

The New Zealand Gazette.

Published by Authority.

SATURDAY, DECEMBER 12, 1857.

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 the General Assembly of New Zealand has been and now stands prorogued *sine die*, Now, therefore, I, the Governor of New Zealand, in pursuance of the power and authority in me vested, do hereby announce and proclaim that the said General Assembly shall assemble for the despatch of business on the thirty-first day of March next ensuing, at twelve o'clock at noon, in the General Assembly House, at Auckland, and the Honorable Members of the Legislative Council, and the Members of the House of Representatives res-

pectively are hereby required to give their attendance at the said time and place accordingly.

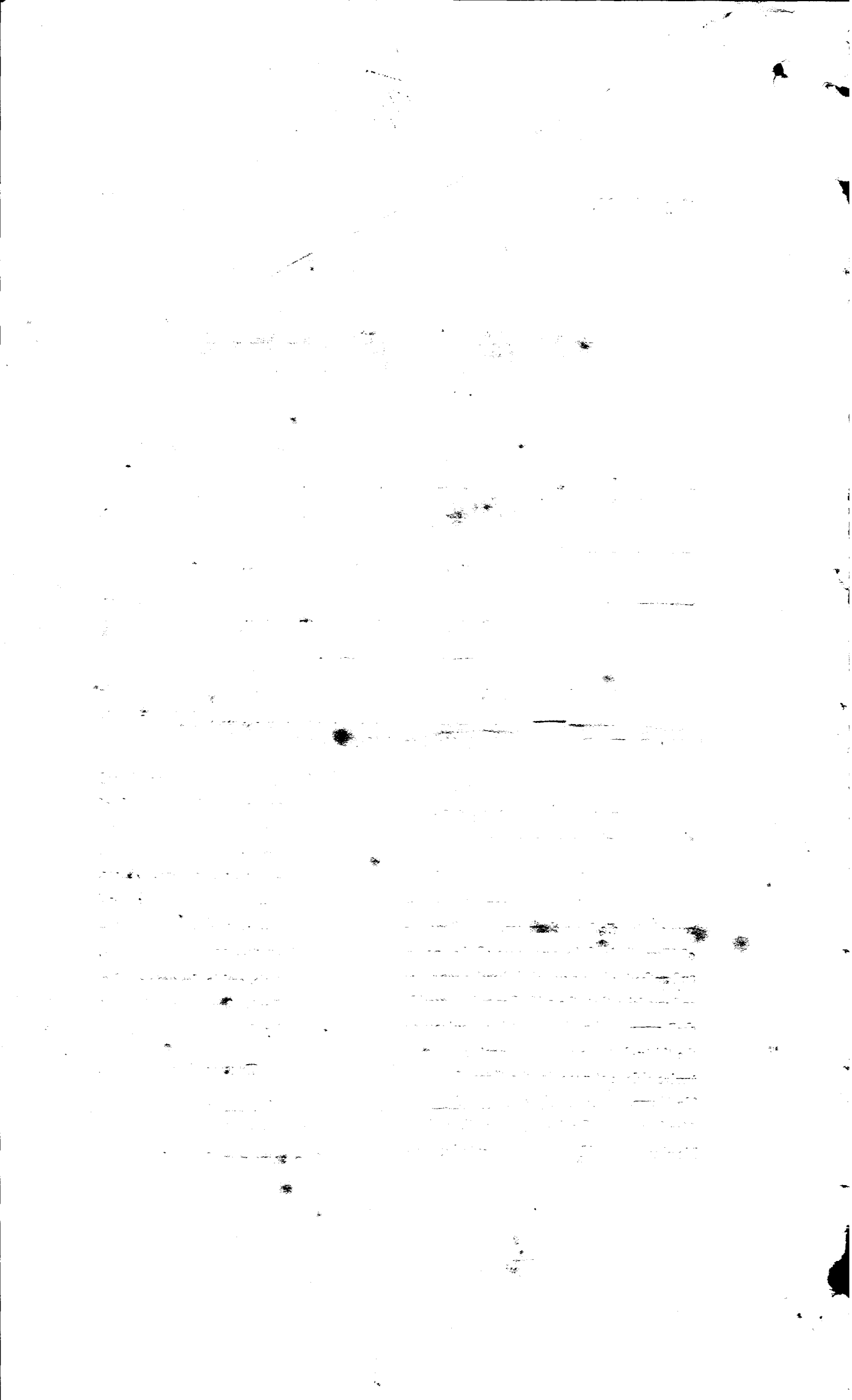
Given under my hand and issued under the Public Seal of the Colony of New Zealand, at Government House, at Auckland, this twelfth day of December, in the twenty-first year of the reign of Her Majesty Queen Victoria, and in the year of Our Lord, One thousand eight hundred and fifty-seven.

