



# The New Zealand Gazette.

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**ORDER IN COUNCIL**

*Making Harbour Regulations for the Harbour of Picton.*

AT THE GOVERNMENT HOUSE AT AUCKLAND,  
THIS 3RD DAY OF JUNI, 1861.

Present:—

His Excellency the Governor, in Council.

**WHEREAS** by the "Harbor Regulations Ordinance," No. 15 of Session 2, it is enacted that it shall be lawful for the Governor in Council from time to time to make all such Regulations respecting Pilots and Pilotage, Quarantine, and Harbors as in the said Ordinance provided.

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of New Zealand, doth hereby make the following Regulations for the Port and Harbor of Picton.

F. G. STEWARD,  
Clerk of Council.

**PORT AND HARBOR OF PICTON.**

**HARBOR REGULATIONS.**

*Pilots and Masters of Vessels.*

1. No person shall be deemed a Pilot unless he be duly licensed by His Excellency the Governor.

2. All persons so licensed shall be provided with a license according to the form hereunto annexed.

3. Every Pilot shall carry his license with him, and shall produce it to the master of any ship or vessel on its being demanded, or forfeit a sum not exceeding forty shillings.

4. The rates of pilotage into or out of the Port of Picton, from or to the distance of one mile from the Island of Motuara, at the North entrance, and one mile from the Heads at the Tory Channel entrance, are as follows, viz.:—

Vessels of 100 tons and under, £2 10s.

Every ton above, to 300, 3d. extra.

Every ton above 300, 2d. extra,

but no pilotage is to be chargeable on any vessel engaged in the coasting trade, unless the assistance of a Pilot be required by the master of the vessel.

5. The master of every vessel requiring a Pilot to conduct her to sea, must make an application at least twenty-four hours previously at the office of the Harbour Master.

6. Pilots are not bound to conduct any vessel to sea until the pilotage has been paid, or satisfactorily secured at the Harbour-office.

7. Every Pilot detained on board a vessel longer than forty-eight hours, whether by stress of weather, quarantine, or otherwise, is to be paid ten shillings per day, in addition to the regular pilotage.

8. Pilots on being appointed to outward bound vessels, before taking charge, are to ascertain that their decks are clear, and that they are sufficiently manned and in a proper state for working, as regards masts, rigging, sails, and anchors.

9. Pilots refusing or neglecting their duty are to forfeit a sum not exceeding Twenty pounds.

10. The master of every vessel shall anchor when the Harbour Master may direct, and he shall not unmoor or quit the anchorage until notice be given in writing at the Harbour Master's Office, or forfeit a sum not exceeding ten pounds.

11. When it is required to move a vessel from one inside anchorage to another not being at first entrance, or for the purpose of final departure, the Harbour Master shall be entitled to a fee of £1.

12. The Master of any vessel who shall make a signal for a Pilot to take his vessel to sea, and shall not proceed to sea within six hours of the arrival of the Pilot on board such vessel, shall forfeit and pay such pilot a sum at the rate of £1 per day for every day such Pilot may be detained on board or otherwise, in addition to the regular pilotage, and the pilot shall not be compelled to take such vessel to sea, until such forfeiture shall be paid.

13. Masters of vessels neglecting to heave-to, to take the Pilot on board, or refusing to accept his services when offered, shall be liable to double the amount of pilotage.

14. The Harbour Master while removing any vessel from one anchorage to another may make her fast to any other vessel, or to any warp, or wharf, and any person resisting the same, or cutting away, or casting off the warp or fastening, shall be liable to a penalty of five pounds.

15. All vessels moored or at anchor are to have both cables clear, and in readiness to slack away when required, or forfeit a sum of ten pounds.

16. All vessels to have buoys and buoy ropes to their anchors to show their position, and to hoist a conspicuous light at their peak end, from dark to daylight, or forfeit a sum not exceeding ten pounds.

17. After a vessel has been unloaded and properly balasted, it will be at the option of the Harbour master to remove her out clear of the shipping, to make room for vessels requiring berths to unload.

