



# The New Zealand Gazette.

Published by Authority.

MONDAY, MAY 4, 1863.

*W. H. Reynolds, Esq., elected to House of Representatives.*

Colonial Secretary's Office,  
Auckland, 29th April, 1863.

IT is hereby notified that a Writ, issued for the election of a Member of the House of Representatives for the Electoral District of Dunedin and Suburbs South, has been returned with a certificate to the effect that

WILLIAM HUNTER REYNOLDS, Esq.,  
has been duly elected.

READER WOOD,  
In the absence of Mr. Domett.

*John Hyde Harris, Esq., elected Superintendent of the Province of Otago.*

Colonial Secretary's Office,  
Auckland, 2nd May, 1863.

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

THE HON. JOHN HYDE HARRIS, M.L.C.,  
has been duly elected.

READER WOOD,  
In the absence of Mr. Domett.

## MILITIA AND VOLUNTEERS.

*Appointment of Captain H. Roberts, Lieut. B. Sheriff, and Dr. J. Fletcher.*

Colonial Secretary's Office,  
Auckland, 21st April, 1863.

HIS Excellency the Governor has been pleased to make the following appointments in the "Prince of Wales Company," Wanganui Rifle Volunteers.

HENRY ROBERTS, to be Captain. Date of Commission—21st April, 1863.

BEDFORD SHERIFF, to be Lieutenant. Date of Commission—21st April, 1863.

JAMES FLETCHER, M.D., to be Surgeon. Date of Commission—21st April, 1863.

READER WOOD,  
In the absence of Mr. Domett.

## *Resignation of Ensign John Jones.*

Colonial Secretary's Office,  
Auckland, 21st April, 1863.

HIS Excellency the Governor has been pleased to accept the resignation of Ensign JOHN JONES, of the "Mataroa" Company, Wanganui Rifle Volunteers.

READER WOOD,  
In the absence of Mr. Domett.

*Resignation of M. Bury, Esq., of Office as Sheriff for district of Nelson accepted.*

Colonial Secretary's Office,  
Judicial Department,  
Auckland, 23rd April, 1863.

**H**IS Excellency the Governor has been pleased to accept the resignation of  
MAXWELL BURY, Esq.,  
of his office as Sheriff for the district of Nelson.  
READER WOOD,  
In the absence of Mr. Domett.

*W. Wells, Esq., appointed Sheriff for district of Nelson.*

Colonial Secretary's Office,  
Judicial Department,  
Auckland, 23rd April, 1863.

**H**IS Excellency the Governor has been pleased to appoint  
WILLIAM WELLS, Esq.,  
to be Sheriff for the district of Nelson.  
READER WOOD,  
In the absence of Mr. Domett.

#### ACCEPTED TENDERS.

Colonial Secretary's Office,  
Auckland, 27th April 1863.

**N**OTICE is hereby given that the following Tenders have been accepted by the General Government.

W. GISBORNE,  
Under Secretary.

#### *For Coal.*

Henry Kelly, for six months, commencing 1st May, 1863, at the following rate. At per ton for—

	£	s.	d.
Best Newcastle (N.S.W.) Coal screened and delivered at the Public Offices in 1 cwt. bags .....	2	14	0

#### *For Firewood.*

Bernard McDonald, for six months, commencing 1st May, 1863, at the following rate—

	£	s.	d.
At per ton, cut and split to suit fire-places in the Public Offices.....	0	15	6

*Major G. S. Whitmore appointed a Civil Commissioner.*

Native Office,  
Auckland, April 25th, 1863.

**H**IS Excellency the Governor has been pleased to appoint  
Major GEORGE STODDART WHITMORE  
to be Civil Commissioner, Ahuriri, *vice*

Lieut.-Colonel Andrew Hamilton Russell, resigned.

This appointment to bear date March 1st, 1863.

F. D. BELL.

*E. Shortland, Esq., appointed a Civil Commissioner.*

Native Office,  
Auckland, April 25th, 1863.

**H**IS Excellency the Governor has been pleased to appoint

EDWARD SHORTLAND, Esq.,

to be Civil Commissioner, Waihou.

This appointment to bear date January 1st, 1863.

