



The New Zealand Gazette.

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A PROCLAMATION

Bringing into operation the "Resident Magistrates' Jurisdiction Extension Act, 1862," in respect of the Resident Magistrate's Court at Rangitikei.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honourable 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., &c.

WHEREAS it is provided by the second section of the "Resident Magistrates' Jurisdiction Extension Act, 1862," that every case of a claim for debt and damages such as may at present be lawfully tried in a Resident Magistrate's Court, when the debt or damages claimed do not exceed Twenty Pounds, may be tried in any Resident Magistrate's Court, with respect to which the said Act shall be in operation, when the debt or damages claimed do not exceed Fifty Pounds: And it is further provided that the Governor may by Proclamation in the *Government Gazette* of the Colony declare that the limit of jurisdiction of any such Court shall be extended to One Hundred Pounds, and such limit of jurisdiction shall be extended accordingly: And it is further enacted by the said Act that the second and third sections thereof shall come into force in respect of any Resident Magistrate's Court on a day to be determined by a Proclamation in the *Government Gazette*,

pursuant to an Order of the Governor in Council. And whereas by such Order in Council, made on the seventeenth day of December one thousand eight hundred and sixty two, it is ordered that the said sections of the said Act should come into force in respect of any Resident Magistrate's Court within the Colony upon a day to be fixed by the Governor for each such Court by Proclamation in the *Government Gazette*:

Now, therefore, I, Sir George Grey, the Governor of the said Colony of New Zealand, in exercise of the power and authority in me vested by the said Act and in pursuance of the said recited Order in Council, do hereby proclaim and declare that the second and third sections of the said "Resident Magistrates' Jurisdiction Extension Act, 1862," shall be in force in respect of the Resident Magistrate's Court at Rangitikei, on and after the first day of June next. And in further exercise of the said power and authority, I do also proclaim and declare that the limit of jurisdiction of the said Court shall from and after the said first day of June, be extended to one hundred pounds.

Given under my hand at New Plymouth, and issued under the seal of the Colony of New Zealand, this twenty-third day of April, in the year of our Lord One thousand eight hundred and sixty-three.

G. GREY.

By his Excellency's Command,
ALFRED DOMETT.
GOD SAVE THE QUEEN!

PROCLAMATION

Bringing into operation "The Debtors and Creditors Act, 1862."

By His Excellency Sir GEORGE GREY, Knight Commander 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 it is provided by "The Debtors and Creditors Act, 1862," that the said Act shall not come into operation until a day to be fixed by the Governor by Proclamation, to be published in the Government Gazette, and it is expedient that the said Act shall come into operation as hereinafter mentioned: Now, therefore, I, Sir George Grey, the Governor as aforesaid of the said Colony, do hereby proclaim and declare that the said "Debtors and Creditors Act, 1862," shall be in operation in the said Colony from and after the first day of June next ensuing.

Given under my hand, at New Plymouth, in the Province of Taranaki, and issued under the Public Seal of the said Colony, this second day of May, one thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

GOD SAVE THE QUEEN!

ORDER IN COUNCIL.

At a Council held at New Plymouth on the 2nd day of May, 1863.

G. GREY.

Present:

His Excellency the Governor in Council.

WHEREAS by an Act of the General Assembly of New Zealand, intitled "The Militia Act, 1858," it is enacted that it shall be lawful for the Governor in Council from time to time to make, vary and abolish Regulations under which the Services of Volunteers shall be accepted in any Militia District; now, therefore, His Excellency the Governor, with the advice and consent of the Executive Council of the Colony, and in exercise of the powers in this behalf vested in him by the said recited Act, doth hereby make and ordain the following regulations under which the services of Volunteers shall be henceforth accepted in any Militia District within the Province of Auckland.

1. Nothing contained in these Regulations shall affect any Volunteer whose services have been accepted under the regulations

made on the Sixteenth day of January One thousand eight hundred and sixty-two, unless and until his services shall be offered and accepted under these regulations.

