



# The New Zealand Gazette.

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MONDAY, MARCH 26, 1860.

**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 its Dependencies, and Vice-Admiral of the same, &c., &c.

WHEREAS by an Ordinance enacted by the Lieutenant-Governor of New Zealand with the advice and consent of the Legislative Council thereof, in the sixth session of the said Council, intituled "An Ordinance to empower the Governor of New Zealand to regulate the Importation and Sale of Arms, Gunpowder, and other warlike stores," it is enacted that it shall be lawful for His Excellency the Governor, from time to time as to him shall seem meet, by Proclamation, to prohibit throughout the Colony or within any district thereof (to be in such Proclamation defined) the Importation or Sale, or both the Importation and Sale of Arms, Gunpowder, and other warlike stores; and it is enacted that it shall also be lawful for His Excellency the Governor, from time to time as to him shall seem meet, by Proclamation, to make provision for regulating and restricting throughout the Colony or within any district thereof (to be in such Proclamation defined) the Importation or Sale or both the Importation and Sale of Arms, Gunpowder, and other warlike Stores.

And whereas under and by virtue of a Proclamation made and issued by me at Auckland, on the twenty-fifth day of June, One thousand eight hundred and fifty-seven, divers regulations and restrictions are in force respecting the Importation and Sale of warlike Stores.

And whereas certain Aboriginal Natives of New Zealand, resident in the Province of Taranaki, are in arms against the Queen's Sovereign Authority, and it is therefore expedient that the restrictions upon the Importation and Sale of warlike Stores be temporarily increased.

Now, therefore, I, the Governor, in exercise of the power vested in me in that behalf by the recited Ordinance or otherwise howsoever, do hereby prohibit throughout the Colony of New Zealand the Importation, Sale, and other disposition of Arms, Gunpowder, and other warlike Stores, except in manner and subject to the conditions hereinafter mentioned or referred to, (that is to say) :—

From and after the day of the date hereof, Arms, Gunpowder, or other warlike Stores shall be imported, landed, sold, or otherwise disposed of in the Colony of New Zealand, only under License in writing first obtained for that purpose under the hand of the Governor, or of some person thereunto authorised by the Governor and only at the place in the manner and subject to the conditions (if any) specified in such License.

Provided always, that nothing in this Proclamation shall be construed to apply to the Importation and landing of supplies for the use of Her Majesty's Land and Sea Forces.

Given under my hand, and issued under the Public Seal of the Colony, at Auckland, this twenty-sixth day of March, in the year of Our Lord, One thousand eight hundred and sixty.

T. GORE BROWNE.

By His Excellency's command,

E. W. STAFFORD.

**GOD SAVE THE QUEEN!**

Colonial Secretary's Office,  
Auckland, 26th March, 1860.

**P**URSUANT to the Proclamation of this day's date, restricting the importation and sale of Arms, Ammunition, and other Warlike Stores, the following persons only are authorized to issue Licences, subject to such instructions as they may from time to time receive in that behalf.

*At Auckland*.—The Governor's Deputy, and the Commissioner of Customs.

*At New Plymouth, Wanganui, Wellington, Napier, Nelson, Lyttelton and Dunedin*.—The Principal Officer of Customs at those Ports respectively.

E. W. STAFFORD.

Colonial Secretary's Office,  
26th March, 1860.

**T**HE following Order in Council of the 25th November last is published for general information, and the respective Officers of Her Majesty's Customs in New Zealand are hereby required to give effect to the same.

E. W. STAFFORD.

AT THE GOVERNMENT HOUSE, AUCKLAND,  
THE 25TH DAY OF NOVEMBER, 1859.

Present :

HIS EXCELLENCY THE GOVERNOR in Council.

**W**HEREAS by the "Customs Regulation Act, 1858," it is enacted that any goods whatever may by Proclamation or Order of the Governor in Council, revocable from time to time, be prohibited to be exported, or to be carried coastwise; and any such prohibition may apply to the whole Colony, or to any part thereof.

Now, THEREFORE, His Excellency the Governor by and with the advice of his Executive Council doth hereby prohibit the carriage or removal coastwise of all Arms, Ammunition, and Warlike Stores, except such as belong to Her Majesty.

And doth order that this prohibition shall apply to the whole Colony.

F. G. STEWARD,  
Clerk of Executive Council.

#### VOLUNTEERS.

Colonial Secretary's Office,  
Auckland, 26th March, 1860.