F. D. BELL.

*G. F. Swainson, Esq., appointed to ascertain assent of Natives under "Native Reserves Act, 1856."*

Native Office,  
Auckland, April 25th, 1863.

**H**IS Excellency the Governor has been pleased to appoint

GEORGE F. SWAINSON, Esq.,

to be a person to ascertain the assent of the Natives in the Province of Wellington to their Reserves being brought under the operation of the "Native Reserves Act, 1856."

F. D. BELL.

#### POSTAL.

##### MONEY ORDER BRANCH.

*Post Offices at the Arrow River and Manuherikia Junction, in the Province of Otago, to be Money Order Offices.*

General Post Office,  
Auckland, 24th April, 1863.

**N**OTICE is hereby given that His Excellency the Governor has been pleased to appoint the Post Offices at the Arrow River and Manuherikia Junction to be Money Order Offices for the issue and payment of Money Orders.

READER WOOD,  
For the Postmaster General.

#### POSTAL.

##### *Transmission of Mails for Italy.*

General Post Office,  
Auckland, 24th April, 1863.

**T**HE following despatch received from the General Post Office at London, is published for general information.

READER WOOD,  
For the Postmaster-General.

General Post Office,  
London, 26th February, 1863.

SIR,—Information having been received from the Director-General of the Italian Post Office, that Italian Packets have been established for the purpose of conveying mails twice a month between Alexandria and Ancona, I am directed by the Postmaster-General to request that you will be good enough to cause all correspondence addressed to Italy to be forwarded from New Zealand in the mails made up for the British Post Office at Alexandria, instead of in the mails for Malta, as heretofore, in order that it may be conveyed to its destination by the New Italian Line of Mail Packets direct to Ancona.

The same rates of postage as at present will continue to be chargeable on letters, &c., for Italy.

I have, &c.,  
F. HILL.

The Postmaster-General, &c.,  
Auckland.

COURT OF APPEAL.

NEW ZEALAND.

BY virtue of the powers vested in the Judges of the Court of Appeal by "The Court of Appeal Act, 1862," it is ordered that the following rule of practice shall come into operation forthwith, and remain in operation until a further rule shall be made on the subject.

The Registrar of the Supreme Court of New Zealand at Christchurch, Canterbury, shall have, in respect of the Court of Appeal, all such powers and duties as he now hath in respect of the Supreme Court.

GEO. ALFRED ARNEY, Chief Justice,  
ALEXANDER J. JOHNSTON, Judge,  
(L.S.) H. B. GRESSON, Judge,  
C. W. RICHMOND, Judge.  
Christchurch, 9th February, 1863.

IN THE SUPREME COURT OF  
NEW ZEALAND.

In the matter of an Ordinance of the Governor and the Legislative Council of New Zealand, Session II, No. 9, entitled an Ordinance to provide for the Registration of Deeds and Instruments affecting Real Property, passed 28th December, 1841, section 44.

WE, the Judges of the Supreme Court of New Zealand, pursuant to the authority of the above Ordinance, having considered the Scale of Fees specified in the Schedule B annexed to the said Ordinance, and the present circumstances of the Colony, order that, in lieu of the said Fees, every Registrar of Deeds and Instruments under

the said Ordinance shall be entitled, on and after the first day of July, A.D. 1863, to demand in advance, and to receive as such Registrar, the Fees specified in the Schedule hereunto annexed, and no others.

SCHEDULE. s. d.

For the Registration of any Instrument.....	10	0
For every section, or part of a section, allotment, or part of an allotment, contained in any map or plan delineated on any instrument presented for Registration (charged as 2 folios) .....	1	0
For the recording and comparing thereof—for every folio of 72 words .....	0	6
For a copy or extract from any recorded Instrument or deposited Memorial—for every folio of 72 words .....	0	6
For every copy of, or extract from, the General Index—for every line	0	6
For every search or inspection of Indices, or recorded Instruments, or deposited Memorials .....	1	0

GORGE ALFRED ARNEY, Chief Justice,  
ALEXANDER J. JOHNSTON, Judge,  
H. B. GRESSON, Judge,  
C. W. RICHMOND, Judge.

