



The New Zealand Gazette.

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Colonial Secretary's Office,
Auckland, 8th October, 1862.

HIS Excellency the Governor directs the publication of the following Despatches with their enclosures, from Lieut.-General Cameron, C.B.

ALFRED DOMETT.

Lieut.-General Cameron to the Governor.
Head Quarters, Queen's Redoubt,
6th October, 1863.

SIR,—I have much pleasure in forwarding for your Excellency's information, the accompanying copy of a letter from Colonel Warre, C.B., Commanding the Troops at New Plymouth, enclosing a report from Captain Atkinson, Taranaki Volunteers.

I have, &c.,
D. A. CAMERON,
Lieut.-General.

His Excellency
Sir George Grey, K.C.B., &c.,

New Plymouth, New Zealand,
30th September, 1863.

SIR,—I have the honor to transmit for the information of the Lieut.-General Commanding, the accompanying report from Captain Atkinson, the Senior Officer in command of the Volunteers organised to patrol the settlement, with a view to prevent the incursions of rebel Maoris. It is with much pleasure I draw the Lieut.-General's attention to the satisfactory result of this encounter between the Civilian Forces of this Province and the rebel Maoris, and to the persevering efforts of Captains Atkinson and Webster and the officers and men under their command to carry out the important duties entrusted to them. In all

weather, and at all hours, have these Companies sought the enemy; and it is to their constant patrolling, not only the immediate vicinity of the town, but the outskirts of the settlement, that I attribute the little annoyance we have experienced from the presence of, it is now stated, some 500 of the rebels, who occupy strong positions on the edge of the bush between the Bell Block Stockade and Mataitawa.

Captain Atkinson possesses all the energy and perseverance requisite to make him a first-rate "guerilla" leader, and he is most ably seconded by the officers he has trained, as well as by the non-commissioned officers and men who form his force. They have co-operated with the regular troops on several occasions, and I am much indebted to their exertions, their endurance of fatigue, and their willing cheerfulness in the performance of their arduous duties.

I am happy to state that no casualties occurred, although the escapes of several of the men engaged appear to have been marvellous.

I have, &c.,
H. J. WARRE,
Colonel Commanding Troops in
Taranaki.

The Assistant Military Secretary,
&c., &c., &c.,
Head Quarters.

Taranaki, 29th Sept., 1863.

SIR,—I have the honor to report for the information of the Colonel Commanding that this morning, at 3:20 a.m., I left town with my own and Captain Webster's Company of Bushrangers for the purpose of laying an ambuscade in the vicinity of the Bell Block. We planted, and remained in ambush till 8:30 a.m., but without

success. We then moved inland by the boundary line of the Bell Block, and upon reaching Street's clearing, which is covered with high fern, we surprised a party of about thirty Maoris. They returned our fire well for a few minutes, but very soon took to the bush, and then right away. We continued our march to Greenway's, where we surprised another party of about the same number; they also, after a short skirmish, made off as fast as possible. This party was apparently in waiting for a small escort from the Bell Block Stockade fetching firewood.

Knowing the strength of the natives in the immediate neighbourhood, I did not consider it prudent to follow up either of the parties, or to attempt to surround them, which could have been done in both cases had I felt certain of their numbers.

I believe we killed two, if not more, and wounded several.

We took six mats, two stained with blood, several haversacks and kits with food in, and one bag containing twenty-two leaden bullets.

There were no casualties, I am thankful to say, on our side, except one man (Rushton) just touched in the ear.

We reached town on our return at 2 p.m.

To Captains Webster and Messenger, to Lieutenant Jonas and Ensign Brown, and to Assistant-Surgeon Webber, my best thanks are due. The conduct also of the non-commissioned officers and men, upon whom so much depends on such occasions, was most satisfactory.

I have, &c.,

H. A. Atkinson,
Captain T.R.V.

The Garrison Adjutant,
Taranaki.

Lieutenant-General Cameron to the Governor.
Head Quarters, Queen's Redoubt,
6th October, 1863.

SIR,—I have the honor to forward copies of a Report from Colonel Warre, C.B., Commanding at New Plymouth, and its Enclosures, relative to a severe engagement, which took place near Poutoko, on the 2nd instant, from which your Excellency will be glad to learn that the regular Troops, as well as the Militia and Volunteers of the Province, displayed their usual gallantry in repelling the attack of very superior numbers of the enemy. Colonel Warre evinced great judgment and ability throughout the action.

I have, &c.,

D. A. CAMERON,
Lieut.-General.

His Excellency Sir George Grey, K.C.B.,
&c., &c., &c.

New Plymouth, New Zealand,
3rd October, 1863.