**W**HEREAS by the "Militia Act, 1858," it is amongst other things enacted that it shall be lawful for the Governor in Council to make Regulations under which the services of Volunteers shall be accepted, and whereas numerous enquiries are being made as to the terms upon which Volunteer Corps can be enrolled, and it is expedient to make known the same, the following terms and conditions upon which the services of Volunteers Corps will be accepted on behalf of Her Majesty are notified for general information.

VOLUNTEER Corps can only be formed within some district constituted under the "Militia Act, 1858."

Whenever it is desired that Volunteer Corps should be formed in any district not already so constituted, the persons wishing to form such Corps should intimate their wishes to the Colonial Secretary, specifying the boundaries of the proposed district, with the estimated number of householders within the same.

All persons desirous of being enrolled as a Volunteer Corps should memorialize the Governor to that effect, setting forth their names in full.

The Commissioned Officers of each Corps will be appointed by the Governor, and, as a general rule, on the recommendation of the Corps.

Every Member of a Corps shall take the oath of allegiance, as prescribed by the Act aforesaid, and sign a declaration that he will serve for twelve months at least, provided that if any Volunteer shall go to reside out of the District, he shall, if he desires, be discharged from further service as a Volunteer.

Arms, Accoutrements, and practice Ammunition will be issued, under regulations, by the Government.

The uniform of each Corps will be selected by the Members, with the approval of the Governor, and furnished at their own expense.

The following Regulations, now in force in certain Districts will, with such variations only as local circumstances may require, be approved by the Governor in Council.

E. W. STAFFORD.

#### REGULATIONS.

1. Every Volunteer shall attend to be trained and exercised at such times as shall be appointed by the Governor, or by such person or persons as he may from time to time authorise in that behalf; provided always that no Volunteer shall be compelled to attend more than one hundred and sixty-eight hours in any one year.

2. Every Volunteer who shall absent himself during any part of the time appointed for training or exercise, and shall not account for such absence to the satisfaction of the Adjutant and the Captain of his Company, shall forfeit and pay any sum not exceeding one pound for every day on which he shall be so absent, to be recovered in a summary way.

3. All Officers of Companies will be appointed by the Governor, and names for that purpose are to be submitted to him for his approval, by the Company to which they are proposed to be appointed.

4. The Adjutant and Staff Sergeant of the Militia will act as Adjutant and Sergeant-Major, respectively, to the Volunteers of the District, and all Sergeants and Corporals must be examined and passed as competent by the Adjutant before they will be appointed.

5. All rolls, documents, and correspondence shall be kept at the office of the Adjutant, and shall be open at all times during office hours for the inspection and information of the Officers of the Company to which they relate.

6. All orders and communications from the Governor, or Government of the Colony, shall be transmitted through, and be given out by, the Adjutant.

7. If any arms, accoutrements, or other Government property shall be injured or destroyed by being used except on service, a fine, not exceeding the value of the arms, accoutrements, or other property, shall be paid by the Volunteer in whose charge they were; such fine to be fixed by the Adjutant and the Captain of the Company, upon consideration of the circumstances, and if not paid to the Adjutant on demand, may be recovered by him on behalf of the Government in any Resident Magistrate's Court in the Colony.

8. Volunteers enrolled under these Regulations shall be subject to the provisions contained in the following sections of the "Militia Act, 1858," namely, sections 1, 3, 6, 7, 9, 18, 19, 20, 21, (except the proviso thereto), 22, 23, and 24.

*Sections of the "Militia Act, 1858," applicable to Volunteers.*

1. It shall be lawful for the Governor to call together, arm, and array as a Militia, such persons as are hereinafter mentioned, and, subject to the provisions hereinafter contained, to cause them to be trained and exercised accordingly, at such times and places as shall seem meet.

3. It shall also be lawful for the Governor to appoint a proper number of Officers to train, discipline, and command every Regiment, Battalion or other body according to the Regulations to be from time to time made in that behalf.

6. It shall also be lawful for the Governor from time to time to make such Regulations respecting the training and exercise, arms and accoutrements, clothing and equipment, pay, rations and lodging of such Militia, or any part thereof, and respecting all other matters connected therewith which may be required for promoting the efficiency of such Militia as a Military Force: Provided always, that the Regulations so to be made shall not in anywise be repugnant to the provisions of this Act.