2. Any person desirous of becoming a Volunteer shall be proposed at a parade or meeting of the Company which he desires to join, and shall subject to the approval of the Governor, be admitted a Volunteer on the vote of the majority then present of the company.

3. There shall be no limit to the term of service of any Volunteer: Provided that any Volunteer shall be entitled to be discharged at the expiration of Three months' notice in writing given by him to the Officer Commanding the body of Volunteers to which he may belong of his own desire to be so discharged; and, in case such Officer Commanding shall be satisfied that urgent necessity exists for the discharge of any such Volunteer before the expiration of the said notice, he may discharge him accordingly.

4. Each company of Foot shall consist of not more than Eighty non-commissioned officers and men, and each troop of horse of not more than fifty.

5. A suitable uniform will be issued by Government to each Rifle Volunteer free of cost; but the property in such uniform shall remain in the Government.

6. The financial affairs of a Battalion shall be managed by a committee composed of an officer, non-commissioned officer and private elected by and from each company: the Treasurer and Secretary to be appointed by such committee from themselves: the Commanding Officer to be *ex officio* the President and the Adjutant a member *ex officio* of such Committee.

7. Every Volunteer shall attend to be trained and exercised at such times and places as shall be appointed by notice in any Gazette or Newspaper issued by or by the authority of the Officer Commanding the body of Volunteers to which he may belong; or by verbal order issued immediately to any Volunteer or at any parade by or by the authority of such Officer Commanding.

8. No Volunteer shall be absent during any part of any time appointed for training and exercise; and every Volunteer who shall offend against this regulation shall for such offence forfeit and pay any such sum, not exceeding one pound, as shall be fixed by the Officer Commanding.

9. No Volunteer who shall, previous to the issue of a summons to levy a fine under the foregoing Regulations, produce to such Officer Commanding as aforesaid a Certificate signed by a duly qualified Medical Practitioner that such absence was unavoidably caused by illness, or satisfy the Commanding Officer of his illness, and no volun-

teer who shall be absent, having duly obtained leave of absence from such Officer Commanding as aforesaid, shall be liable to the penalty set forth in the foregoing Regulation.

10. If any Volunteer's Arms, Uniform, or Accoutrements, shall, in the opinion of the Officer Commanding as aforesaid, be in a defective or dirty state, he shall forfeit and pay any sum not exceeding two shillings and sixpence, to be fixed in manner as aforesaid.

11. If any Arms, Uniform, Accoutrements, or other Government property shall be lost, destroyed or injured in any way other than on service, a fine not exceeding the value of the Arms, Uniform, Accoutrements, or other Government property shall be paid by the Volunteer in whose charge they were. Such fine shall be fixed by a Board of Officers appointed for that purpose by the Officer Commanding as aforesaid upon consideration of the circumstances, and if not paid to them on demand, may be recovered in manner hereafter mentioned.

12. If any Volunteer shall not deliver to the Officer Commanding as aforesaid, the Arms, Uniform, Accoutrements, and other Government property entrusted to him as a Volunteer, within three days after an order to that effect shall have been given to him written or verbal by or by the authority of the Officer Commanding as aforesaid, he shall be liable to a penalty of Twenty Pounds.

13. All Commissioned Officers shall be appointed by the Governor, and names for that purpose shall, except as respects Staff and Field officers be submitted to him (through the Officer Commanding as aforesaid) for his approval by the Troop or Company to which they are proposed to be appointed. No Commissions will be issued (unless to officers who have held Commissions in the regular service) until the Candidates are found fit after examination.

14. All Non-Commissioned Officers shall be nominated by the Captain of the Troop or Company to which they are to be appointed, and shall be examined by the senior officer of such Troop or Company and if passed as competent shall be appointed by the Officer Commanding as aforesaid.

15. All Volunteers shall be subject to the provisions contained in the following sections of the "Militia Act 1858," viz:—1, 3, 5, 6, 7, 9, 10, 19, 20, 22, and 24, and in the following sections of the "Militia Act Amendment Act 1860," viz:—10, 11, 13, 14 and 16, and in the 6th, 7th, and 8th sections of the "Militia Acts Amendment Act 1862."