SIR,—I have the honor to transmit the accompanying reports from the Officer Commanding at Poutoko, and to report for the information of the Lieutenant-General Commanding that later in the day the rebel Maoris,

from 6 to 800 strong, advanced with great determination to attack the Redoubt.

Knowing that the Maoris had been collecting their forces; and by information I received the previous evening, I was somewhat prepared for this attack, although I did not know against what quarter it was intended, and large fires lighted in every direction were evidently meant to withdraw our attention from the real point.

On receipt of Captain Wright's letter, I immediately sent Major Butler, 57th Regt., to take command, and the reinforcements stated in the margin being all the men I could spare, compatible with the safety of the town.

On Major Butler's arrival at Poutoko, he found that the Maoris were advancing from Hurford's clearing and Brown's land to the left and left rear of the Redoubt; and as the ground is tolerably open, he advanced to meet them with about 100 men of the 57th and 70th from the Redoubt, directing Captain Armstrong, with about 40 Militiamen, from the Omata Stockade, to hold the Redoubt.

As it was now quite evident on which side the attack was directed, I followed the reinforcements, and directing Captain Shortt to proceed by the new line of road from Omata Village towards Allan's Hill, and Captains Atkinson and Webster to continue their march by Waireka Gully, I went forward and found Major Butler engaged by a very superior number of the enemy, who had possession of the bush, flanking the fields over which he had advanced. The firing was very heavy, and several casualties had occurred; but the timely arrival of Captain Shortt, who at once attacked the rebels upon their right flank, enabled Major Butler to recover his ground, and to oblige the rebels to take refuge in the densely wooded gullies, from whence, and from the high trees on the opposite banks, they kept up an incessant, but fortunately not very effective, fire.

Captain Shortt also found himself opposed by very large numbers of rebels, who for a short time disputed his passage across the narrow neck of land between two deep gullies, near Touet's house. With the most determined gallantry, his party forced their way across the broken half-cleared ground; and the arrival of the Volunteers, under Captains Atkinson and Webster, enabled us to become the assailants, and the Maoris were driven into the bush-covered gullies, where I felt that it would have been but a useless sacrifice of life to follow them.

During this action, which lasted upwards of an hour, word was brought to me that 2 or 300 Maoris had crossed the Tapuae river, and were advancing towards the Redoubt by the Point, or Bob Erangi's pa, from whence they kept up a useless fire, until dislodged by shell from the howitzer, which is kept in the Redoubt. I also sent a subdivision, under Lieutenant Mills, to prevent the enemy from getting round the right flank, between the Redoubt and the sea.

The Troops and Volunteers now held every

commanding point from Waireka Hill, which had always been kept open by a strong picquet, to the Redoubt; and the Maoris, evidently satisfied that they could make no impression, gave vent to their rage by repeated volleys and the most frightful yells; after which they retired: and as the Troops and Volunteers from town had marched six or eight miles, and had been continually engaged from the moment of their arrival, I did not think it right to allow them to follow the Maoris, who got away; not, I hope, without serious loss. By thick bush on the way to the Upper Ford of the Tapuae river, en route to Kaitake, the Troops bivouacked on the ground until the afternoon, when they returned to town, leaving a reinforcement of 50 men at the Redoubt.

Nothing could exceed the admirable conduct of the Officers, Non-Commissioned Officers, and Men, of both regular and Militia forces engaged.

I am greatly indebted to Major Butler, 57th Regt., for his persevering efforts to keep back the enemy, nearly six times as numerous as the party he had in the first instance, to support his advance; also to Lieut. C. M. Clarke, D.A.Q.M.-General, and Lieut. E. Brutton, Garrison Adjutant, who accompanied me, and rendered me every assistance; as also did Lieut. and Acting Adjutant W. Thompson, 57th Regt., who at the head of a small party dislodged the enemy from a piece of bush from whence they had kept up a galling fire. Captains Shortt, 57th, and Wright, 70th Regts.; Captains Atkinson and Webster, of the Volunteers, and all the officers, set an example to their men, which was nobly responded to; and the presence of Surgeon Mackinnon, of the 57th Regt., and the other Medical Officers, very materially relieved the sufferings of the wounded who were brought into town during the afternoon, and who, with the exception of one man (Private Finn, 57th Regt.) since dead, are progressing favourably.

I should wish to bring specially to the notice of the Lieutenant-General Commanding, the noble conduct of Ensign Down, 57th Regt., and Drummer Dudley Stagpoole, who under a tremendous fire from Natives not forty yards from them, brought away wounded men at the risk of their own lives; their efforts being ably seconded by Private Antonia Rodrigues, a mounted orderly of the Taranaki Militia, who carried two men off the field on his horse, and galloped through a party of rebel Maories to take my orders to Captain Shortt. At the risk of troubling the Lieutenant-General with the great detail, I beg to forward Captain Shortt's Report, as it specially mentions the above individuals, and bears evidence to his own gallant conduct in this severe engagement.