THOMAS GORE BROWNE.

By His Excellency's command,

E. W. STAFFORD.

GOD SAVE THE QUEEN!



Great Britain and Ireland such Sums as shall be required to make good any Deficiency which shall happen in the regular Payment, on the Part of *New Zealand*, of the Interest accruing due upon such Sums as shall be borrowed as aforesaid, or in the Liquidation of the Principal Sums when the same shall become payable.

II. All the Sums which shall be so issued and paid out of the said Consolidated Fund in respect of the Interest of the Sums borrowed as aforesaid, or the Liquidation of the Principal Sums, with Interest upon the Sums so issued after the yearly Rate of Five Pounds for One hundred Pounds, to be computed from the several Times of issuing the same, shall be charged upon the general Revenues of the Colony of *New Zealand*, including all the Revenue which is deemed to be included therein for the Purposes of the said recited Act of Assembly.

Advances out of Consolidated Fund to be charged on Revenues of New Zealand.

III. No Act passed by the Legislature of *New Zealand* in anywise discharging or varying the Security expressed to be given by the said recited Act of Assembly, upon the Revenue arising from the Duties of the Import and Export, and from the Disposal of Waste Lands of the Crown, for the Repayment of the Sums of Money borrowed under such Act, and the Interest thereon, shall be valid, unless such Act contain a Clause suspending the Operation of the same until Her Majesty's Pleasure shall have been taken thereon, and the same shall have been confirmed by her Majesty, with the Advice of Her Privy Council, and a Proclamation of such Confirmation having been given shall have been made by the Governor or Person administering the Government of the said Colony.

No Act of New Zealand varying the Security for the Money borrowed and Interest to be valid unless confirmed by Her Majesty in Council.

IV. The Commissioners of Her Majesty's Treasury shall from Time to Time certify to One of Her Majesty's Principal Secretaries of State the Amount so paid from Time to Time on account of the Interest or Principal of the Sums borrowed as aforesaid; and such Certificate shall be communicated to the Governor or Person administering the Government of *New Zealand*, and shall be by him communicated to the General Assembly of the said Colony; and such Certificate shall be conclusive Evidence of the Amount so paid out of the consolidated Fund of the said United Kingdom, and of the Time when the same was paid on account of the Interest or Principal of the Sums so borrowed.

Certificate of Amount paid out of Consolidated Fund to be sent to New Zealand.

V. The Commissioners of Her Majesty's Treasury shall cause to be prepared and shall lay before both Houses of Parliament, within Fourteen Days next after the Beginning of every Session, an account of all Sums from Time to Time issued out of the Consolidated Fund of the said United Kingdom by virtue of this Act towards making good any such Deficiency as aforesaid, and also an Account of all Sums repaid by or recovered from *New Zealand* by reason of such Advance, with the Interest paid or recovered thereon.

Accounts to be laid before Parliament.

ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. LII.

AN ACT for discharging Claims of the *New Zealand Company* on the Proceeds of Sales of Waste Lands in *New Zealand*. [17th August, 1857.]

WHEREAS by an Act of the Session of the Tenth and Eleventh Years of Her present Majesty, Chapter One hundred and twelve, intituled *An Act to promote Colonization in New Zealand, and to authorise a Loan to the New Zealand Company*, it was enacted (by Section Nineteen), that if the Directors of the *New Zealand Company* should give Notice to One of Her Majesty's Principal Secretaries of State within Three Calendar Months next after the Fifth Day of April, One thousand eight hundred and fifty, by any instrument under the Seal of the Company, that they were ready to surrender the Charters of the Company to Her Majesty, and all Claim and Title to the Lands granted or awarded to them in the Colony of *New Zealand*, all the Powers and Privileges of the Company, except such as should be necessary for enabling the Directors to receive the several Sums of Money therein-after mentioned and to distribute the same among the Shareholders and other Persons entitled thereunto, and for enabling the Directors to adjust and close the Affairs of the Company, should cease and determine, and all the Lands, Tenements, and Hereditaments of the Company in the Colony should