Christchurch, Canterbury,  
7th March, 1863.

GENERAL RULES OF THE COURT OF  
APPEAL OF NEW ZEALAND.

MARCH 9TH 1863.

BY virtue of the powers vested in us by "The Court of Appeal Act 1862," We, the Judges of the Court of Appeal, do hereby Order That the following Rules for the practice and procedure of the Court shall be in force on and after the 7th day of June, A.D. 1863:—

*Affidavits.*

1. Affidavits made in matters pending in the Supreme Court may be used in the Court of Appeal.

2. Affidavits made in the matter of an appeal after notice of appeal given or leave to appeal granted, shall be intituled "In the Court of Appeal of New Zealand."

3. Affidavits made "In the Court of Appeal" must be filed with the Registrar of the Court for the time being; and a copy of every such affidavit must be transmitted by the Apellant to each Judge of the Court along with the special case.

*Stating and Transmitting Cases.*

4. Whenever a case is stated by parties under the 28th section of the Act, the parties shall forthwith submit the same for approval to a

Judge at Chambers, who shall give directions for the amendment of the same, if he shall be of opinion that the same is in any way defective.

5. In all cases, unless a Judge at Chambers shall otherwise order, there shall be transmitted to the Registrar of the Court of Appeal along with, and as part of, the special case, a copy of the record and a copy of the Judge's notes of the trial and of the finding of the Jury, where a trial has taken place, and a copy of all affidavits and documentary evidence used in the Court below.

6. A copy of the special case and of the documents in the last rule mentioned shall be forwarded by the Appellant to each of the Judges of the Court of Appeal within a certain period to be specified by the Judge who approves of the case, at the time of such approval.

#### Costs.

7. The Costs to be allowed on taxation as between party and party shall be on the same scale as in the Supreme Court, except as hereinafter mentioned.

8. The fees to be allowed to Counsel shall be on a more liberal scale than in the Supreme Court:—In each case, fees for two Counsel, at least, shall be allowed; and to one of the Counsel, if usually resident at any place other than that where the Court of Appeal shall sit, a liberal brief fee and refreshers shall be allowed besides reasonable cost of maintenance and travelling expenses for each day during which he shall be necessarily absent from his usual place of abode for the purpose of attending the Court of Appeal.

If the same Counsel, not resident at the place where the court is held, appear in several cases, his allowance for maintenance and travelling expenses shall be equally divided and the proper proportion allowed in respect of each case.

GEORGE ALFRED ARNEY, Chief Justice,  
ALEXANDER J. JOHNSTON, Judge,  
H. B. GRESSON, Judge,  
C. W. RICHMOND, Judge.

Office of Registrar of Joint Stock Companies,  
Auckland, April 23rd, 1863.

I, JOHN BOYLE BENNETT, Registrar of Joint Stock Companies for the Provinces of Auckland and Hawke's Bay do hereby notify that I have registered a Memorandum of Association, with Articles of Association, establishing a Company (with limited liability of the Shareholders therein), entitled,

"THE UNITED GOLD MINING COMPANY, LIMITED,"

the objects of which are, "the working and mining of Gold Bearing Quartz Claims at Coromandel, in the Province of Auckland, belonging to the Company, and contained in the Claims registered as 'Gribble and Company's Junction Claim,' One-half of Claim Number Fifteen on Ring's Driving Creek, One-half of Number One Dam Claim, Driving Creek, Fifteen Fortieths of the Union Claim, South-east of Murphy's Claim, a Claim at the old diggings known as 'Coolahan's Old Diggings,' One-eighth of Cole's Claim, Main Creek, and One-eighth of Flynn's Claim, Number Three, South of Ring's Claim, and such other Claims or Shares of Claims as the Company may from time to time acquire, and extracting Gold and other minerals from the said Claims, with or without machinery, and by any other means that may be considered proper, and the doing all such other things as are incidental or conducive to the attainment of the above objects":—

And that in pursuance of the provisions of "The Joint Stock Companies Act, 1860," I have issued a Certificate of Incorporation of the said Company, bearing date this twenty-third day of April, one thousand eight hundred and sixty-three.

JOHN B. BENNETT,  
Registrar of Joint Stock Companies.