I must also beg to be allowed to mention the excellent conduct of Captain Mace, T.M., and the mounted orderlies, who accompanied the troops, and were unceasing in their efforts to assist the wounded, and to distribute ammunition.

I have just received the enclosed Report

from Major Butler, which I forward, as it supports my testimony of the gallant conduct of all engaged. I also append a list of casualties, which, although large, is far less than I had any right to expect.

The Natives are still in the bush, about two miles from the Redoubt, and are very numerous at Kaitake, but have made no further move this morning.

I have, &c.,

H. J. WARRE,

Colonel,

Commanding Troops, Taranaki.

The Assistant Military Secretary,
Head-Quarters.

St. Patrick's Redoubt,

2nd October, 1863.

SIR,—I have the honor to report that I observed the smoke of a large fire at the ford at Hurford's clearing yesterday evening at about six o'clock, and as it was necessary to send out a wood party to-day, I sent Mr. Mills with forty men to lay in ambush at three a.m., on the hill overlooking the Maori track, and thus to protect the wood party.

I have the honor to enclose his Report on the matter, by which you will see he was fired on. I went to his support with thirty men, and found him at Allen's Hill, and that he did not require any more men. I left him to lay an ambush on a spot overlooking the place where the shots were fired from yesterday, thinking that the natives might come there to-day again, but he has since returned without seeing anything.

About sixty Maoris or more are at present pulling down the Oakura Redoubt.

I have, &c.,

A. B. WRIGHT,

Captain, 70th Regt.

Colonel Warre, C.B.,

Commanding Troops, Taranaki.

Poutoko, 2nd October, 1863.

SIR,—I have the honor to report for your information, that, in accordance with instructions I received from you, I proceeded this morning, at 3 a.m., strength as per margin,* to the hill overlooking the Tapuae river, with the intention of laying an ambuscade in order to cover a wood party which was to leave the Redoubt at eight a.m. On reaching Touet's house, I formed single rank, and moved in that order up to within forty yards of the crest of the hill, when several Maoris, who were evidently on sentry, immediately rose up and fired. I ordered my men to return the fire, which they did, and then I rushed up to the top of the hill, upon which the natives retired into the dense bush, two or three of them appearing to be badly wounded, leaving behind them six mats, one Maori kit full of bread, and a tomahawk. I followed them a short distance, but finding the bush too thick, and it being very dark at the time, I contented myself by hold-

* 1 Lieutenant, 1 Ensign, 1 Assistant Surgeon, 1 Sergeant 1 Corporal, 40 rank and file.

ing the crest of the hill, in the event of an attack by a large number of natives. I remained there for about a quarter of an hour, but hearing the voices of a great number of Maoris, I should say at least 200, I deemed it advisable to withdraw my party to some more open spot, and I accordingly moved back to Allan's Hill, where I posted my men, and waited until daybreak. I beg you will bring to the notice of the Colonel-Commanding the admirable conduct of the men under my command; the silent and orderly way in which they behaved enabling me to surprise these Maori sentries.

Ensign Broderip and Dr. Tomlinson were with my party, and greatly assisted me in every way.

I have, &c.,

EDWARD MILLS.

Lieut., 57th Regt.

Captain Wright, 70th Regt.,
Commanding at Poutoko.

New Plymouth,

October 2nd, 1863.

SIR,—I have the honor to report for the information of the Officer Commanding the Regiment, that, in compliance with instructions received, I marched this morning with a party, strength as per margin,† with orders to proceed to Poutoko. On the road I was overtaken by Colonel Warre, C.B., who directed me to advance to the Redoubt by the bush road near Touett's house. Shortly after we had turned down this road, I heard firing on my right, in the direction of Poutoko. I at once strengthened my advance guard, and pushed on as rapidly as I could, and became engaged with the enemy near Touett's house. The natives immediately retreated to the bush, and opened fire upon my party from all directions. Leaving a reserve on Alwyn's hill to protect my rear, I advanced towards the bush, but being met with a tremendous fire, I got the men under cover behind logs, &c., and endeavoured to keep down the fire of the enemy. I then charged the bush, but perceiving that it was occupied by a very large body of natives, I desisted, and got my men again under cover, and remained at this spot until I received orders from Colonel Warre to retire gradually; which I did, occupying Alwyn's hill with the whole of my party, and we then retired in good order towards Poutoko.