18. No person shall interfere with the Harbour-master or any Pilot in the execution of his duty, resist, obstruct, or impede him in the performance thereof, under a penalty not exceeding ten pounds.

19. All Pilots are required to obey the lawful commands of the Harbour-master, and any Pilot not so doing shall forfeit a sum not exceeding five pounds, and be suspended from his duties until the Governor's commands are known.

20. Should the Harbour-Master think it necessary to supersede any Pilot in charge of any vessel either inward or outward bound, he shall have the option of doing so, and may appoint any other duly licensed pilot to take charge of the vessel he may think fit.

21. The master of every vessel (except as hereinafter mentioned) arriving beyond seas, and not being a coasting vessel, shall pay the full amount of pilotage whether taking a pilot or not.

22. All vessels trading to or from the Colonies, shall be exempt from taking a pilot, upon paying one-half the usual rate of pilotage, whatever that may be; if a pilot is taken, however, full pilotage to be paid.

23. All vessels under 100 tons trading to the neighbouring Colonies, shall, upon the

master proving himself qualified, be furnished with a certificate of exemption from pilotage, but shall in lieu thereof pay one full pilotage inwards and outwards per annum.

24. Every master so qualified and exempt, shall on approaching the harbour within two leagues hoist a red flag at the main, showing his exemption, or forfeit a sum not exceeding the full pilotage.

25. Every master of every ship or vessel required to take a pilot shall be furnished with a copy of the Harbour Regulations on her entry into port by the boarding pilot, and any pilot failing to deliver such copy before leaving the vessel shall forfeit and pay a fine not exceeding five pounds.

26. To the master of every vessel not required to take a pilot, or in the absence of the master to the principal officer on board, a copy of the Harbour Regulations shall be delivered by the Harbour-Master: provided however that it shall not be necessary in any case to issue a second copy of the Regulations to the master or officer in charge of the same vessel, unless on demand of such master or officer, and in such case only on the payment of a fee of two shillings and sixpence to be accounted for as other fees collected by the Harbour-Master.

27. Every master or other officer of a ship or vessel to whom a copy of the Harbour Regulations shall have been delivered, shall give on demand an acknowledgment thereof to the pilot or other officer delivering the said copy, and any pilot failing to demand, or any master of a ship or vessel refusing on demand to give such acknowledgment shall forfeit and pay a fine of not more than five pounds.

#### *Harbours.*

28. No rubbish or filth is to be landed on any lands belonging to the Crown except in such places as the Harbour-master may point out, under a penalty of any sum not exceeding five pounds.

29. No timber or any bulky article is to be left on any public wharf or any landing place, under a penalty of any sum not exceeding five pounds; and any such timber or articles still remaining on any public wharf or landing place, seven days after due notice has been given by the Harbour-Master, shall be removed by him at the owner's expense.

30. No ballast, rubbish, gravel, earth, stone, filth or glass, is to be thrown overboard from any vessel or boat, or otherwise, but is to be landed at any place the Harbour-Master may direct, under a penalty of any sum not exceeding twenty pounds.

21. Any person removing, wilfully injuring, or destroying, any buoy, beacon, or sea mark shall forfeit the sum of twenty pounds.

32. Any person making fast any vessel or boat to any buoy, beacon, or sea mark, without the sanction of the Harbour-Master shall forfeit any sum not exceeding five pounds.

33. Any person throwing a dead animal into the harbour (within the limits of the anchorage) without attaching to it sufficient weight to sink it, is liable to a penalty of not

more than five pounds nor less than one pound.

34. Vessels, unless specially permitted in writing by the Harbour-Master, are prohibited from firing guns between the hours of sunset and sunrise, and on Sunday (except in cases of distress), under a penalty of any sum not exceeding five pounds.

35. Any person removing shingle, stone, shells, or any part of the soil, above or below high water mark, from any lands belonging to the Crown, without permission from the Harbour-Master, or in his absence from the Superintendent, shall forfeit a sum not exceeding ten pounds, and a rate of one shilling per ton may (at the discretion of the Superintendent) be charged for ballast removed from within the limits of the harbour.