#### DESCRIPTION OF DESERTERS FROM H.M.S. "HARRIER."

Name.	Date of Desertion.	Rating.	Age.	Where Born.	Height	Hair.	Eyes.	Marks on Person	Former Ships.
Charles Bacon	6 April, 1863	A. B.	24½	Waterford, Ireland	ft. in. 5 7	dark brown	hazel	none	St. Jean D'Acre Harrier
Henry Howard	do.	Ord.	23	Maidstone, Kent	5 6½	brown	blue	woman on right arm	Iris, Fawn
Edward Ottewell	do.	Boy 1st cl.	19	Ripley, Derbyshire	5 5	brown	grey	none	Majestic, Harrier
George Brown	do.	A. B.	24½	Great Brookhampton, Hertford	5 6½	brown	blue	none	Trusty, Acorn, Harrier,

A reward of Three Pounds each will be given for the apprehension and delivery of these persons if apprehended within three months, Two Pounds each within six months, One Pound each within twelve months, and after twelve months nothing.

Dated on board H.M.S. Harrier, in Manukau Harbor, this 8th April, 1863.

J. W. SULLIVAN, Commander,  
and Senior Naval Officer in N. Z.

REPORT OF DESERTERS FROM HER MAJESTY'S FORCES SERVING IN NEW ZEALAND.

Auckland, 2nd May, 1863.

Regiment.	Number, Rank and Name.	Age.	Size.		Color of			Date of desertion.	Place of desertion.	Date of enlistment.	At what place enlisted	Parish and County in which born.	Marks.	Trade.	Coat or Jacket.	Breeches or Trousers.	Remarks.	Signature of Officer commanding.
			Feet.	Inches.	Complexion.	Hair.	Eyes.											
Royal Engineers.	5961, Sapper Thos. Johnston	25 1-12	5	6½	fresh	brown	grey	20 April, 1863	Auckland, New Zealand	12 March, 1859	Portsmouth	Doncaster Doncaster, York	none	blacksmith	blue serge smock	regimental	Has been wounded by a musket bullet in the left wrist.	THOS. R. MOULD, Colonel Com. Royal Eng.
40th	303, Private (Boy) Alfred Foster	16 6-12	5	6	fresh	fair	blue	4 April, 1863	do.	10 Oct., 1859	Melbourne	Liverpool, Co. Lancaster	none	none	regimental	do.		ARTHUR LESLIE, Colonel. Do.
do.	3850, Private Jos. M'Grearty	21 4-12	5	7	fresh	light brown	grey	4 April, 1863	do.	26 Oct., 1855	Dublin	St. Peter's, Dublin	none	none	do.	do.		Do.
70th	181, Private George Hale	27	5	5	fair	dark brown	hazel	14 Jan., 1863	Dunedin, Otago	2 Feb., 1856, for 13th Regt.	Dublin	Keysham, N. Bristol, Somersetshire	none	labourer	do.	do.		G. W. RYAN, Major Com. Det. 70th Regt. Do.
do.	3479, Private James Daniels	27	5	10	fair	brown	hazel	24 Jan., 1863	do.	4 Feb., 1854	Clonmel County Tipperary	Carrick on Sun, Ireland.	none	laborer	do.	do.		Do.
do.	3434, Private John Danaher	30	6	1	fresh	sandy	grey	28 Jan., 1863	do.	6 Dec., 1853	Rothkeale Limerick	Limerick, Ireland	none	laborer	do.	do.		Do.
do.	605, Private Andrew Walsh	28	5	9½	fresh	dark brown	hazel	30 Jan., 1863	do.	5 May, 1859	Manchester Salford	Daragh, Queen's Co.	none	laborer	do.	do.		Do.
do.	371, Private John Lawton	29 4-12	5	6	fair	brown	hazel	19 April, 1863	Camp, Otahuhu	29 Dec., 1857	St. Albans	Stickport, Chester	letter D	weaver	do.	do.		T. CHUTE, Colonel.
do.	264, Private Henry Gray	25 5-12	5	8½	fresh	light (short) brown	grey	25 April, 1863	do.	17 Nov., 1856	St. Albans	Sterenage, Herts	letter D	woodman	blue serge forage cap regimental	do.		Do.
do.	568, Drummer John Brown	21 9-12	5	5	sallow	brown	brown	27 April, 1863	do.	10 Feb., 1859	Rawul Pinder Cork	Bow, Middlesex	none	none	do.	do.		Do.
do.	268, Private Henry Smith	26 2-12	5	6½	fresh	light brown	hazel	27 April, 1863	do.	19 Feb., 1855	St. Finbar's, Cork	St. Finbar's, Cork	letter D	laborer	do.	do.	Do.	