I beg to bring to your notice the excellent conduct of the two officers with me—Ensigns Douglass and Down. The latter officer volunteered and with four men brought in the body of a wounded man under a very heavy fire. Drummer Dudley Stagpool I would wish also to recommend most favorably to your notice; for, although wounded in the head, he twice volunteered and brought in wounded men. I cannot, indeed, speak too highly of the conduct of all my men; notwithstanding the superiority of the enemy in numbers, and the exceedingly heavy fire with which we were assailed, they

† 1 Captain, 2 Subalterns, 3 Sergeants, 3 drummers, 94 rank and file.

were cool and collected and obedient to orders, which enabled me to retire with such slight loss and in good order, in the face of a very large body of Natives, who lined the whole belt of bush to my front.—I have, &c.,

W. A. SHORTT,

Capt. 57th Regt.

The Adjutant, 57th Regt.

New Plymouth, New Zealand,

2nd October, 1863.

SIR,—I have the honor to report that, in accordance with your instructions, I proceeded at 10:30 a.m. this morning to the Poutoko Redoubt. On arrival there I was informed by Captain Wright, 70th Regiment, that a party under Lieutenant Mills, 57th Regiment, had proceeded to Hurford's clearing early in the morning for the purpose of laying an ambuscade, and had come into contact with the natives, killing one and wounding several. I was also informed by Captain Wright that the Redoubt had been fired on by the Maoris, and that he had reason to believe that they were assembled in large numbers in the surrounding bush.

I immediately despatched a Mounted Orderly to Omata for reinforcements, and on their arrival and on hearing that 100 men were on their road from town for my support, I proceeded in charge of the force detailed in the margin* in the direction of Hurford's Clearing, for the purpose of making a reconnaissance and ascertaining as nearly as possible the number and position of the enemy. On arriving at Gilbert's Clearing, barely a mile from the Redoubt, a very heavy fire was opened upon my party from the surrounding bush, by which Ensign Powys, who commanded the advanced guard, and four men were wounded. I at once returned the enemy's fire, keeping my men as much under cover as possible; but finding myself greatly outnumbered, I ordered my party to retire steadily towards the Redoubt.

Learning, however, that 100 men of the 57th Regt., under Captain Shortt, were advancing by the bush road towards the same spot, I advanced my men again, and (the enemy's fire being much weakened by Captain Shortt's attack on their right) drove them back from their position on the edge of the bush, which I then occupied—the natives still keeping up a heavy fire which was returned by my men.

As the latter part of the operations was carried on under your own immediate supervision, I will omit further details, but must beg to bring to your prominent notice the admirable conduct of the whole of the force under my command, and more especially I would wish to mention Ensign Douglass and Ensign Down—the latter officer having greatly distinguished himself by taking out a small party and bringing in a wounded man; also Ensign Powys, who behaved very well when

* 1 Field Officer, 1 Captain, 3 Officers, and 100 Rank and File 57th and 70th Regts.

in charge of the advanced guard before he was wounded.

As the conduct of the parties of Volunteers under Captain Atkinson and Captain Webster was brought under your immediate notice, I think it hardly necessary to state how satisfied I was with the valuable assistance they afforded me.

I regret to have to state that one man of the force under my command was mortally wounded, four dangerously, one officer and three men severely, and one slightly.

I append a return of the casualties.

I have, &c.,

H. BUTLER,

Major commanding 57th Regt.

Colonel Warre, C.B.,

Commanding Troops.

57TH REGIMENT.

RETURN OF OFFICERS AND MEN WOUNDED 2ND OCTOBER, 1863.

Com-pany.	Regtl. No.	Rank and Names.	Nature of Wound.	Remarks.
10	2669	Ensign P. E. Powys	Severe	Gunshot wound of chest, over heart, penetrating muscles only.
10	1977	Corporal Edward Rea	Dangerous	Gunshot through left groin, coming through small of back on same side.
10	2848	Sergt. Samuel Harvey	Severe	Gunshot wound of left thigh, muscles penetrated.
1	266	Drmr. Dudley Staggole	Slight	Gunshot wound of right side of head, superficial.
5	3125	Private William Reeves	Dangerous	Gunshot wound through left groin, penetrating.
10	2960	Patrick Burke	Dangerous	Gunshot wound through left lung, right through.
4	2590	Thomas Finn	Mortal	Gunshot wound of right side of head, penetrating brain.
10	2590	Michael Foley	Severe	Gunshot wound through left calf of leg.
10	558	Henry Cain	Dangerous	Gunshot wound left groin, lodging in abdomen.

WILLIAM MCKINNON,
Surgeon 57th Regiment.

PROVINCE OF TARANAKI.