36. All masters of vessels are desired to warn their officers and crews to be particularly careful in ballasting their vessels or loading their boats with ballast, alongside any beach where they may have permission to take in ballast, all and any such masters being liable to a fine of not more than ten pounds nor less than five, for shoaling the water alongside any beach.

#### PILOT'S LICENSE.

By virtue of the power vested in me, you are hereby authorised and directed to act as Pilot for the Port of \_\_\_\_\_, and you are enjoined to use your best skill and knowledge in all matters appertaining to that office, strictly conforming to the Regulations of the Harbour as aforesaid, and obeying such orders and instructions as you may from time to time receive from me.

Given under my hand at the Government House at Auckland, this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, One thousand eight hundred and \_\_\_\_\_

#### TARANAKI MILITIA REGULATIONS.

BY virtue and in exercise of the authority in me vested by the Militia Act, 1858, and the Militia Act Amendment Act, 1860, I, Thomas Gore Browne, Governor of the Colony of New Zealand, do hereby make and issue the following orders for the regulation of the Taranaki Regiment of Militia.

1. There shall be no division in the Taranaki Militia District, but the Taranaki Regiment shall constitute one Battalion, and

2. Such Battalion shall be divided into three classes.

The first class shall consist of all unmarried men and all widowers without children between the ages of sixteen years and forty years, both inclusive, who shall be called the first class service men.

The second class shall consist of all married men and widowers with children between the same ages, who shall be called second class service men; and the third class shall consist of all men between the ages of forty years and

fifty-five years, who shall be called the reserve men.

The men of each class shall be formed by the Senior Officer of the Battalion into Companies, he having regard in such formation to secure, as far as possible, contiguity of residence of the men in each company.

T. GORE BROWNE.

Government House,  
Auckland, 10th June, 1861.

#### WANGANUI MILITIA REGULATIONS.

BY virtue and in exercise of the authority in me vested by the Militia Act, 1858, and the Militia Act Amendment Act, 1860, I, Thomas Gore Browne, Governor of the Colony of New Zealand, do hereby make and issue the following orders for the regulation of the Wanganui Regiment of Militia:—

The Wanganui Regiment shall be divided into three divisions, as follows:

The 1st Division shall comprise those liable to serve in the Militia who reside in that part of the Wanganui Militia District which lies to the North of the Wanganui River.

The 2nd Division shall comprise those liable to serve in the Militia who reside in that part of the Wanganui Militia District which lies between the Wanganui and Turakina Rivers.

The 3rd Division shall comprise those liable to serve in the Militia who reside in that part of the Wanganui Militia District which lies between the Turakina and Rangitikei Rivers.

The Militiamen resident in each Division shall be divided into three classes. The first class shall consist of all unmarried men, and all widowers without children between the ages of sixteen years and forty years, both inclusive, who shall be called the first class service men.

The second class shall consist of all married men and widowers with children between the same ages, who shall be called second class service men, and the third class shall consist of all men between the ages of forty years and fifty-five years, who shall be called the reserve men.

The men of each class shall be formed by the Senior Officer of the Regiment into Companies, he having regard in such formation to secure as far as possible contiguity of residence of the men in each Company.

T. GORE BROWNE.

Government House,  
Auckland, 10th June, 1861.

#### WELLINGTON MILITIA REGULATIONS.

BY virtue and in exercise of the authority in me vested by the Militia Act, 1858, and the Militia Act Amendment Act, 1860, I, Thomas Gore Browne, Governor of the Colony of New Zealand, do hereby make and issue the following Orders for the Regulation of the Wellington Regiment of Militia.

1. The Wellington Regiment shall be divided into two Battalions, namely the Wellington Battalion and the Hutt Battalion.

2. The boundaries of the Wellington Battalion Division shall comprise the City of Wellington and its Suburbs, with all other parts of the Wellington Militia District not contained within the Electoral District of the Hutt, for the election of Members for the House of Representatives.