16. General parades of all the Volunteers in each District shall be held on a day in each quarter to be fixed by the Governor.

17. Each Volunteer after four years service as such, shall be at all times thereafter

exempt from attendance for training and exercise in the Militia; The period of service of Volunteers under any former Regulations shall be allowed to reckon: provided that such former Volunteer shall again Volunteer and be enrolled before the first day of July next.

18. Every Volunteer shall take the following Oath to be administered to him by the Commanding Officer of the body of Volunteers in which he intends to serve, or by the Adjutant of Militia or Volunteers:—

I 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 until I shall be lawfully discharged.

19. The Officer Commanding may at any time dismiss any Volunteer by order in writing or parol and from the time of such order such person shall cease to be a Volunteer.

20. No Volunteer shall be entitled to receive any Government prize who shall not have been a Volunteer at least three months before and up to the first day fixed for the firing for such prize.

21. In the construction of these Regulations the phrase "Officer Commanding" or "Commanding Officer" shall in the case of his absence from the District or incapacity to act by reason of illness or any other cause, which absence need not be proved in any judicial proceeding, mean the officer of the same body of Volunteers next in seniority.

22. All fines and penalties imposed by these Regulations or any parts of Acts incorporated therewith or fixed by any person or body under authority of these Regulations shall be recoverable in a summary way before any Justice of the Peace on behalf of the Government by any officer of the body of Volunteers to which the person offending may belong: Provided that in any case where a fine shall have been fixed as aforesaid, such fine with the costs shall be levied and collected by the Justice without further evidence in relation thereto than that such fine was fixed and imposed upon the person summoned by the Officer Commanding or other person or body authorized by these Regulations.

F. D. FENTON,
Acting Clerk of the Executive Council.

CLAUSES OF ACTS EMBODIED IN THE
REGULATIONS.

MILITIA ACT, 1858.

Power to Governor to call together Militia.

I. 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.

And Appoint Officers.

III. 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.

And to Regulate the Formation of Regiments, &c.

V. It shall also be lawful for the Governor to cause the Militia, of every district to be formed and regulated as to Regiments, Battalions, Corps and Companies, in such manner as to His Excellency shall seem meet.

And to make Regulations for Training &c.

VI. 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.

And to call Militia or any part thereof into Actual Service.

VII. 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.

Militiamen if seriously wounded entitled to pension.

IX. 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.

Notice to be given to Militiamen when called into Actual Service.

XVIII. 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 Militiaman, or left at their usual places of abode, to attend at the time and place mentioned in such Order.

Penalty for not joining.

XIX. 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.

Penalty for concealing Militiaman.

XX. 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.

Penalty for selling or receiving Arms, &c.

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

Volunteers may be enrolled.

XXIV. 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.

MILITIA ACT AMENDMENT ACT 1860.

Section 23 of Militia Act, 1858, repealed.

X. Section 23 of the said Act is hereby repealed, and in lieu thereof be it enacted that,—

Mutiny Act and Articles of War in force on Actual Service.

During the time that any such Militia shall be on 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.

Offences while on training and exercise.

XI. Every commissioned Officer, non-commissioned Officer, or Man, who shall commit any one of the offences following shall, on being convicted thereof, pay a penalty not exceeding £5, viz:—

- (1.) Who, while being trained and exercised, shall renege or neglect to obey any lawful order of his superior Officer.
- (2.) Who shall be guilty of any insolent or disorderly behaviour towards such Officer, when the latter shall be in the execution of his duty.
- (3.) Who shall fail to keep any arms or accoutrements entrusted to him in proper order.

Volunteers not liable to serve on juries.

XIII. And be further enacted that every Volunteer enrolled under this Act, or the Militia Act, 1858, or any Regulations made in pursuance thereof, shall, during such time as he shall be liable to serve as such Volunteer, be exempt from serving on Juries if he shall plead such exemption either in Court or at the time of receiving a Summons to attend on a Jury.