7. In all cases of actual Invasion, or upon imminent danger thereof, and in all cases of Rebellion or Insurrection, or upon any imminent danger to the safety of any part of the Colony, it shall be lawful for the Governor, or such person as he shall from time to time by Warrant under his hand appoint as his Deputy for that purpose, to direct the officer commanding the Militia of any district, with all convenient speed, to draw out for Actual Service such Militia Force, or such part or number thereof as the Governor or such Deputy shall judge necessary, and in such manner as shall to him seem best adapted to the circumstances

of the danger, and to lead the said Forces into any part of the district in which such Militia shall have been raised, and such Militia shall continue on actual service so long as, in the opinion of the Governor, the danger shall render their services necessary: Provided always, that neither the whole nor any part of the Militia to be raised in any district, shall, on any account, be carried, or ordered to go, beyond the boundaries of such district, except only such as shall volunteer for service out of the same.

9. Every Militiaman who shall be so seriously wounded or otherwise injured, when on Actual Service, as to afterwards impede his obtaining a livelihood, shall be entitled to a pension so long as he shall be so disabled, according to such Regulations as the Governor in Council shall from time to time make in that behalf, as nearly as the circumstances will admit in accordance with the Regulations in force in respect of the Queen's Regular Troops, and of a similar amount.

18. When the whole or any part of such Militia shall be ordered out into Actual Service as aforesaid, the person to whom such order shall be directed, shall forthwith cause notice in writing to be given to the several Militiamen, or left at their usual places of abode, to attend at the time and place mentioned in such Order.

19. If any Militiaman so directed to be drawn out (not labouring under any infirmity incapacitating him to serve as a Militiaman), shall not appear and march in pursuance of such direction, every such Militiaman shall be liable to be apprehended and punished as a Deserter, according to the provisions of any Act then in force for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, and of the Articles of War made in pursuance of the same.

20. If any person knowingly shall harbour or conceal any such Militiaman when directed so to be drawn out, he shall, for every such offence, forfeit and pay any sum not exceeding twenty pounds, to be recovered in a summary way.

21. Every Militiaman who shall appear at the time and place appointed for exercise, shall take an Oath, in the form following, viz.:

I, A. B., do sincerely promise and swear that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, and that I will faithfully serve in the Militia until I shall be lawfully discharged,

and shall thereupon be enrolled. The said Oath shall be taken in the presence of the Senior Officer of Militia then present, who is hereby authorised and required to administer the same.

22. If any Militiaman shall sell, pawn, or lose any of his arms, clothes, accoutrements, or ammunition, or neglect or refuse to return the same in good order to his Captain, or to the person appointed to receive the same: or if any person shall knowingly and wilfully buy, take in exchange, conceal, or otherwise receive any Militia arms, clothes, accoutrements, or ammu-

dition whatever, every such offender shall forfeit and pay for every such offence any sum not exceeding £10, to be recovered in a summary way.

23. During the time that any such Militia shall be assembled for the purpose of being trained and exercised, or for Actual Service, all things contained in any Act of Parliament which shall then be in force for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, and in the Articles of War made in pursuance of such Act, shall be in force with respect to such Militia, and to all the Officers, non-Commissioned Officers, Drummers, and Privates of the same in all cases whatsoever.

24. And whereas it is expedient to encourage the enrolment of Volunteers for Military or Naval Service in the Colony: Be it therefore further enacted that it shall be lawful for the Governor in Council from time to time to make, vary, and abolish Regulations under which the Service of Volunteers shall be accepted in any Militia district, and whenever any Volunteers shall be enrolled under such Regulations they shall be subject to such of the provisions of this Act as shall be specified in such Regulations, and to none other of such provisions, and all such Regulations shall have the same force and effect as though they had been embodied in and formed part of this Act: Provided always that whenever the whole of the Militia of any district is drawn out for Actual Service, the Volunteers in such district shall always be liable to serve, either as a body, or such of them as are on the Militia Roll as part of the Regular Militia; and that whenever a part or certain number only of the Militia of any district is chosen by ballot for Actual Service, any Volunteers being on the Militia Roll shall be liable to such ballot, and if chosen to serve accordingly, unless they shall be or shall consent to go, if required on Actual Service as Volunteers.

#### NOTICE TO MARINERS.

Colonial Secretary's Office,  
Auckland, 26th March, 1860.

THE following Notice respecting a newly discovered Sunken Rock, near the Corsair Rock, Port Phillip Heads, Victoria, is published for general information.

E. W. STAFFORD.

#### CORSAIR ROCK, PORT PHILLIP HEADS.

Department of Ports and Harbours,  
Williamstown, 11th February, 1860.