3. The boundaries of the Hutt Battalion Division shall be those prescribed for the Hutt Electoral District, as described in the schedule to the "Representation Act, 1860."

The Militiamen residing in each of the above-named Battalion divisions shall be divided into three classes. The first class shall consist of all unmarried men and all widowers without children, between the ages of sixteen years and forty years, both inclusive, who shall be called the first class service men.

The second class shall consist of all married men and widowers with children, between the same ages, who shall be called second class service men; and the third class shall consist of all men between the ages of forty years and fifty-five years, who shall be called the reserve men.

The men of each class shall be formed by the Senior Officer of each Battalion into Companies, he having regard in such formation to secure as far as possible contiguity of residence of the men in each Company.

T. GORE BROWNE.

Government House,  
Auckland, 10th June, 1861.

#### NAPIER MILITIA REGULATIONS.

BY virtue and in exercise of the authority in me vested by the Militia Act, 1858, and the Militia Act Amendment Act, 1860, I, Thomas Gore Browne, Governor of the Colony of New Zealand, do hereby make and issue the following Orders for the regulation of the Napier Battalion of Militia:—

The Napier Battalion shall consist of the whole Napier Militia District, and be divided into Companies, at the discretion of the officer commanding the Militia in the said District.

The Militiamen resident therein shall be divided into three classes, the first class shall consist of all unmarried men and all widowers without children between the ages of sixteen years and forty years, both inclusive, who shall be called the first class service men.

The second class shall consist of all married men and widowers with children between the same ages, who shall be called second class service men; and the third class shall consist of all men between the ages of forty years and fifty-five years, who shall be called the reserve men.

The men of each class shall be formed by the Senior Officer of the Battalion into Companies, he having regard in such formation to secure, as far as possible, contiguity of residence of the men in each Company.

T. GORE BROWNE.

Government House,  
Auckland, 10th June, 1861.

#### NELSON MILITIA REGULATIONS.

BY virtue and in exercise of the authority in me vested by the Militia Act, 1858, and the Militia Act Amendment Act, 1860, I, Thomas Gore Browne, Governor of the Colony of New Zealand, do hereby make and issue the following Orders for the regulation of the Nelson Regiment of Militia:—

The Nelson Regiment of Militia shall be divided into two Battalions.

The 1st Battalion Division shall comprise the Town of Nelson, suburban North, and suburban South, bounded as follows:—

South—By the stream at Stoke (suburban South) and a straight line continued in the same direction from its source to the boundary line of the Province of Marlborough.

East—By the Province of Marlborough to Mount Duppa (suburban North).

North—By a stream from Mount Duppa falling into Blind Bay.

West—By the waters of Blind Bay.

The 2nd Battalion Division shall include Waimea East, Waimea South, Waimea West, Moutere, and Motueka, having the following boundaries:—

North—By the waters of Blind Bay, the stream at Stoke (suburban South), and a line continued in the same direction from its source to the boundary of the Marlborough Province.

East—By a line thence to the head of Quail Valley.

South and West—By a line thence to Fox Hill, thence to the junction of the Wangapika with the Motueka River, thence to the head of the Rewaka, and down that river to the sea.

The Militiamen resident in each Battalion Division shall be divided into three classes. The first class shall consist of all unmarried men, and all widowers without children, between the ages of sixteen years and forty years, both inclusive, who shall be called the first class service men.

The second class shall consist of all married men and widowers with children between the same ages, who shall be called second class service men; and the third class shall consist of all men between the ages of forty years and fifty-five years, who shall be called the reserve men.

The men of each class shall be formed by the Senior Officer of the Regiment into Companies, he having regard in such formation to secure, as far as possible, contiguity of residence of the men in each Company.

T. GORE BROWNE.

Government House,  
Auckland, 10th June, 1861.

#### £300 REWARD.

Colonial Secretary's Office,  
Auckland, 5th June, 1861.