NOMINAL RETURN OF FORCE ENGAGED WITH REBEL NATIVES ON THE 2ND OCTOBER, 1863.

Regiment.	Rank and Name of Officers.	Serjeants.	Drummers.	Rk. & File.
57th Regt...	Major Butler			
" " ...	Captain Shortt			
" " ...	Lieutenant Mills	7	5	150
" " ...	Lt. & Aj. Thompson			
" " ...	Ensign Downs			
" " ...	Ensign Powys			
" " ...	Ensign Douglass			
" " ...	Surg. M'Kinnon			
70th Regt. ...	Capt. Wright	2	1	44
T. Mil. & Vol.	Capt. Atkinson			
" " ...	Capt. Webster			
" " ...	Capt. Messenger	5	2	84
" " ...	Lieut. Jonas			
" " ...	Ensign Brown			
" " ...	As.-Sur. Webber			
Royal Engrs.	Lieut. Ferguson.			
Staff ...	As.-Sur. Tomlinson			
" ...	" Bruen			
		14	8	278

H. J. WARRE, Col.,
Commanding Troops in Taranaki.
New Plymouth, Oct., 1863.

Colonial Secretary's Office,
Auckland, 9th October, 1863.

HIS Excellency the Governor directs the publication, for general information, of the following Despatch with its enclosures, from Her Majesty's Principal Secretary of State for the Colonies.

ALFRED DOMETT.

Downing-street, 30th June, 1863.

SIR,—The attention of Her Majesty's Government has frequently been called to the difficulties which have been found to exist in the appointment of Officers to the Vice-Admiralty Courts in the British Colonies and Settlements, and to the advantages which would result from the adoption of some measure for remedying these difficulties. The contemplated arrangement could only be effected under the authority of an Act of Parliament, and I enclose an Act which has now received the Royal Assent, "to facilitate the appointment of Vice-Admirals and of Officers in Vice-Admiralty Courts in Her Majesty's Possessions Abroad, and to confirm the past proceedings, to extend the jurisdiction, and to amend the practice of these Courts."

You will observe that by the 3rd Section of the Act, on a Vacancy occurring in the Office of Vice-Admiral, the Governor of the

Colony assumes that Office as a matter of course. By the 4th Section the Office of Judge of the Vice-Admiralty Court devolves at once on the Chief Justice or principal Judicial Officer, until other provision shall have been made by the Admiralty; and with the same proviso, the Registrar and Marshall of the Court may, by the 5th Section, be appointed as vacancies occur, by the Judge, with the approval of the Governor. The 7th Section of the Act reserves to the Admiralty the powers as heretofore of making direct appointments to these and any Offices of the Court. These are the general provisions of the Act as regards appointments, and I enclose for your information a paper containing a detailed statement of the reasons for the various Clauses of the Act in question.

You will communicate that Act and the Statement to the Judge of the Vice-Admiralty Court in the Colony under your government, and for that purpose I transmit duplicate copies.

I have the honor, &c.,

NEWCASTLE.

Governor Sir George Grey, K.B.C.,
&c., &c., &c.

ANNO VICESIMO SEXTO
VICTORIÆ REGINÆ.

CAP. XXIV.

An Act to facilitate the Appointment of Vice Admirals and of Officers in Vice Admiralty Courts in Her Majesty's Possessions abroad, and to confirm the past Proceedings, to extend the Jurisdiction, and to amend the Practice of those Courts. [8th June, 1863.]

WHEREAS it is expedient to facilitate the appointment of Vice Admirals and of Officers in Vice Admiralty Courts in Her Majesty's possessions abroad, and to confirm the past proceedings, to extend the Jurisdiction, and to amend the practice of those Courts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short Title.

1. This Act may be cited for all purposes as the "Vice Admiralty Courts Act, 1863."

Interpretation of Terms.

2. In the interpretation and for the purposes of this Act (if not inconsistent with the context or subject matter) the following terms shall have the respective meanings herein-after assigned to them; that is to say,

"Her Majesty" shall mean Her Majesty, Her Heirs, and Successors:

The "Admiralty" shall mean the Lord High Admiral or the Commissioners for executing his office:

"British Possession" shall mean any Colony, Plantation, Settlement, Island, or Territory being a part of Her

Majesty's Dominions, but not being within the limits of the United Kingdom of Great Britain and Ireland, or of Her Majesty's possessions in India:

"Governor" shall mean the Officer for the time being lawfully administering the Government of any British possession:

"Vice Admiralty Court" shall mean any of the existing Vice Admiralty Courts enumerated in the Schedule marked A. hereto annexed, or any Vice Admiralty Court which shall hereafter be established in any British Possession:

"Ship" shall include every description of vessel used in navigation not propelled by oars only, whether British or foreign:

"Cause" shall include any Cause, Suit, Action, or other Proceeding instituted in any Vice Admiralty Court.