In reference to the paragraph headed "Corsair Rock" in the Sailing Directions for Port Phillip, issued from this office in May, 1854: Notice is hereby given that during the course of the Survey of this Port, now in progress, under Commander Ross, R.N., Marine Surveyor, several small pinnacle rocks have been found to exist

between the western end of Nepean Reef and the Corsair Rock; also a small detached rock situated about one hundred and fifty (150) feet N.N.E. from the Corsair Rock, having from ten (10) to twelve (12) feet water over them.

These dangers, it will be observed, close up the narrow passage hitherto supposed to exist (and referred to in the Sailing Directions) between the western end of Nepean Reef and the Corsair Rock, but do not affect the fairway used by vessels passing in and out between the Heads.

These newly discovered dangers being inside of the Corsair Rock, the marks and instructions given in the sailing Directions to clear the latter remain unaltered, namely:—Shortland's Bluff Flagstaff kept half a cable's length open to the westward of the low lighthouse clears the Corsair and adjacent rocks.

Masters of vessels in possession of the before-mentioned Sailing Directions can obtain, on application at any of the Harbor Offices, a slip with the above information, printed in corresponding type and size, for insertion as an addendum to them.

CHARLES FERGUSON,  
Chief Harbour Master.

Colonial Secretary's Office,  
Auckland, 26th March, 1860.

IT is hereby notified that a Writ issued for the election of a Superintendent of the Province of Otago has been returned, with an endorsement to the effect that

JAMES MACANDREW  
has been duly elected.

E. W. STAFFORD.

Colonial Secretary's Office,  
Auckland, 26th March, 1860.

IT is hereby notified that Writs issued for the election of Members to serve in the Provincial Council of the Province of Otago have been returned with endorsements to the effect that

*For the District of the Town of Dunedin—*  
Thomas Dick,  
James Kilgour,  
Thomas Bannatyne Gillies,  
William Henry Cutten,  
William Hunter Reynolds.

*For the District of the Town of Port Chalmers—*  
Thomas Taylor.

*For the Eastern District—*  
William Martin,  
John Healey,  
Frederick Walker.

*For the Western District—*  
John McGlashan,  
George Hepburn,  
William Purdie.

*For the Northern District—*  
William Fenwick,  
William Henry Teschemaker.

*For the Central District—*

James Howorth,  
Alexander Rennie,  
Andrew Todd.

*For the District of Tokomairiro—*

James Smith.

*For the District of Clutha—*

George (otherwise John) L. Cheese  
Richardson,  
David Pike Steel.

*For the District of Murihiku—*

Alexander McNab,  
William Francis Tarlton,  
have been duly elected.

E. W. STAFFORD.

NOTICE TO CORONERS.

Attorney General's Office,  
Auckland, 26th March, 1860.

THE attention of all Coroners is called to the rule that all Inquisitions, with the Depositions attached, must be forwarded to this Office immediately after every Inquest is held.

FREDERICK WHITAKER.

General Post Office,  
March 26th, 1860.

IN order to remove any doubts which might exist with respect to the meaning of the term "Newspaper," it is hereby notified for general information that the term will be taken to include all publications admitted to the postal privileges of a Newspaper; amongst which are Prices Current.

HENRY JOHN TANCRED.

NOTICE.

THE undermentioned persons have been duly licensed to act as Lightermen at the Port of Auckland, under the 17th clause of the "Customs Regulation Act, 1858."

George Henry Short,  
John Edwards,  
Charles Philpot,  
Christopher Atwill Harris,  
David Kell.

WILLIAM YOUNG,  
Deputy Commissioner.

Custom House Auckland,  
15th March, 1860.

NOTICE.

THE undermentioned person has been duly licensed to act as Custom House Agent at the Port of Russell,

CHARLES BERRY WAETFORD,  
Russell.

WILLIAM YOUNG,  
Collector.

Court of Claims,  
Auckland, 23rd March, 1860.

NOTICE is hereby given that the Land Claims Commissioner will hold a Court at Dunedin, on Saturday, the 7th April next, and following days, for the purpose of giving decisions in such cases as shall have been heard by the Assistant Commissioner, in the Province of Otago, and for such other business as shall then be brought before the Court.

F. D. BELL.

Land Claims' Office,  
Dunedin, March 5th, 1860.

I, WILLIAM HENRY CUTTEN, 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 for investigation, do hereby decide the said persons to be respectively entitled to Crown Grants of the Land set against their Names in the annexed Schedule.

WM. H. CUTTEN,  
Commissioner.

SCHEDULE.