Companies of Volunteers may recommend Officers.

XIV. It shall be lawful for the majority of any Company of Volunteers from time to time to recommend to the Governor persons to be appointed Officers in such Company.

Militia District Limited.

XVI. No Militia District hereafter to be declared shall exceed 30 miles in its greatest diameter.

MILITIA ACT AMENDMENT ACT, 1862.

Pension for wounds.

VI. Every Officer of Militia and 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 Forces and of a similar amount.

Pension to widows, &c.

VII. In the event of any Militia Officer being killed on service his family shall be entitled to such pension as they would have been entitled to had he been an Officer of the same rank in Her Majesty's Regular Service, and in the event of a non-commissioned Officer or Private being killed in service his Family shall be entitled to such pension as they would have been entitled to had he been an Ensign in Her Majesty's service.

Rank of Officers of Volunteers and Militia.

VIII. Officers of Volunteers enrolled under the provisions of the Militia Act 1858 shall rank with Officers of Militia according to the dates of their respective Commissions.

Act Assented to, Southland.

Colonial Secretary's Office,

Auckland, 5th May, 1863.

THE following Bill passed by the Provincial Council of the Province of Southland, intituled,—

“The Interpretation Ordinance 1862,
Amendment Ordinance 1863.”

which Bill was reserved for the signification of the Governor's pleasure thereon, having been laid before the Governor, His Excellency has been pleased to assent to the same.

READER WOOD,

In the absence of Mr. Domett.

Returning Officers Appointed.

Colonial Secretary's Office,

Auckland, 5th May, 1863.

HIS Excellency the Governor has been pleased to appoint the following persons to be Returning Officers for the Election of Members of the Provincial Council of the Province of Southland for the Electoral Districts set opposite their names:—

Robert Mitchell, Esq., Mataura, Oreti.

Isaac Newton Watt, Esq., Campbelltown.

A. J. Elles, Esq., Waihopai.

Matthew Price, Esq., Invercargill.

James Surman, Esq., Aparima, Wallacetown.

READER WOOD,

In the absence of Mr. Domett.

A. A. Harper appointed a Pilot.

Colonial Secretary's Office,

Auckland, 5th May, 1863.

HIS Excellency the Governor has been pleased to appoint

ALLEN AUGUSTUS HARPER,

to be a Pilot for the Port of Otago.

READER WOOD,

In the absence of Mr. Domett.

Colonial Secretary's Office,

Auckland, 5th May, 1863.

IT is hereby notified that the Consul General in Melbourne for Sweden and Norway, Denmark, Portugal, and Chili having nominated Edmund Quick, Esq., to be Consular Agent at Otago for those countries, respectively, His Excellency the Governor has been pleased to accept such nomination provisionally.

READER WOOD,

In the absence of Mr. Domett.

A. J. Willis, Esq., appointed a Justice of the Peace.

Colonial Secretary's Office,

Judicial Department,

Auckland, 23rd April, 1863.

HIS Excellency the Governor has been pleased to appoint

ALEXANDER JAMES WILLIS, Esq.,

at the Dunstan Gold Fields, Otago, to be a Justice of the Peace for the Colony.

READER WOOD,

In the absence of Mr. Domett.

A. J. Willis, Esq., J.P., appointed a Resident Magistrate.

Colonial Secretary's Office,

Judicial Department,

Auckland, 23rd April, 1863.

HIS Excellency the Governor has been pleased to appoint

ALEXANDER JAMES WILLIS, Esq., J.P.,

at the Dunstan Gold Fields, in the Province of Otago, to be a Resident Magistrate under the Resident Magistrates' Court Ordinance.

READER WOOD,

In the absence of Mr. Domett.

SUPREME COURT.

“The Debtors and Creditors Act 1862.”

BY virtue of the powers vested in us by the Debtors and Creditors Act 1862, it is ordered by us, the Judges of the Supreme Court, That the following Rules shall be in force on and after the 1st day of June, 1863:—

I. PROCEEDINGS IN THE SUPREME COURT.

Proof of Debts.