Appointment of Vice Admiral.

3. In any British possession, where the office of Vice Admiral is now or shall at any time hereafter become vacant, the Governor of such possession shall be *ex officio* Vice Admiral thereof, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty in the manner hereinafter mentioned.

Appointment of Judge.

4. In any British possession, where the office of Judge of a Vice Admiralty Court is now or shall at any time hereafter become vacant, the Chief Justice, or the principal Judicial Officer of such possession, or the person for the time being lawfully authorized to act as such, shall be *ex officio* Judge of the Vice Admiralty Court, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty in the manner hereinafter mentioned.

Appointment of Registrar and Marshal.

5. In any British possession, where the office of Registrar or Marshal of any Vice Admiralty Court is now or shall at any time hereafter become vacant, the Judge of the Court may, with the approval of the Governor, appoint some person to the vacant office, until a notification is received in the possession that a formal appointment thereto has been made by the Admiralty in the manner hereinafter mentioned, and may, for good and reasonable cause, to be approved by the Governor, remove the person so appointed. The Judge may also appoint some person to act as Registrar or Marshal during the temporary absence of either of those officers.

Names of Appointees, &c., to be notified to the Home Government.

6. On any vacancy in the office of Judge, Registrar, or Marshal of any Vice Admiralty Court, the Governor of the British possession in which the Court is established shall, as soon as is practicable, communicate to one of

Her Majesty's Principal Secretaries of State the fact of the vacancy, and the name of the person succeeding or appointed to the vacant office.

Saving the Powers of the Admiralty.

7. Nothing in this Act contained shall be taken to affect the power of the Admiralty to appoint any Vice Admiral, or any Judge, Registrar, Marshal, or other officer of any Vice Admiralty Court, as heretofore, by warrant from the Admiralty, and by letters patent issued under seal of the High Court of Admiralty of England.

Past Proceedings confirmed.

8. No act done by any person in the capacity of Judge, Registrar, or Marshal of any Vice Admiralty Court, which shall not have been set aside by any competent authority before the passing of this Act, shall be held invalid by reason that such person had not been duly appointed, but all such Acts shall be as valid and effectual as if done by a person duly appointed.

Protection of Officers.

9. No action, prosecution, or other proceeding shall be brought against any such person by reason of the illegality or informality of any Act hereby declared to be valid and effectual.

Jurisdiction of Vice Admiralty Courts.

10. The matters in respect of which the Vice Admiralty Courts shall have jurisdiction are as follow :

- (1.) Claims for Seamen's Wages :
- (2.) Claims for Master's Wages, and for his disbursements on account of the ship :
- (3.) Claims in respect of Pilotage :
- (4.) Claims in respect of salvage of any ship, or of life or goods therefrom :
- (5.) Claims in respect of towage :
- (6.) Claims for damage done by any ship :
- (7.) Claims in respect of Bottomry or Respondentia Bonds :
- (8.) Claims in respect of any mortgage where the ship has been sold by a decree of the Vice Admiralty Court, and the proceeds are under its control :
- (9.) Claims between the owners of any ship registered in the possession, in which the Court is established, touching the ownership, possession, employment, or earnings of such ship :
- (10.) Claims for necessaries supplied, in the possession in which the Court is established, to any ship of which no owner or part owner is domiciled within the possession at the time of the necessaries being supplied :
- (11.) Claims in respect of the building, equipping, or repairing within any British possession of any ship of which no owner or part owner is domiciled within the possession at the time of the work being done.

Jurisdiction of Vice Admiralty Courts.

11. The Vice Admiralty Courts shall also have jurisdiction :—

- (1.) In all cases of breach of the Regulations and Instructions relating to Her Majesty's Navy at sea :
- (2.) In all matters arising out of Droits of Admiralty.

Nothing to restrict existing Jurisdictions.

12. Nothing contained in this Act shall be construed to take away or restrict the jurisdiction conferred upon any Vice Admiralty Court by any Act of Parliament in respect of seizures for breach of the revenue, customs, trade, or navigation laws, or of the laws relating to the abolition of the slave trade, or to the capture and destruction of pirates and piratical vessels, or any other jurisdiction now lawfully exercised by any such Court ; or any jurisdiction now lawfully exercised by any other Court within Her Majesty's dominions.

As to matters arising beyond limits of Colony.

13. The jurisdiction of the Vice Admiralty Courts, except where it is expressly confined by this Act to matters arising within the possession in which the Court is established, may be exercised, whether the cause or right of action has arisen within or beyond the limits of such possession.