10 & 11 Vict. c. 112.

thereupon revert to and become vested in Her Majesty, as part of the Demesne Lands of the Crown in *New Zealand*, subject, nevertheless, to any contracts which should be then subsisting in regard to any of the Lands, and upon the condition of satisfying any Liabilities to which the Company might then be liable under their existing engagements with reference to the Settlement at *Nelson*, or any liabilities of the Company which during the suspension of the Instructions therein referred to, should have been contracted by them, with the consent of the Special Commissioner provided for by the now-reciting Act, and all claims of the Company to any further Grant of Land should cease; and also (by Section Twenty) that, upon the reversion as aforesaid to Her Majesty of the Lands belonging to the Company, all claim on behalf of Her Majesty, or of the Commissioners of Her Majesty's Treasury, in respect of either the ~~Loan of One Hundred thousand Pounds therein referred to, or the Loan authorised~~ by the now-reciting Act, or of so much as should then remain due and unpaid, should be remitted to the Company, and there should be charged and paid to the Company, out of the Proceeds of all future Sales of the Demesne Lands of the Crown in *New Zealand*, after deducting the outlays for Surveys and the proportion of such Proceeds which was appropriated to the Purpose of Emigration, the Sum of Two hundred and sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, being after the Rate of Five Shillings for each Acre of the One million seventy-three thousand four hundred and eighty-three Acres to the Proportion of which the Company were then entitled, including therein Twenty-four thousand four hundred and ninety-one Acres and half an Acre purchased by the Company within their own Settlements, and then held as their private Estate, with Interest after the yearly Rate of Three Pounds Ten Shillings in the Hundred Pounds upon that Sum, or so much thereof as should from Time to Time remain due and unpaid, to be computed from the Day of Delivery of such Notice; and also (by Section Twenty-one) that the Receipt by Two of the Directors of the Company, authorised to give such Receipt by any Resolution under the Seal of the Company, should be a sufficient Acknowledgement of the Payment or Advance of any Moneys authorized by the now-reciting Act to be paid or advanced to the Company, and that neither the Special Commissioner nor the Commissioners of Her Majesty's Treasury should be bound to see to the due Application of the moneys, otherwise than is in the now-reciting Act provided: And whereas the Notice provided for by Section Nineteen of the recited Act was duly delivered by the Directors of the Company on the Fourth Day of *July*, One thousand eight hundred and fifty, and thereupon, under the Provisions of that Act, all the Lands, Tenements, and Hereditaments of the Company in the Colony ~~reverted to, and became part of Her Majesty's Demesne Lands of the~~ Crown in *New Zealand*, subject, nevertheless, as by that Act is provided, as hereinbefore recited: And whereas by an Act of the Session of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Seventy-two, intituled *An Act to grant a Representative Constitution to the Colony of New Zealand*, it was enacted (by Section Sixty-two) that the Governor of *New Zealand* should pay out of the Revenue arising from the Disposal of Waste Lands of the Crown (among other Sums) such Sums as might become payable to the Company under the Provisions of the now-reciting Act in respect of the Sale or Alienation of Land; and (by Section Seventy-two) that all Lands wherein the Title of Natives should be extinguished, as therein-after mentioned, and all such other Lands as were described in the first-recited Act as Demesne Lands of the Crown, should be deemed and taken to be Waste Lands of the Crown, within the Meaning of the now-reciting Act; and (by Section Seventy-four), after reciting that under and by virtue of the first-recited Act and the recited Notice given by the Company in pursuance thereof, the Sum of Two hundred and sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, with Interest after the yearly Rate of Three Pounds Ten Shillings *per Centum* upon that Sum, or so much thereof as should from Time to Time remain unpaid, was charged upon and payable to the Company out of the Proceeds of the Sales of the Demesne Lands of the Crown in *New Zealand*, it was enacted, that in respect of all Sales or other Alienations of any Waste Lands of the Crown in *New Zealand* in Fee Simple, or for any less Estate or Interest (except as therein is excepted), there should be paid to the Company, towards the Discharge of the Principal Sum and Interest charged as aforesaid, in lieu of all and every other Claim of the Company in respect of that Sum, except where otherwise therein-after provided, so long as the same or any Part thereof respectively should remain unpaid, One Fourth Part of the Sum paid by the Purchaser in respect of every such Sale or Alienation: Provided always, that it should be lawful for the Company, by any Resolution of a Majority of the Proprietors of the Company, as therein expressed, to release all or any Part of the Lands from the Moneys or Payments charged thereon by the first-recited Act or the now-reciting Act, or any Part of such Moneys or Payments, either absolutely or upon any Terms or Conditions, as such Proprietors