WHEREAS the Governor has been informed that the Natives are being supplied with Gunpowder and other Warlike

Stores, Notice is hereby given that a Reward of Three Hundred Pounds will be paid to any person or persons who will give such information as will lead to the conviction of any person or persons who may in any manner have aided Natives in obtaining Gunpowder or other munitions of war.

E. W. STAFFORD.

TARANAKI SETTLERS' RELIEF  
FUND.

NOTICE TO CLAIMANTS.

Colonial Secretary's Office,  
Auckland, 6th June, 1861.

**H**IS Excellency the Governor having been pleased to appoint a Commissioner to investigate claims for losses sustained by settlers at Taranaki, during the late War, with a view to the distribution of the Relief Fund.

Notice is hereby given that the Commissioner will be ready to receive applications from persons claiming to participate in such Relief.

The following Rules must be observed by parties making application. The applicant must state in writing, exact particulars of the property destroyed or damaged, in respect of which relief is claimed. The nature of the loss or damage, how arising, so far as is known or can be ascertained, and the true amount or value thereof estimated in money.

The applicant must verify the statement by the usual Statutory Declaration.

In addition to the applicant's declaration, the Commissioner will require corroborative proof.

Applications must be delivered, or sent by post, addressed to the Resident Magistrate, Taranaki.

If from persons resident at Taranaki, within 10 days from this date.

If from persons resident North of the Province of Canterbury, one month from this date.

If from persons resident in the Province of Canterbury or South of that Province or elsewhere in the Colony, within 2 months from this date.

Persons resident in Taranaki, must attend before the Commissioner personally.

Non-residents may authorize any other person to attend on their behalf.

Further notice will be given as to the time and place of the Commissioner's sitting, which will commence in about 10 days' time.

E. W. STAFFORD.

Crown Lands Office,  
Auckland, 7th June, 1861.

**I**N conformity with the 7th clause of the Gold Fields Act, 1858, it is hereby notified that it is intended to grant Leases for Gold Mining purposes on the Crown Lands specified in the following applications.

HENRY JOHN TANCRED.

No. 29.

Applicant—John Carruthers.

Locality—Carruther's Creek, McArtney's Hill.

Area—Four acres and thirty two perches.

In a rectilinear block; bounded towards the North-east, by a line bearing S.E. 123°, 500 links; towards the East by a line bearing S., 1000 links; towards the South-west, by a line bearing N.W. 303°, 500 links; and towards the West, by a line bearing N. 1000 links; the Southernmost angle being marked by a post.

No. 30.

Applicant—Thomas McGrane.

Locality—Hill, west of Appoo's Flat.

Area—Four acres and twenty-five perches.

In a rectilinear block; bounded towards the North-east, by a line bearing S.E. 120°, 600 links; towards the South-East, by land leased to the Metallurgic Company, 700 links; towards the South-west, by a line bearing N.W. 330°, 600 links; and towards the North-west, by a line bearing N.E. 45°, 700 links; the angles being marked by posts.

No. 31.

Applicants—Robert McArtney and William Coppins.

Locality—Lightband's Gully.

Area—Two Acres.

In an irregular block, occupying the bed of the gully; commencing at its Northern angle, at a peg in the South-Western boundary line of land leased to Richard Okey and Francis Skelton, thence running S.W. 202°, 300 links, 230°, 100 links, 225°, 400 links, 219°, 200 links, 246°, 300 links, 184°, 120 links, 216°, 310 links, and 228°, 270 links, with an average breadth of 100 links.

No. 32.

Applicants—George Druggan and William Haines.

Locality—Doctor's Creek.

Area—Four acres.

In a rectilinear block, bounded towards the East by a line bearing S.E. 173°, 500 links; towards the South East by a line bearing S.W. 247°, 800 links; towards the West by a line bearing N.W. 353°, 500 links; and towards the North West by a line bearing N.E. 67°, 800 links, the angles being marked by pegs.

No. 33.

Applicant—John Ross.

Locality—McKenzie's Hill, Slate River.

Area—One acre.

In an irregular block, included between the land already leased to the said John Ross, and the bank of the Slate River.

