



NEW ZEALAND
GOVERNMENT GAZETTE.

Published by Authority.

WEDNESDAY, AUGUST 19, 1857. [No. 23.]

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., &c.

WHEREAS by an Act of the Imperial Parliament passed in the fifteenth and sixteenth years of the Reign of Her present Majesty, Cap. 72, intituled "An act to grant a Representative Constitution to the Colony of New Zealand," the several Provinces of Auckland, New Plymouth, Wellington, Nelson, Canterbury and Otago, are thereby established; and it is enacted that for each of the said Provinces there shall be a Superintendent and Provincial Council.

And whereas by the said Act it is further enacted that every Provincial Council shall continue for the period of four years from the day of return of the Writs for choosing the same, and no longer. Provided always that it shall be lawful for the Governor of New Zealand by Proclamation, otherwise, to dissolve the same whenever he shall think it expedient so to do.

Now, therefore, I, the Governor of the Colony of New Zealand, do, by this Proclamation, dissolve the Provincial Council of the said Province of Auckland accordingly.

Given under my hand, and issued under the Public Seal of the Colony of New Zealand, at Government House, at Auckland, in the Colony

aforsaid, this eighteenth day of August, in the year of our Lord one thousand eight hundred and fifty-seven.

THOMAS GORE BROWNE,
Governor.

By his Excellency's command,
E. W. STAFFORD.

GOD SAVE THE QUEEN!

Colonial Secretary's Office,
Auckland, August 18th, 1857.

THE following further Correspondence relative to a Dissolution of the Auckland Provincial Council is published for general information.

E. W. STAFFORD.

Superintendent's Office, Auckland,
August 13th, 1857.

SIR,—I have the honor to transmit enclosed copy of a letter addressed to me by Major Matson, M.P.C., together with the Memorial therein referred to.

I have, &c.,

J. WILLIAMSON,
Superintendent.

The Honorable
the Colonial Secretary.
&c., &c., &c.

Auckland, 12th August, 1857.

SIR,—I have the honor to request you will be pleased to forward the enclosed memorial

to his Excellency the Governor, through the proper channel, at your earliest convenience.

I have, &c.,

HENRY MATSON, M.P.C.

To His Honor
the Superintendent, Auckland.

To His Excellency Colonel THOMAS GORE
BROWNE, C.B., Governor, &c.

The Memorial of the undersigned Members
of the Auckland Provincial Council.

RESPECTFULLY SHEWETH,—

That there are several questions of vital consequence to the interests of this Province which require immediate consideration by the Representatives of the People in the Provincial Council.

That there is no reasonable probability, owing to the occurrences which led to the prorogation of the Council, and to circumstances which have lately been brought under the consideration of your Excellency in Council, that the Auckland Provincial Council which has been summoned to meet on the 17th August instant, will be enabled to proceed with the public business.

That in the opinion of your Memorialists the great majority of their respective Constituents and the people of this Province desire a dissolution of the present Council.

Your Memorialists, therefore, respectfully pray that your Excellency may be pleased to dissolve the Auckland Provincial Council without delay.

WM. POWDITCH, M.P.C.

JOHN KELLY, M.P.C.

ALLAN O'NEILL, M.P.C.

C. A. HARRIS, M.P.C.

HUGH COOLAHAN, M.P.C.

HENRY MATSON, M.P.C.

ROBERT SCHULTZ, M.P.C.

FRED. W. MERRIMAN, M.P.C.

J. DILWORTH, M.P.C.

JOSEPH BRENNAN, M.P.C.

FRAS. CHAS. LEWIS, M.P.C.

W. BUCKLAND, M.P.C.

Colonial Secretary's Office,
Auckland, August 14th, 1857.

SIR,—With reference to your letter of yesterday's date, enclosing the copy of a letter addressed to you by Major Matson, covering a Memorial referred to therein, I have the honor to transmit a communication in reply to that Memorial.

I have, &c.,

E. W. STAFFORD.

His Honor
the Superintendent, Auckland.

Colonial Secretary's Office,
Auckland, August 14th, 1857.

SIR,—I am directed by the Colonial Secretary to acknowledge the receipt of a Memorial to His Excellency, signed by gentlemen representing eleven seats in the Auckland Provincial Council, praying that the Council be dissolved, and to inform you that the same has been laid before the Governor, and that as the Provincial Council has been summoned to

meet in three days from the present, his Excellency has not been advised to forestall its action.