Debts and claims of creditors under the said Act shall be proved by affidavit.

Any such proof may be contested upon motion or summons made or taken out for the purpose, by or on behalf of any trustee or trustees of the debtor's estate, or by or on behalf of any two or more creditors, who shall have each proved debts or claims against the debtor's estate to the amount of £20 or upwards; and the Court or Judge, if of opinion that the debt or claim is not a just one, either wholly or in part, shall disallow the same either wholly or in part, as the case may require.

Provided, that in cases in which there shall be questions of fact in dispute between the parties or any of them, it shall be lawful for

the Court or a Judge to order that such questions be raised in the form of issues, and be tried by a full jury or at minor jury sittings in the same manner as issues joined in an ordinary action; and upon such trial, (unless specially ordered to the contrary) the proving creditors shall be the plaintiff, and the said trustee or trustees, or the contesting creditor or creditors shall be the defendant or defendants.

General.

All proceedings in the Court whatsoever, taken under or by virtue of the said Act, or of these Rules, in respect of which no specific provision is made to the contrary by the said Act, shall be subject to the General Rules of the Court for the time being in force in relation to other proceedings in the Court of a like nature.

II. MEETINGS OF CREDITORS.

1. Meetings of creditors shall be convened either by the trustees or trustee of the debtor's estate, or in pursuance of a rule or order of the Court or a Judge.

2. Any creditor may apply to the Court or a Judge for a rule or order convening a meeting.

3. At least three days' notice of the place and time (specifying the day and hour) of every such meeting shall be given by advertisement in some local newspaper.

4. The business to be transacted at any meeting convened in pursuance of a Rule or Order of the Court or a Judge may be defined by such Rule or Order, in which case no other business shall be transacted at the meeting, or at any adjournment thereof.

5. No person shall be entitled to vote or take a part in any proceeding at any such meeting unless and until he shall have duly proved a debt or claim against the estate to an amount exceeding £10.

6. No business shall be transacted at any such meeting unless there shall be there present, personally or by proxy, one-fourth in number or value of the creditors who shall have proved their debts or claims.

If within half an hour from the time appointed for the meeting there is not a quorum, the meeting shall be dissolved, unless convened in pursuance of a Rule or Order, in which case it shall stand adjourned till the following day, at the same place and hour; and if at such adjourned meeting there is no quorum within half an hour from the time of meeting, the meeting shall be adjourned *sine die*.

7. All questions shall be determined by a majority of the votes of the creditors present personally or by proxy: Provided that no resolution shall be deemed to be adopted by the meeting unless the same is carried by the votes of one-fourth in number or value of the creditors who shall have proved their debts or claims.

8. Proxies shall not be recognized unless appointed by some writing under the hand of the constituent creditor, which shall be in-

spected by the chairman and authenticated to his satisfaction.

9. The number of votes to be assigned to, and exercised by, each creditor shall be according to the following scale:—In respect of a proved debt or claim,

Exceeding £10, and not amounting to £50, 1 vote
 Amounting to £50, " £100, 2 votes
 " £100, " £200, 3 votes
 " £200, four votes,

and so on, at the rate of one additional vote for every complete sum of £100 over and above the first £100: Provided that no creditor shall be entitled to more than twelve votes in the whole.

10. Only one of several joint creditors shall in respect of the joint debt or claim be entitled to vote and take a part in the proceedings at any meeting.

11. No creditor having any mortgage, lien, or other specific security upon any property of the debtor shall, in respect of the debt so secured, be entitled to vote or take a part in the proceedings at any meeting, unless he shall give up such mortgage, lien, or other security, for the general benefit of the creditors: Provided that where any such security shall have been realized, and shall have been insufficient to pay the debt in full, the creditor may in respect of the deficiency, and on proof thereof, be entitled to vote and take a part in the proceedings at every such meeting.

12. A chairman shall be appointed, and shall preside at every meeting, and he shall have a casting vote in addition to his original vote or votes.