This application is in extension of the application No. 4, gazetted 17th January, 1860, in the name of James McKenzie, and subsequently assigned to John Ross.

No. 34.

Applicants—Henry Thomas Cullen and John Hornby.

Locality—Adelaide Hill, Slate River.

Area—Two acres.

In a rectilinear block, bounded towards the North by a line bearing N.E.  $82^{\circ}$ , 300 links, towards the East by lines bearing S.E.  $150^{\circ}$ , 313 links, to a post on the bank of the Slate River, and thence S.W.  $216^{\circ}$ , 387 links; towards the south by a line bearing S.W.  $262^{\circ}$ , 300 links, and towards the West by lines bearing N.E.  $36^{\circ}$ , 387 links, and N.W.  $330^{\circ}$ , 313 links.

No. 35.

Applicant—George William Lightband.

Locality—McArtney's Hill.

Area—Twenty acres, two roods.

In an irregular block, bounded towards the North-East by a line bearing S.E.  $72^{\circ}$ , 1700 links, towards the East by land applied for by John Carruthers, 700 links, again towards the North East by other part of the land last named, 500 links; again towards the East by a line bearing S. 125 links, towards the S.W. by a line bearing N.W.  $288^{\circ}$ , 1500 links, and

towards the West by lines bearing N.W.  $332^{\circ}$ , 525 links, and  $341^{\circ}$ , 800 links; the angles being marked by pegs.

No. 36.

Applicants—Henry Pridgeon, John

McDonald and Alexander Spittal.

Locality—Lower Anatoke River.

Area—Three acres.

In an irregular block, bounded towards the North by a line bearing N.E.  $88^{\circ}$ , 500 links; towards the North East by a line bearing S.E.  $120^{\circ}$ , 500 links; towards the West by a line bearing North, 50 links; again towards the North East by lines bearing S.E.  $128^{\circ}$ , 300 links, and  $152^{\circ}$ , 200 links; towards the East by a line bearing S.W.  $200^{\circ}$ , 250 links, to a post in the bank of the Anatoke River; towards the South West by lines bearing N.W.  $332^{\circ}$ , 200 links,  $309^{\circ}$ , 300 links, and  $300^{\circ}$ , 500 links; towards the South by a line bearing S.W.  $268^{\circ}$ , 500 links; and again towards the West by a line bearing N.E.  $20^{\circ}$ , 200 links.

THOMAS OUTHWAITE, Esquire, Receiver of Intestate Estates for the Northern Division of the Colony of New Zealand, in account with the Estate of MARY ANN CHAPPELL, deceased intestate.

DR.		CR.	
1860.		1860.	
	£ s. d.		£ s. d.
June 27th—By Cheque from W. Aitken		June 28—Paid Supreme Court Letters of Administration	3 0 0
Balance in his hands	380 19 4	30 „ R. Elley	0 12 10
Sept. 20th—By Cash Sale of Effects	21 9 6	July 12 „ M. Keogh, Medical attendance	2 2 0
		„ R. George	1 19 7
		Sept. 14 „ A. Baxter	6 18 0
		Novr. 20 „ G. H. Smith	0 10 2
		March 20 „ J. Canning	1 0 0
		April 17 „ W. Hay	6 13 0
		„ „ Advertising notice to Creditors	0 4 6
		„ „ Advertising Balance Sheet	0 7 6
		„ „ Administrator's Commission	10 11 10
		„ Balance	368 9 5
	£402 8 10		£402 8 10

I, THOMAS OUTHWAITE, do swear that to the best of my knowledge and belief the above is a just and true account of all the Receipts and Disbursements on account of the above estate of Mary Ann Chappell, deceased intestate.

THOS. OUTHWAITE.

Sworn at Auckland, this sixteenth day of May, One }  
thousand eight hundred and sixty-one, before me, }

GEORGE ALFRED ARNEY, C. J.

I do hereby certify that I have examined and allowed this Account of the Official Administrator of the above Estate. Dated the sixteenth day of May, One thousand eight hundred and sixty-one.

GEORGE ALFRED ARNEY,  
Chief Justice.