15 & 16 Vict.
c. 72.

might think fit: And whereas divers Payments, amounting in the whole to One hundred and two thousand seven hundred and three Pounds, or thereabouts, have been made to the Company on account of the Sum so charged and the Interest thereon: And whereas the Company are willing to accept the immediate Payment of a Sum less than the Residue now unpaid of the Sum of Two hundred and sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, and the Interest thereon, in full Satisfaction and Discharge thereof, instead of waiting for the Payment of the whole Amount by Instalments and at uncertain Times; and it is expedient that Payment of a Sum, as by this Act provided, be made to them accordingly, and that the Sum so paid be distributed among the Shareholders of the Company: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. If, on or before the Fifth Day of *April* One thousand eight hundred and fifty-eight, there be paid in One Sum, or by Instalments to the *New Zealand Company*, on the Receipt authorized by the first-recited Act, for immediate Distribution, a Sum equal to the Balance on the Day of such Payment remaining unpaid of the Sum of Two hundred and sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, and the Interest thereon, less Sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, then, on that Payment being so made, it shall be in full Satisfaction and Discharge of all such Part as is then unpaid of the Sum of Two hundred and sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, and the Interest thereon, and of all and every Claim of the Company in respect of that Sum, and the Interest thereon, and the Sum so paid shall be forthwith distributed and paid by the Company to and among the several Shareholders of the Company and other Persons entitled thereunto; and the Payments to the Shareholders shall be in rateable Proportion to their respective Payments on Shares in the Capital of the Company, and shall be made to the several Persons who from Time to Time are registered in the Books of the Company as the Holders of Shares in the Capital of the Company: Provided, that where Two or more Persons are registered as the Holders of any Share, any Payment in respect of the Share may be made to the joint Holders thereof, or any One or more of them, and their or his Receipt shall be an effectual Discharge for the Money so paid: Provided also, that if and where any Shareholder is in Debt to the Company they may retain and apply any Money payable to him under this Act, or a sufficient Part thereof, in or towards Satisfaction of the Debt, and that whether the Debt be due from him alone or from him jointly with any other Person or Persons, and whether such Person or such Persons, or any of them, be a Shareholder or Shareholders, or not: Provided also, that where, after diligent Inquiry, the Person to whom any Money is payable under this Act, or his Address, is unknown to the Company, or he fails to accept it, or to apply to them for it, they may pay it into the High Court of Chancery, under any Act from Time to Time in force for the Relief of Trustees.

Sum to the
New Zealand
Company to be
in full of their
Claim for Balance of
£268,370 15s.
and Interest.

2. Provided always, That this Act, and everything therein contained, shall be subject and without Prejudice to all Claims and Demands whatsoever against Her Majesty, under and by virtue of Section Nineteen of the recited Act of the Session of the Tenth and Eleventh Years of Her present Majesty, Chapter One hundred and twelve.

Act not to prejudice Claims against Her Majesty.

3. This Act shall be in force throughout Her Majesty's Dominions.

Act to be in force in Her Majesty's Dominions.

4. This Act may for all Purposes be cited as "*New Zealand Company's Claims Act, 1857.*"

Short Title.

Colonial Secretary's Office,
Auckland, Dec. 12th, 1857.

THE attention of the respective Postmasters throughout New Zealand is directed to the following Despatches.

E. W. STAFFORD.

[CIRCULAR.]

Downing Street,
11th August, 1857.

SIR.—Referring to my predecessor's Circular Despatch of the 10th August, 1854, relative to

a proposal from the East India Company to establish a Book Post between India and the Australian Colonies I transmit herewith for your information and guidance copy of a letter from the General Post Office, stating that the proposed measure will be carried into effect on the 1st of October next, and containing a scale of the postal charges to be made for Book Packets under this arrangement.

I have, &c.,

H. LABOUCHERE.

Governor Gore Browne, C.B.

&c., &c., &c.