I have, &c.,

W. GISBORNE,
Under Secretary.

Major Matson.

Auckland, August 14th, 1857.

SIR,—I have the honor to forward, for the consideration of His Excellency the Governor, a Petition praying for the Dissolution of the Auckland Provincial Council.

This Petition was adopted at a Public Meeting held on the 6th instant, at which I had the honor to preside, and has since received the signatures of 1350 persons. Had there been time, I may add, a much greater number of persons would have adopted this method of expressing their opinion of the necessity for an immediate dissolution of the Council.

Commending the prayer of the Petition to the earnest attention of His Excellency the Governor and his Executive Council,

I have, &c.,

HENRY MATSON,
Chairman.

To the Honorable
The Colonial Secretary.

To His Excellency Colonel THOMAS GORE
BROWNE, C.B., Governor of the Colony
of New Zealand.

The humble Petition of the undersigned
Electors and Inhabitants of the Province of
Auckland

RESPECTFULLY SHEWETH—

That the interests of this Province have already suffered from the delay in legislating on several subjects of vital consequence to those interests arising from the occurrence which rendered necessary a prorogation of the Provincial Council in the month of February last.

That there is no ground to believe that the Provincial Council, at the meeting which is about to take place, will be enabled to proceed to the consideration of those subjects requiring immediate attention and deeply affecting the prosperity of the Province; that, on the contrary, it seems certain that there can be nothing more than a repetition of the scenes of personal strife and party conflict which disgraced the close of the last session of the Provincial Council.

That the members of the Provincial Council having been chosen long previously to the election of the present Superintendent, and with a view to the carrying out a system of policy differing essentially from that announced by him, and now approved by a majority of the electors, harmonious action between the two branches of the Provincial legislature, which is indispensable to the promotion of the public interests, seems improbable.

Your Petitioners, therefore, humbly and most earnestly pray that for the sake of the peace, order, and good government of the Province, your Excellency will be pleased to dissolve the Provincial Council without delay.

[Here follow 1350 signatures.]

Colonial Secretary's Office,
Auckland, August 17th, 1857.

SIR,—I have the honor, by direction of the

Colonial Secretary, to acknowledge the receipt of a Petition to the Governor, from certain electors and inhabitants of the Province of Auckland, praying a dissolution of the Provincial Council, on the ground that there is no reason to believe that the Provincial Council, at the meeting which is about to take place, will be enabled to proceed to the consideration of subjects requiring immediate attention and deeply affecting the prosperity of the Province, and that the harmonious action of the two branches of the Provincial legislature is improbable.

This Petition has been laid before His Excellency, and in reply, I am to observe that the only impediment to the harmonious action of the Superintendent and the Provincial Council for the despatch of public business, of which the Government is aware, arises from the dispute as to the seat for the Suburbs of Auckland.

The Superintendent has declared his intention to refer this technical question to the Provincial Council, which is competent to decide it, and the Government cannot anticipate that that body will refuse to exercise its powers for the public welfare.

It may also be observed that the present Council can dispose of the matters requiring urgent attention much more speedily than could possibly be the case if a dissolution were to take place.

I have, &c.,

W. GIBBORNE,
Under Secretary.

Major Matson, &c.

Drury, August 11, 1857.

SIR,—I am requested to forward to your Excellency the enclosed Petition of a number of freeholders and electors of this district, and to respectfully solicit that your Excellency will be pleased to give it a favorable consideration.

I have, &c.,

J. MIDDLEMAS.

His Excellency
Colonel Thomas Gore Browne, C.B.,
Governor of the Colony
of New Zealand, &c., &c.

To His Excellency COLONEL THOMAS GORE BROWNE, C. B., Governor of the Colony of New Zealand, &c., &c.

The humble Petition of the undersigned Freeholders and Electors of the Province of Auckland

HUMBLY SHEWETH—

That your Petitioners are aware of your Excellency's expressed intention to dissolve the Auckland Provincial Council at an early period, and therefore humbly pray that your Excellency will be pleased to proclaim such dissolution as speedily as possible, believing, as your petitioners do, that the present difficulty of the said Council cannot be overcome but by an appeal to the electoral body, in order that the legislation and public works of the Province may be speedily proceeded with, which your petitioners believe are now stopped through the present difficulty, caused by the vote

of the minority of the Provincial Council, and your petitioners will ever pray.

