. per gallon	112,535 $\frac{1}{2}$ galls.	33,760 13 2	107,167 $\frac{3}{8}$ galls.	32,150 5 1	1610	0
Tobacco	1s. per lb.	204,912 lbs.	10,245 12 0	192,128 lbs.	9606 8 0	639	0
Ditto, Cigars and Snuff	2s. "	10,387 $\frac{1}{2}$ lbs.	1038 14 3	13,155 $\frac{2}{5}$ "	1315 10 4	0	277
Wine, in cask	1s. 6d. per gallon	33,496 $\frac{1}{8}$ galls.	2512 4 6	29,149 $\frac{3}{8}$ galls.	2186 4 6	326	0
Ditto in Bot le	5s. per doz.	4,005 $\frac{1}{2}$ dozen	1001 9 2	3,757 $\frac{1}{2}$ dozen	939 9 7	62	0
Ale and Beer, in cask	4d. per gallon	85,562 galls.	1426 0 8	106,966 galls.	1782 15 4	0	356
Ditto in bottle	1s. per doz.	32,278 $\frac{4}{7}$ dozen	1613 18 4	22,607 $\frac{7}{2}$ dozen	1130 7 7	483	0
Tea	2d. per lb.	255,474 lbs.	2128 19 0	269,284 lbs.	2244 0 8	0	116
Coffee, Cocoa, and Chocolate	$\frac{1}{2}$ d. & 1d. $\frac{3}{4}$ cwt.	679 $\frac{2}{7}$ cwt.	178 15 7	1,346 $\frac{7}{12}$ cwt.	333 16 2	0	155
Sugar, Raw	2s. 4d. "	29,289 $\frac{7}{2}$ "	3417 2 6	24,763 $\frac{7}{12}$ "	2889 1 10 $\frac{1}{2}$	528	0
Ditto, Refined	4s 8d. "	1434 $\frac{8}{7}$ "	334 14 9	3,222 $\frac{1}{12}$ "	752 0 5	0	418
Blankets	2s. per pair	22,226 pairs	2222 12 0	29,893 $\frac{1}{2}$ pairs	2989 7 0	0	767
Cottons, Prints, and Calicoes, Narrow and Wide ..	$\frac{1}{2}$ d. & $\frac{3}{4}$ d. per yard	902,771 yards	1992 1 8 $\frac{1}{2}$	1,640,165 yards	3607 9 2	0	1615
Boots and Shoes, Long	8s. per doz. pairs	465 $\frac{2}{7}$ doz. pairs	186 4 0	465 $\frac{2}{7}$ dozen pairs	186 5 4	0	1s. 4d.
Ditto Half	4s. "	2126 $\frac{6}{7}$ "	425 6 0	1808 $\frac{1}{2}$ "	361 12 4	64	0
Ditto Women's and Men's	3s. "	3238 $\frac{1}{7}$ "	485 14 11	3883 $\frac{1}{2}$ "	582 9 0	0	97
Ditto Children's	2s. "	3265 $\frac{5}{7}$ "	326 10 10	3340 $\frac{1}{12}$ "	334 1 10	0	8
Apparel, Drapery, and Haberdashery, not described	Various		9533 15 2		14,534 16 5	0	5001
Articles not above enumerated	"		22,492 8 7		19,445 17 2	3047	0
Total amount received during the Years	95,322 17 1	97,371 17 9	0	2049

Custom-house, 18th April, 1856.

WILLIAM YOUNG,
Collector.