No. of Report.	No. of Claim.	Name of Claimant.	Commissioner's Decision.
41	65	William Henry Cutten	Entitled to a Grant of fifty (50) acres more or less, being section numbered 5, Block 1, South Molyneux district. A Grant of ten (10) acres more or less, being section numbered 14, Block 5, Anderson's Bay district.
44	68	James Lothian	Entitled to a Grant of twenty (20) acres more or less, being sections numbered respectively 10 and 11, Block 5, Anderson's Bay district.
47	71	John Somerville	Entitled to a Grant of twenty (20) acres more or less, being sections numbered respectively 6, Block 2, and 9, Block 5 Anderson's Bay district.
48	72	Henry Stratford Ridley	Entitled to a Grant of thirty (30) acres more or less, being sections numbered respectively 11, 12, and 14, Block 6, Forobello district. A Grant of fifty (50) acres more or less, being section numbered 3, Block 23, Waiholo District.

VICTORIA by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen:

To STANNUS JONES, of the City of Auckland, Auctioneer,

Greeting:

WHEREAS an Action has been commenced in the Supreme Court of the Colony of New Zealand, wherein Thomas Holmes is Plaintiff, and Joseph Fielding is Defendant: And whereas it has been made known to us that there are money and personal property belonging to the said Joseph Fielding now in the hands or in the custody, or under the control of you, the said Stannus Jones, We command you that you do not sell or otherwise dispose of or part with the said money and personal property of the said Joseph Fielding, or any part thereof until the further order of our said Court shall be made known to you.

Witness GEORGE ALFRED ARNEY, Esq.,  
(L.S.) Chief Justice of our Supreme Court of the Colony of New Zealand, the ninth day of March, 1860.

Plaintiff's Attorneys—MERRIMAN and JACKSON.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen: to Stannus Jones, of the City of Auckland, Auctioneer, and Eliza Fielding, of Parnell, near the said City, Spinster, Greeting: Whereas an action has been commenced in the Supreme Court of the Colony of New Zealand, wherein William Chisholm Wilson is Plaintiff, and Joseph Fielding is Defendant: And Whereas it has been made known to us that there are monies and personal property belonging to the said Joseph Fielding now in the hands, or in the custody, or under the control of you, the said Stannus Jones and Eliza Fielding, or one of you; Now we command you, and each of you, that you, or either of you, do not sell or otherwise dispose or part with the said monies and personal property of the said Joseph Fielding, or any part thereof, until the further order of our said Court shall be made known to you.

Witness, GEORGE ALFRED ARNEY,  
Esquire, Chief Justice of our  
(L. S.) Supreme Court of the Colony  
of New Zealand, the ninth  
day of March, 1860.

This Writ was sued out by Frederic Morris Preston Brookfield, of Queen-street, Auckland, Solicitor, for the within-named William Chisholm Wilson.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen: to Stannus Jones, of the City of Auckland, Auctioneer, Greeting: Whereas an Action has been commenced in the Supreme Court of the Colony of New Zealand, wherein William Morrin is Plaintiff, and Joseph Fielding is Defendant: And Whereas it has been made known to us that there are monies and personal property belonging to the said Joseph Fielding now in the hands, or in the custody, or under the control of you, the said Stannus Jones; We command you that you do not sell or otherwise dispose of or part with the said monies and personal property of the said Joseph Fielding, or any part thereof, until the further order of our said Court shall be made known to you.

Witness, GEORGE ALFRED ARNEY,  
Esquire, Chief Justice of our  
(L. S.) Supreme Court of the Colony  
of New Zealand, this second  
day of March, 1860.

This Writ was issued by Frederic Morris Preston Brookfield, of Queen-street, Auckland, Solicitor, for the within-named William Morrin.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen: to Stannus Jones, of the City of Auckland, Auctioneer, Greeting: Whereas an Action has been commenced in the Supreme Court of the Colony of New Zealand, wherein Thomas Wells Marsh is Plaintiff, and Joseph Fielding is Defendant: And Whereas it has been made known to us that there are monies and personal property belonging to the said Joseph Fielding, now in the hands, or in the custody, or under the control of you, the said Stannus Jones; We command you that you do not sell or otherwise dispose of or part with the said monies and personal property of the said Joseph Fielding, or any part thereof, until the further order of our said Court shall be made known to you.

Witness, GEORGE ALFRED ARNEY,  
Esquire, Chief Justice of our  
(L. S.) Supreme Court of the Colony  
of New Zealand, the second day  
of March, 1860.

This Writ was issued by Frederic Morris Preston Brookfield, of Queen-street, Auckland, Solicitor, for the within-named Thomas Wells Marsh.