13. Minutes of the proceedings of every meeting shall be taken, and shall be signed by the chairman, who shall forthwith file the same in the Supreme Court.

14. Meetings may be adjourned from time to time, and from place to place.

(Signed)

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

SUPREME COURT OF NEW ZEALAND.

—
 "The Debtors and Creditors Act, 1862."

BY virtue of the powers vested in us by "The Debtors and Creditors Act, 1862," we, the Judges of the Supreme Court, do hereby settle the following Table of Fees and Scale of Allowances to Witnesses:—

Table of Fees.

Filing Petition for sequestration under the Act by Debtor or Creditor.....	£1 0 0
And for all other proceedings the same Fees as are, or may be, payable in respect of other proceedings in the Supreme Court of the like nature.	

Scale of Allowances to Witnesses.

The like allowances as are or may be payable to witnesses in civil cases in the Supreme Court.

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

Approved in Council.

G. GREY.

New Plymouth, 2nd May, 1863.

COURT OF APPEAL.

Fees to be taken under "The Court of Appeal Act, 1862."

UNTIL further notice, the Fees to be taken by the Registrar of the Court of Appeal shall be the same as those in the Supreme Court in respect to similar proceedings.

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

Approved in Council.

G. GREY.

New Plymouth, 2nd May, 1863.

IN THE SUPREME COURT OF NEW ZEALAND.

REGULÉ GENERALES.—March, 1863.

BY virtue of the powers vested by law in the Judges of the Supreme Court, it is ordered by us, the Judges of the said Court, that the following General Rules shall come into and be in force on and after the first day of June, 1863:—

JUDGMENTS FOR DEFAULT OF PLEA, &c.

1. Applications and orders under Rule 307 of the General Rules of Procedure on default of plea or demurrer may be made at the expiration of seven days after the time limited for pleading or demurring has elapsed, instead of at the expiration of fourteen days as in the said Rule mentioned; and for the words "fourteen days" in Rules 317 and 319, the words "seven days" shall be substituted.

2. On Judgments for default of plea or demurrer, execution may be issued on the expiration of seven days after such judgment has been entered up, unless a Judge shall direct that it may be issued either at an earlier, or at a later time.

3. When there is no Judge of the Supreme Court actually present at any place at which there is a Registrar or Deputy Registrar of the Supreme Court, such Registrar or Deputy Registrar shall have power to grant leave to enter up Judgment on default of plea or demurrer; and the same may be entered up accordingly: Provided that execution shall not issue thereupon until the expiration of seven days after notice given to the Defendant that such judgment has been entered up pursuant to the leave granted by such Registrar or Deputy Registrar; and if the Defendant shall within

such seven days find security for the amount for which execution is to be issued, to the satisfaction of the Registrar, execution shall be stayed until an application can be made by the defendant to a Judge to set aside the Judgment, provided also that in such last mentioned case the plaintiff may after notice to the defendant, apply to the Judge for leave to issue execution.

ADMINISTRATION AND PROBATE.

4. The inventories and accounts to be filed by Executors and Administrators shall be filed within such periods as the Judge granting Administration or Probate shall direct at the time of the granting thereof, or within such further period as a Judge on application may direct; and the conditions of Administration Bonds shall be framed accordingly.

5. Those portions of the affidavits contained in the Schedule of forms annexed to the "Rules touching the Administration of Estates and effects of persons deceased 1844," which relate to the filing of inventories and accounts shall be henceforth omitted from such affidavits.

CONVEYANCING.

6. On taxation of the costs of conveyances or other assurances no fee for the drawing, settling, or preparation of such instruments shall be allowed unless the name and address of the Barrister or Solicitor who prepared the same shall be endorsed or shall appear upon the same.

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

Colonial Secretary's Office,

Auckland, 6th May, 1863.

THE following Notice to Mariners respecting Lighthouses at Port Phillip Heads, is published for general information.

READER WOOD,

In the absence of Mr. Domett.

978. NOTICE TO MARINERS.

PORT PHILLIP HEADS LIGHTHOUSES.