[Here follow 31 signatures.]

Colonial Secretary's Office,
Auckland, August 17th, 1857.

SIR,—I am directed by the Colonial Secretary to acknowledge the receipt of the Petition transmitted in your letter of the 11th instant, addressed to the Governor by certain inhabitants of the Papakura district, praying His Excellency to dissolve the Provincial Council.

In reply I am to state that as the Provincial Council is summoned to meet this day, His Excellency cannot be advised to forestall its action by an immediate dissolution.

I have, &c.,

(Signed) W. GIBBORNE,
Under Secretary.

Mr. J. Middlemas, Papakura.

Colonial Secretary's Office,
Auckland, August 18th, 1857.

SIR,—I have the honor to bring under your notice, in reference to my communication of the 25th June last, that the Government has not yet received an authentic copy of the revised Electoral Roll of the Province of Auckland, and to request that I may be informed when that Roll may be expected.

I have, &c.,

E. W. STAFFORD,

His Honor
the Superintendent,
Auckland.

Superintendent's Office,
Auckland, August 18th, 1857.

SIR,—I have the honor to acknowledge the receipt of your letter, No. 412, of this day's date, on the subject of the publication of the revised Electoral Roll, and to inform you that the revised Electoral Roll, copy of which is transmitted herewith, will be published immediately.

I have, &c.,

J. WILLIAMSON,
Superintendent.

The Honorable
the Colonial Secretary.
&c., &c., &c.

Colonial Secretary's Office,
Auckland, August 18th, 1857.

SIR,—In reference to the correspondence that has taken place on the subject of a dissolution of the Auckland Provincial Council, I have the honor to inform you that His Excellency the Governor has been advised to dissolve the Council, and a Proclamation for that purpose will be issued accordingly.

This determination has been come to on the following grounds:—

On three occasions your Honor has applied for a dissolution of the Council; on the 13th instant certain gentlemen, representing eleven seats out of twenty-four in the Provincial Council, made a similar application; and applications to the same effect were made in two memorials signed by upwards of 1300 inhabitants of the Province.

So far, then, it appeared that the Superintendent of the Province—a minority of the Provincial Council—and a body of electors, which may be estimated at one-fifth or one-sixth of the whole number on the Roll, had expressed themselves in favour of a dissolution.

Now, it appears to Her Majesty's Colonial Government that when an application is made by one branch of the Provincial Legislature, with the concurrence of a minority only of the other, for the interference of the Governor by the adoption of so strong a measure as the dissolution of a Provincial Council, there should be apparent the most cogent reasons to justify such a course.

In the present case, the grounds on which (subsequently to the resignation of Messrs. Daldy and Graham) a dissolution has been asked for have, until yesterday, been quite insufficient, consisting, as they have done, mainly of the mere anticipation that the Provincial Council would not perform the duties imposed on it by the Constitution.

His Excellency's advisers have been unable to admit that such an anticipation could justify their interference, and have conceived it to be their duty to afford the Provincial Council an opportunity of extricating itself from a mere technical difficulty, and of shewing that it was not unwilling to carry on the urgent business of the Province.

The Government is now, however, aware that the Council met yesterday, and by a considerable majority resolved on an adjournment for ten days. Considering the circumstances under which this resolution was come to, it can only be viewed as expressing the determination of the present Council not to carry on the legislative business of the Province; and a Proclamation has been issued by your Honor proroguing the Council for an indefinite period.

The advisers of the Crown now recognise that it is time to interfere to preserve the Institutions of the Province and the Law of the Colony from further indignity.

They leave the responsibility of so lamentable a state of things with those, without distinction of party, by whom it has been brought about.

I have, &c.,
E. W. STAFFORD.

His Honor
the Superintendent,
Auckland.

Colonial Secretary's Office,
Auckland, August 18th, 1857.

HIS Excellency the Governor has been pleased to appoint

Mr. JOSEPH DAVIES
to be Postmaster at Onehunga.

E. W. STAFFORD.

A TRUE and PERFECT SCHEDULE of all UNCLAIMED BALANCES of DECEASED PERSONS' ESTATES, administered by LAUGHLIN O'BRIEN, Esquire, Registrar of the Supreme Court of New Zealand, as Official Administrator, and paid into the Treasury of the Colony of New Zealand, at Auckland, from the 1st day of April, to the 30th day of June, 1857.