Her Majesty empowered to establish and alter Rules and Tables of Fees.

14. Her Majesty may, by order in Council, from time to time establish rules touching the practice to be observed in the Vice Admiralty Courts, as also tables of the fees to be taken by the Officers and Practitioners thereof for all Acts to be done therein, and may repeal and alter the existing and all future rules and tables of fees, and establish new rules and tables of fees, in addition thereto, or in lieu thereof.

Rules and Tables of Fees to be laid before the House of Commons.

15. A copy of any rules or tables of fees which may at any time be established shall be laid before the House of Commons within three months from the establishing thereof, or if Parliament shall not be then sitting, or if the session shall terminate within one month from that date, then within one month after the commencement of the next session.

To be entered in the Records of the Courts.

16. The rules and tables of fees in force in any Vice Admiralty Court shall, as soon as possible after they have been received in the British possession in which the Court is established, be entered by the Registrar in the public books or records of the Court, and the books or records in which they are so entered shall at all reasonable times be open to the inspection of the practitioners and suitors in the Court.

To be hung up in Court, &c.

17. A copy of the rules and tables of fees in force in any Vice Admiralty Court shall be kept constantly hung up in some conspicuous place as well in the Court as in the office of the Registrar.

Established Fees to be the only Fees taken.

18. The fees established for any Vice Admiralty Court shall, after the date fixed for

them to come into operation, be the only fees which shall be taken by the officers and practitioners of the Court.

Taxation may be revised by the High Court of Admiralty.

19. Any person who shall feel himself aggrieved by the charges of any of the practitioners in any Vice Admiralty Court, or by the taxation thereof by the officers of the Court, may apply to the High Court of Admiralty of England to have the charges taxed, or the taxation thereof revised.

Registrar may administer Oaths.

20. The Registrar of any Vice Admiralty Court shall have power to administer oaths in relation to any matter depending in the Court; and any person who shall wilfully swear falsely in any proceeding before the Registrar, or before any other person authorized to administer oaths in the Court, shall be deemed guilty of perjury, and shall be liable to all the penalties attaching to wilful and corrupt perjury.

As to the hearing of Cross Causes.

21. If a cause of damage by collision be instituted in any Vice Admiralty Court, and the defendant institute a cross cause in respect of the same collision, the Judge may, on application of either party, direct both causes to be heard at the same time and on the same evidence; and if the ship of the defendant in one of the causes has been arrested, or security given by him to answer judgment, but the ship of the defendant in the other cause cannot be arrested, and security has not been given to answer judgment therein, the Court may, if it think fit, suspend the proceedings in the former cause until security has been given to answer judgment in the latter cause.

No Appeal save from Final Sentence or Order.

22. The appeal from a decree or order of a Vice Admiralty Court lies to Her Majesty in Council; but no appeal shall be allowed save by permission of the Judge, from any decree or order not having the force or effect of a definitive sentence or final order.

Appeal to be made within six Months.

23. The time for appealing from any decree or order of a Vice Admiralty Court shall, notwithstanding any existing enactment to the contrary, be limited to six months from the date of the decree or order appealed from;

and no appeal shall be allowed where the petition of appeal to Her Majesty shall not have been lodged in the registry of the High Court of Admiralty and of Appeals within the time, unless Her Majesty in Council shall, on the report and recommendation of the Judicial Committee of the Privy Council, be pleased to allow the appeal to be prosecuted, notwithstanding that the petition of appeal has not been lodged within the time prescribed.

Acts repealed. Saving Rules established under 2 and 3 W. 4. c. 51.

24. The Acts enumerated in the schedule hereto annexed marked B. are hereby repealed, to the extent therein mentioned, but the repeal thereof shall not affect the validity of any rules, orders, regulations, or tables of fees heretofore established and now in force, in pursuance of the Act of the Second and Third William the Fourth, Chapter fifty-one; but such rules, orders, regulations, and tables of fees shall continue in force until repealed or altered under the provisions of this Act.

SCHEDULE A.

List of the existing Vice Admiralty Courts to which this Act applies.

Antigua.	Nevis.
Bahamas.	New Brunswick.
Barbadoes.	Newfoundland.
Bermuda.	New South Wales.
British Columbia.	New Zealand.
British Guiana.	Nova Scotia, otherwise
British Honduras.	Halifax.
Cape of Good Hope.	Prince Edward Island.
Ceylon.	Queensland.
Dominica.	Saint Christopher.
Falkland Islands.	Saint Helena.
Gambia River.	Saint Lucia.
Gibraltar.	Saint Vincent.
Gold Coast.	Sierra Leone.
Grenada.	South Australia.
Hong Kong.	Tasmania, formerly
Jamaica.	called Van Diemen's
Labuan.	Land.
Lagos.	Tobago.
Lower Canada, other-	Trinidad.
wise Quebec.	Vancouver's Island.
Malta.	Victoria.
Mauritius.	Virgin Islands, other-
Montserrat.	wise Tortola.
Natal.	Western Australia.

