



The New Zealand Gazette.

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SATURDAY, OCTOBER 8, 1859.

AT THE GOVERNMENT HOUSE AT AUCKLAND,
THE 4TH DAY OF OCTOBER, 1859.

Present :—

His Excellency the Governor.

Col. Gold,	Mr. Whitaker,
Mr. Richmond,	Mr. Tancred.

WHEREAS by an Act of the General Assembly of New Zealand intituled the "New Provinces Act, 1858," it is enacted that whenever not less than 3-5ths of the registered electors entitled to vote in the election of Members of the House of Representatives resident within any district, whereof the area shall not be less than 500,000 acres, shall petition the Governor in Council to establish a New Province comprising such district, the Governor in Council, by Order published in the New Zealand Government Gazette, shall with all convenient speed establish such Province accordingly, subject nevertheless to the fulfilment of certain conditions in the said Act specified. And whereas a petition has been duly presented praying for the establishment of a New Province at Wairau in the Province of Nelson, and the several requirements and conditions of the said Act have been duly complied with and fulfilled:

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, and in exercise of the powers in this behalf vested in him by the said recited Act, doth by this present Order establish a New Province to be called and known by the name of Marlborough, and doth define the limits of the said Province to be as follows, that is to say,—all that district, being heretofore parcel

of the Province of Nelson, which lies, or is within the boundary following, that is to say, —Commencing at the mouth of the river Tutaiputupu, or Conway, and following that river to its source, thence running in a straight line to the confluence of the rivers Acheron and Clarence, thence by the Acheron to the confluence of the Guide, and by that stream to Barefell's Pass, thence in a straight line to the Top House, Wairau Valley, thence in a straight line to the summit of Ward's Pass, thence, by the summit of the watershed, to the Red Hills at the source of the Pelorus, thence by the Pelorus to the confluence of the Heringa, thence by the Heringa to its source in or near Saddle Hill, thence in a straight line to the summit of Saddle Hill, thence by the summit of the watershed between the Pelorus and Blind Bay, to the summit of Mount McLaren, and thence in a straight line to the head of that arm of Tennyson Inlet which approaches nearest to Squally Cove, Croisilles Harbour.

And the Governor, by and with the advice and consent aforesaid, doth hereby, in further pursuance of the said Act, constitute the town of Picton, heretofore called Waitohi, to be the capital of the said Province of Marlborough.

And doth declare that this Order shall take effect on the first day of November, 1859.

F. G. STEWARD,
Clerk of the Executive Council.

* This Order in Council is republished in consequence of the words "Top House Wairau Valley thence in a straight line to the" having been omitted in the 39th line, in the publication of the Order in the Gazette, No. 31, of October 6th, 1859.

At the Government House at Auckland, the seventh day of October, 1859.

Present:

HIS EXCELLENCY THE GOVERNOR,	
COL. GOLD,	MR. RICHMOND,
MR. WHITAKER,	MR. TANCRED.

WHEREAS by an Act of the General Assembly, intituled the "Gold Duty Act, 1858," it is enacted that from and after the day on which the Act now in recital should come into operation, there should be levied, collected, and paid to Her Majesty, her Heirs, and Successors, for the Public Uses of the Colony, and in support of the Government thereof, the following duty upon Gold, that is to say,— At the Customs, previous to exportation from New Zealand, the sum of two shillings and sixpence upon every ounce Troy Weight of such Gold, and so on in proportion for any greater or less quantity than an ounce: Provided always, that until the then next Session of the General Assembly, it should be lawful for the Governor, by an Order in Council, to declare that a lower rate of duty than two shillings and sixpence should be collected on each ounce; and also from time to time to suspend the collection of such Duty whenever to the Governor in Council it should seem meet:

And whereas by an Order in Council, made the 23rd day of September last, the Governor, by and with the advice and consent of his Executive Council, did suspend the collection of the said duty as from the time of the coming into operation of the said Act until such time as should thereafter be appointed by His Excellency, by and with such advice and consent as should be made:

Now, therefore, His Excellency the Governor, by and with the advice and consent of his Executive Council, doth by this present Order appoint that such suspension of the collection of the said duty shall cease and determine on the 1st day of November next, on and after which day the said duty shall be levied, collected, and paid.

F. G. STEWARD,
Clerk of the Executive Council.

By His Excellency Colonel THOMAS GORE BROWNE, Companion of the Most Honourable 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., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1858," it is provided that it shall be lawful for the Governor in Council, under His Hand and the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province, or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor, or the Governor in Council by the said Act, except the powers conferred by sections 7, 8,

27 and 40 thereof, subject or not subject to any limitations or restrictions as he may think fit.

Now THEREFORE, I, Thomas Gore Browne, the Governor as aforesaid of the said Colony, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for this purpose in me vested, do hereby delegate absolutely and without restriction unto

JAMES MACKAY the younger, of Nelson, Esq., all the powers vested in me under or by virtue of Sections 3, 5 and 6, of the said Act, so far as regards the "Gold Fields" constituted by Order in Council of the 4th October instant.

Given under my Hand, and issued under the Public Seal of the Colony of New Zealand, at Government House, at Auckland, this seventh day of October, One thousand eight hundred and fifty-nine.

T. GORE BROWNE.

Colonial Secretary's Office,
Auckland, 7th October, 1859.

HIS Excellency the Governor has been pleased to appoint

COLONEL THOMAS RAWLINGS MOULD

Commanding Royal Engineers in New Zealand, to be a Commissioner under the "Boundaries of Provinces Act 1858," to ascertain and report upon the boundary line between the Province of Canterbury and the Province of Otago, in New Zealand, with a view to having the same defined.

HENRY JOHN TANCRED.

Colonial Secretary's Office,
Auckland, 7th October, 1859.

HIS Excellency the Governor has been pleased to appoint

WILLIAM ADAMS, Esq., J. P.,

to be a Commissioner of Crown Lands, *pro tempore*, under the "Crown Land's Ordinances" Session 10, No. 1, and Session 11, No. 10.

HENRY JOHN TANCRED.

Treasury, Auckland,
7th October, 1859.

HIS Excellency the Governor has been pleased to appoint

S. L. MULLER, Esq.,

to be Receiver of Land Revenue for the Province of Marlborough.

This appointment is to take effect on the 1st of November next.

C. W. RICHMOND.

Treasury, Auckland,

7th October. 1859.

HIS Excellency the Governor has been pleased to appoint

JAMES MACKAY, Esq., junr.,

to be Receiver of Land Revenue within the district proclaimed as a Gold Field at Massacre Bay.

This appointment is to take effect on the 1st of November next.

C. W. RICHMOND.

IN THE SUPREME COURT OF NEW ZEALAND.

In the Estate of THOMAS MADDISON, of Auckland, deceased intestate.

PURSUANT to the Rule of this Honorable Court, the Creditors of the above-named Intestate are, on or before the fourth day of January next, to come in and prove their debts before Thomas Outhwaite, Esquire, 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 estate.

THOS. OUTHWAITE,
Registrar.

Supreme Court Office, Auckland,
4th October, 1859.