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.						
								£	s.	d.	£	s.	d.
Mischa Brown	Wangarei	Unknown.	50	2	9	41	1	5	9	1	4		
			50	2	9	41	1	5	0	0	0	0	

I, Laughlin O'Brien, 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 Colony of New Zealand, at Auckland, from the 1st day of April to the 30th day of June, 1857.
L. O'BRIEN.
Made and declared at Auckland, this fifteenth day of July, 1857, before me, SIDNEY STEPHEN, C.J.
I certify the above Return to be correct, E. W. RICHMOND, Treasury, August 18, 1857.

Attorney-General's Office,
Auckland, August 18th, 1857.

PURSUANT to the provisions of the "Land Claims Settlement Act, 1856," all persons interested in or claiming title under any of the Crown Grants specified in the Schedule hereunto annexed, are hereby, on behalf of Her Majesty, required to produce, or cause to be produced, such Crown Grants before the Commissioner of Land Claims, at Auckland, on the thirty first day of August next.

In default of the above Grants being produced on the day and at the place above mentioned, (unless the non-production thereof be accounted for to the satisfaction of the said Commissioner,) the said Grants will, under the provisions of the aforesaid Act, be declared null and void, and become so to all intents and purposes in like manner as if the same had been repealed in the Supreme Court by process of *scire facias*.

FRED. WHITAKER.

SCHEDULE.

Grantee.	Date of Issue of Grant.	Locality of Land Granted.
James Hamlin	Oct. 22, 1844	250 acres at Manukau, called Te Tumu.
The same	Oct. 22, 1844	1000 acres at Manukau, called Tapuitikitiki.
The same	Oct. 22, 1844	200 acres at Manukau, called Omaru.
The same	Oct. 22, 1844	500 acres at Manukau, called Mangawharawhara.
The same	Oct. 22, 1844	500 acres at Manukau, called Makawau.
The same	Oct. 22, 1844	1100 acres between the Tamaki and Manukau.
The same	Oct. 22, 1844	300 acres at Manukau, called Rangiriri.
John Whithead Macnee	Oct. 22, 1844	2232 acres on the Wairoa River, Kaipara.
Thomas Bate- man	June 24, 1844	1200 acres between the Tareka and Kirikiri rivers.
William Wright and William S. Grahame.	Feb. 15, 1845	4000 acres on the Otamatea River, Kaipara.

SUPREME COURT.

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 Tuesday, the First day of September next, at Ten o'clock in the forenoon; and that a Sitting for the despatch of Civil business will be holden at the Court House on Monday, the seventh day of September 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,

L. O'BRIEN,
Registrar.

Supreme Court Office, Auckland,
4th August, 1857.

New Zealand Company's
Land Claims' Commission,
Wellington, 25th June, 1857.

I, WILLIAM FOX, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session No. 11, 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 under-mentioned 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.

No. of Report.	No. of Claim.	Name of Claimant.	Commissioner's decision.
1109	1253	John Barrett	Entitled to a Grant of part of the Section numbered 84, in the City of Wellington.
1110	1252	Edward Toomath	Entitled to a Grant of part of Section numbered 154, in the City of Wellington, subject to a direction of the Commissioner.
1111	1255	Edward Storah	Entitled to a Grant of part of the Section numbered 183, in the City of Wellington.
1112	1239	Jonas Woodward	Entitled to a Grant of one acre, part of Country Section numbered 1, Harbour District.
1113	1254	Hugh Sinclair	Entitled to a Grant of Section numbered 26, Wainuiomata District.
1114	1258	Robert Bett	Entitled to a Grant of Town Section numbered 165, Wanganui.
1115	1257	Atkinson A. P. Tighe	Entitled to a Grant of 100 acres, more or less, being Country Section numbered 54, Left Bank, Wanganui River.
1116	1104	Edward Westall	Entitled to a Grant of 25 acres, part of Section 41, Porirua District.

WILLIAM FOX,
Commissioner, Wellington.

31st July, 1857.

IN THE SUPREME COURT OF NEW ZEALAND.

In the Estate of WILLIAM WILSON, late of Auckland, Butcher, deceased intestate.

PURSUANT to the Rule of this Honorable Court, the creditors of the above-named intestate are, on or before the fourteenth day of November next, to come in and prove their debts before LAUGHLIN O'BRIEN, Esq., Receiver of Intestate Estates, at his Office in the Court House, Queen-street, Auckland; or