A TRUE and PERFECT SCHEDULE of all BALANCES paid into the Treasury of the Colony of New Zealand, at Auckland, from the 1st day of January, 1863, on account of DECEASED PERSONS' ESTATES, Administered by THOMAS OUTHWAITE, Esq., Registrar of the Supreme Court of New Zealand, as Official Administrator.

Names of Intestates.	Colonial Residence.	Supposed British Residence of Family.	Monies received.	Payments made.	Balance in hands of the Registrar.	Balance paid into Treasury.	Remarks.
Anne Nowell - - -	Auckland - -	Unknown - -	£ s. d. 33 0 0	£ s. d. 28 1 10	Nil.	£ s. d. 4 18 2	

I, THOMAS OUTHWAITE, Registrar of the Supreme Court of New Zealand, do solemnly and sincerely declare that the above is a true and faithful Return of all Balances paid by me into the Treasury of the Colony of New Zealand, at Auckland, from the first day of January, to the thirty-first day of March, 1863, (both days inclusive), on account of Decased Persons' Estates officially administered by me.

THOMAS OUTHWAITE.

Made and declared at Auckland, this 20th day of April, 1863, before me,

GEORGE ALFRED ARNEY, Chief Justice.

I certify that the sum of £4 18s. 2d. stood to the credit of the above Estate in the accounts of the Colonial Treasury on the 31st March, 1863.

READER WOOD, Colonial Treasurer.

Land Claims' Office,

Dunedin, 28th March, 1863.

I, WILLIAM HENRY CUTTEN, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session 11, of the Legislative Council of the Islands of New Zealand, to hear and decide Claims to Land by persons claiming title thereto, from, through, or under the New Zealand Company, report that the claims of the persons whose names appear in the Schedule hereunder, having been duly referred to me for investigation, I do hereby decide that the said persons are respectively entitled to the Crown Grants set against their names in the said Schedule.

W. H. CUTTEN,  
Commissioner.

SCHEDULE.

No. of Report.	No. of Claim.	Name of Claimant.	Commissioner's Decision.
161	132	James Souness - - -	Entitled to a Crown Grant of Town Section No. 42, Block 7, Dunedin
162	133	David John Napier - - -	Entitled to a Crown Grant of Town Section No. 55, Block 5, Dunedin
163	144	John Hyde Harris - - -	Entitled to a Crown Grant of Town Section No. 22, Block 22, Dunedin
163	144	John Hyde Harris - - -	Entitled to a Crown Grant of Town Section Nos. 26, 27, 28, 29, 30, and 31, Block 27, Dunedin
164	169	David John Napier - - -	Entitled to a Crown Grant of Town Section No. 1, Block 6, Dunedin
157	172	Ditto	Entitled to a Crown Grant of Town Section No. 14, Block 16, Dunedin
165	182	Shadrack Edward Robert Jones	Entitled to part of Suburban Sections Nos. 93, 94, 95, and 96, Block 6, Town District
166	183	Alexander Gavin Anderson -	Entitled to part of Suburban Sections Nos. 93, 94, 95, and 96, Block 6, Town District
167	213	John Nicol - - - -	Entitled to part of Suburban Section No. 33, Block 6, Town District
168	217	Thomas Thomson - - -	Entitled to part of Town Section No. 47, Block 17, Dunedin
169	219	Lucis Edwards - - -	Entitled to part of Suburban Section No. 15, Upper Harbor, East Side
170	228	William Mills - - -	Entitled to part of Town Sections 47 and 48, Block 4, Dunedin.

"REAL ESTATE ADMINISTRATION ACT, 1860."