General Post Office,
1st August, 1857.

SIR.—With reference to Lord Canning's Letters to the Lords Commissioners of the Treasury, dated the 18th July and the 2nd December, 1854, requesting their Lordships to bring under the consideration of the several Colonial Governments, through Her Majesty's Secretary of State for the Colonies, a proposition made by the East India Company to establish a Book Post between India and the Australian Colonies, and between India and Ceylon and Mauritius, I am directed by the Postmaster-General to acquaint you for the information of Mr. Secretary Labouchere, that, as the consent of all the Governments concerned has now been received, His Grace has obtained the authority of the Lords of the Treasury for carrying the measure into effect on the 1st October next.

In another letter of this day's date, I have had the honor to explain an alteration which is about to be made in the scale for levying postage under the Colonial Book Post, and that alteration will extend to all Inter-Colonial Book Packets forwarded between the Colonies above mentioned.

The charge will, therefore, be as follows:—

	s.	d.
For a packet not exceeding four ounces	0	3
For a packet exceeding four ounces and not exceeding half a pound . .	0	6
For a packet exceeding half a pound, and not exceeding one pound . .	1	0
For a packet exceeding one pound, and not exceeding one and a half pounds	1	6
For a packet exceeding one and a half pound, and not exceeding two pounds	2	0
and so on increasing 6d. for each additional half-pound or fraction of half a pound.		

A Book Post will at the same time be established between the Australian Colonies, Ceylon, or Mauritius, and Malta and Gibraltar; but, as these Book Packets will pass over the Isthmus of Suez, an additional charge will be made, on account of the expense of transit, and the postage will be—

	s.	d.
For a Packet not exceeding four ounces	0	4
For a packet exceeding four ounces and not exceeding half a pound	0	8
For a packet exceeding half a pound and not exceeding one pound . .	1	4
For a packet exceeding one pound and not exceeding one and a half pound	2	0
For a packet exceeding one and a half pound and not exceeding two pounds	2	8
and so on, increasing 8d. for each additional half pound or fraction of half a pound.		

In acquainting you with the course intended to be pursued, the Postmaster-General desires me to request that you will be good enough to move Mr. Secretary Labouchere to cause the officers administering the Governments of Victoria, New South Wales, South Australia, Western Australia, Tasmania, New Zealand, Mauritius, and Ceylon, to be informed of the

arrangements which will be carried out on the date above mentioned.

I have, &c.,
J TILLEY.

Herman Merivale, Esq.,
Colonial Office.

General Post Office,
August 21st, 1857.

SIR,—I am directed by the Postmaster-General to acquaint you, that the Lords of Her Majesty's Treasury have authorized British Postage Stamps to be used in payment of the postage of Letters posted at Gibraltar.

Letters, therefore, despatched from Gibraltar, bearing British Postage Stamps of an amount equal to the postage with which such Letters are chargeable, should henceforth be treated in the same manner as if the postage had been prepaid in money.

I am, &c.,
ROWLAND HILL,
Secretary,

The Postmaster General,
Auckland.

General Post Office, London,
11th September, 1857.

SIR,—With reference to my letter of the 11th November last, transmitting a Table of the rates of postage to be collected in New Zealand upon letters forwarded to the United Kingdom for transmission to British Colonies or Foreign Countries, I have to acquaint you, that a new Postal convention has been concluded between this Country and Belgium, under the terms of which a reduction will take place on the 1st October next, and thenceforward, in the postage of letters addressed to Belgium.

Instead of the rates chargeable upon letters addressed to Belgium, according to the Table above referred to, the postage (British and Belgium combined) will be as follows.—viz.

	s.	d.
For a letter not exceeding ½ ounce in weight	0	4
For a letter above ½ ounce and not exceeding 1 ounce	0	8
For a letter above 1 ounce and not exceeding 2 ounces	1	4

and so on, according to the British scale of weight, adding eight pence for every additional ounce.

I request that you will be good enough to cause these reduced rates to be accounted for to this office, in future, for all letters sent to this country for transmission to Belgium, and that, in addition, you will cause the usual French transit rate to be credited to this office for such of the correspondence in question, as may be forwarded by the route of Marseilles.

This postage must be paid in advance, in accordance with the general regulations laid down in my letter of the 18th October last.

I am, &c.,
F. HILL,

The Postmaster-General,
Auckland, New Zealand,