Navigators are hereby informed that in accordance with a Notice to Mariners dated the 27th of December, 1862, the alterations in Shortland's Bluff and Swan Spit Lights, and the exhibition for the first time of a light on Point Lonsdale, as notified on the 3rd February, 1863, were carried into effect on the respective dates mentioned in such notices.

Consequent upon these changes, the following Sailing Directions are published for the guidance of vessels navigating the entrance to Port Phillip at night:—

Vessels from the southward and eastward will see the high light (fixed white) on a N. $\frac{1}{2}$ W. bearing, and the white low light (fixed white and red) on a N. $\frac{1}{2}$ E. bearing; as they proceed to the N. W. to bring the two lights in one, the low light will change its color from white to red on a N.N.E. $\frac{1}{2}$ E. bearing.

Vessels from the southward and westward sighting the high light to the eastward of N.E. by E. should, to avoid the Barwon bight, haul out to the eastward to open the low light, which will be first seen white on a N.E. by E. bearing, and as they proceed to bring the two lights in one the low light will change its color from white to red on a N.E. $\frac{1}{4}$ E. bearing.

A reference to the chart will show that, as hitherto, the best and safest course between the heads is to keep the two Shortland's Bluff lights in one line on a N.E. by N. and S. W. by S. bearing; but should the wind become scant and the vessel compelled to make a tack when in the vicinity of the Corsair rock or the Point Lonsdale reef, these dangers will be avoided by vessels of light draught so long as the Shortland's Bluff low red light is kept in sight. Vessels so circumstanced must be careful to go about, or haul towards mid channel before the low light changes from red to white.

The light (fixed red and green) on Point Lonsdale has been established to warn vessels entering or departing at night of their vicinity to, and when they are clear of, the Lonsdale and Ferguson rocks.

Vessels steering from sea for Port Phillip, and near the entrance, will first see the Point Lonsdale green light on a N.W. by N. $\frac{1}{4}$ N. bearing, and so long as they have it full in view they are to seaward of the Lonsdale and Ferguson rocks; when the two colors, red and green, begin to blend, it indicates vicinity to the line which passes on a N. W. by W. bearing from the light over these dangers.

When the Lonsdale red light opens out full, vessels are inside of them; and when they shut it in on a W. $\frac{1}{2}$ N. bearing, they are inside of the Corsair rock.

Vessels steering towards the West Channel will avoid the reef off Shortland's Bluff, and

the bank between it and Swan Spit, and also clear the Royal George Sand, when in their vicinity, by not opening out the white light on Swan Spit, but keeping the red light in sight until within three cable's length of it, when they will be above the Royal George buoy, and should haul to the eastward, and open the white light, giving the lighthouse a berth of three-quarters of a cable's length in passing.

Vessels navigating the South Channel are reminded that the low light on Shortland's Bluff now shows white from sea up the South Channel to the east end of Capel Sound.

Vessels below Capel Sound White Perch buoy will be aided in their passage up or down the South Channel and avoid the north sand by not shutting the light in, it being masked on a west by north bearing.

With the view of keeping the fairway to the West Channel clear, vessels of light draught are recommended when anchoring off Shortland's Bluff to bring up as close over towards the shore as possible on the N.W. side of the fairway indicated at night by the Swan Spit light changing from red to white on a N.E. $\frac{1}{4}$ E. bearing, and by day the Swan Spit Lighthouse just open E. of No. 1 Black buoy.

Vessels of heavy draught should anchor on the S.E. side of the fairway, which is indicated at night by the Swan Spit light changing from red to white on a N.E. $\frac{3}{4}$ N. bearing, and by day the Swanspit Lighthouse just open W. of No. 2 White Perch buoy.

Masters of vessels about to anchor at night off Shortland's Bluff are requested to note that the low light shuts in on a N. by W. bearing.

All bearings are magnetic.

CHARLES FERGUSON,

Chief Harbour Master.

Department of Ports and Harbors,
Williamstown, 11th March, 1863.