THOMAS OUTHWAITE, Esquire, Receiver of the Real Estate of deceased person<sup>s</sup> for the Northern Division of the Colony of New Zealand, in account with the Estate of ROBERT BRIGHTON, deceased, intestate.

DR.		CR.	
	Gross Receipts. £ s. d.		Payments into Treasury. £ s. d.
1862.		1862.	
December 5—By cash from Mr. F. Danks, four quarters' rent of house, due 24th September last	16 0 0	Jan. 20—Paid Treasury under Judge's Order	4 0 0
Balance	3 7 3	Dec. 5—Paid F. Danks for repairs to house	12 18 6
		" 21—Paid advertising balance sheet for year 1861	0 7 6
		" Paid Administrator's commission	2 1 0
			4 0 3
	£19 7 3		£19 7 3

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 real Estate of the above-named Robert Brighton, deceased intestate.

THOMAS OUTHWAITE.

Sworn at Auckland, this twenty-second day of Janurry, One thousand eight hundred and sixty-three before me

GEORGE ALFRED ARNEY, C. J.

I do hereby certify that I have examined and allowed this account of the Receiver of the Real Estate of the above named Robert Brighton. Dated the twenty-second day of January, 1863.

GEORGE ALFRED ARNEY,  
Chief Justice.

## "REAL ESTATE ADMINISTRATION ACT, 1860."

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

DR.		CR.	
		Gross Receipts.	Payments into Treasury.
		£ s. d.	£ s. d.
1862:			
Jan. 13—	By cash from Mrs. Wood, 6 weeks rent to the 6th inst. - - -	1 16 0	Jan. 20—Paid Treasury under Judge's Order - - -
" 20—	" " Mrs. Fleming, 4 weeks rent to the 13th inst. - - -	1 12 0	Feb. 19—Paid J. Wood for well bucket and repairs to well - - -
Feb. 19—	" " Mrs. Wood, 6 weeks rent to 17th inst. - - -	1 16 0	Mar. 15—Paid insurance premium on two houses at Parnell - - -
Mar. 3—	" " Mrs. Fleming, 7 weeks to date	2 16 0	April —Paid Treasury under Judge's Order - - -
April 4—	" " Mrs. Wood, 6 weeks rent to 31st March - - -	1 16 0	Aug. —Paid Mrs. Wood for repairs - - -
" 17—	" " Mrs. Lincoln, 4 weeks rent to date - - -	1 8 0	Sept. 4—Paid Treasury under Judge's Order - - -
May 14—	" " Mrs. Wood, 6 weeks rent to 18th inst. - - -	1 16 0	Oct. —Paid Treasury under Judge's Order - - -
June 4—	" " Mrs. Lincoln, 4 weeks rent to 3rd May - - -	1 8 0	Nov. 21—Paid advertizing balance sheet for 1861 - - -
July 8—	" " Mrs. Wood, rent to 16th June	1 10 0	Dec. 13—Paid R. Lincoln for repairs to house - - -
" 18—	" " Mrs. Lincoln, 8 week's rent	2 16 0	" " Paid Administrator's commission - - -
Aug. 4—	" " Mrs. Wood, rent to 28th July - - -	1 16 0	
Sept 15—	" " Mrs. Wood, 7 weeks rent to date - - -	2 2 0	
Oct. 20—	" " Mrs. Wood, 5 weeks rent to date - - -	1 10 0	
Dec. 4—	" " Mrs. Wood, 6 weeks to the 1st: - - -	1 16 0	
" 12—	" " Mr. Lincoln, 20 weeks rent	7 0 0	
	Balance - - -	7 7 3	
		£40 5 3	£40 5 3

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, from the first day of January, one thousand eight hundred and sixty-two to the thirty-first day of December, 1862.

THOMAS OUTHWAITE.

Sworn at Auckland this twenty-second day  
of January, One thousand eight hundred  
and sixty-three, before me.

GEORGE ALFRED ARNEY, C. J.

I do hereby certify that I have examined and allowed this account of the Receiver of the Real Estate of the above named Mary Ann Chappell, deceased intestate. Dated the twenty-second day of January, 1863.

GEORGE ALFRED ARNEY,  
Chief Justice.