SCHEDULE B.

ACTS AND PARTS OF ACTS REPEALED.

Reference to Act.	Title of Act.	Extent of Repeal.
56 Geo. III. c. 82. ...	An Act to render valid the Judicial Acts of Surrogates of Vice Admiralty Courts abroad, during vacancies in office of Judges of such Courts.	The whole Act, save as regards Her Majesty's possessions in India.
5 Geo. IV. c. 113. ...	An Act to amend and consolidate the laws relating to the Abolition of the slave trade.	Section 29, save as above.
2 and 3 Will. IV. c. 51.	An Act to regulate the practice and the fees in the Vice Admiralty Courts abroad, and to obviate doubts as to their jurisdiction.	The whole Act, save as above.
6 and 7 Vict. c. 38. ...	An Act to make further regulations for facilitating the hearing appeals and other matters by the Judicial Committee of the Privy Council.	Section 11, so far as it relates to appeals from Vice Admiralty Courts, save as above.
17 and 18 Vict. c. 37. ...	An Act for establishing the validity of certain proceedings in Her Majesty's Court of Vice Admiralty in Mauritius.	The whole Act.

Vice-Admiralty Courts Act, 1863.

Explanation of the Provisions of the Act.

Section 2.

The definitions in this Section are merely to avoid Repetition.

Section 3.

Hitherto, on a Vacancy occurring in the Office of Vice-Admiral, the Governor of the Colony has been appointed as a matter of course. This section is intended to obviate the necessity of a new Appointment of a Vice-Admiral being issued on every change of Governor.

Section 4.

The Object of this Section is to obviate the delay which has occurred in filling up any Vacancy in the Office of Judge, owing to the necessity which existed of the Appointment being made by the Admiralty in England. In distant Colonies even if no time were lost in notifying the Vacancy to the Admiralty, many months unavoidably intervened before a new Judge could be appointed. In the meantime either the proceedings of the Court were suspended, or if carried on were of doubtful Validity, and thus, where Foreign Vessels have been adjudicated upon, serious difficulties might arise.

Again, since the business of the Vice-Admiralty Courts is ordinarily not sufficient, in time of Peace, to remunerate a Judge who does not hold some other more lucrative Appointment, it has been the constant Practice for the Governor of the Colony, on a Vacancy in the Office of Judge of the Vice-Admiralty Court, to recommend the Chief Justice or other Principal Judicial Officer of the Colony for the vacant Office, and the Lords of the Admiralty have for years invariably appointed the Person so recommended. The effect of this Section is simply to enable the Chief Justice or other Principal Judicial Officer of the Colony to act as Vice-Admiralty Judge immediately on that Office becoming vacant, instead of waiting for a formal Appointment from the Admiralty in England.

It will be observed that the power of the Lords of the Admiralty, if it should at any time be advisable to appoint some other Person than the Chief Justice of the Colony to be Vice-Admiralty Judge, is expressly saved by Section 7 of the Act.

Section 5.

This Section has a similar object; to obviate delay in filling up Vacancies in the Offices of Registrar and Marshal of the Vice-Admiralty Courts. It does not however attach these offices, like that of the Judge, to any other Colonial Appointment. It seems better that they should be filled up by the Judge, with the Approval of the Governor. But the Power of the Admiralty to make the Appointments, if at any time it should be deemed expedient to do so, is saved by Section 7.

Section 6.

The object of this Section is, that the Names of the Persons holding Offices in the Vice-Admiralty Courts may be known in this Country, especially as Bills of Exchange are from time to time drawn upon the Accountant-General of the Navy, and accepted by him on the Certificates of the Judges and Registrars of the Vice-Admiralty Courts.

Section 7.

This Section saves the existing Powers of the Admiralty to make Appointments in the Vice-Admiralty Courts, whenever it may be found expedient to do so.

Section 8.

In many Colonies, on vacancies occurring in the office of Judge, Registrar, or Marshal, the Colonial authorities have neglected or delayed to obtain formal Appointments from the Admiralty, and the duties have therefore been performed by persons not legally appointed. This Section ratifies, so far as can be done the past official acts of such persons.

Section 9.

This Section indemnifies such persons for having acted without due Authority.

Section 10.

The original Jurisdiction of the Vice-Admiralty Courts, as defined by the 2 & 3 Will. 4, c. 51. s. 6., was nearly co-extensive with the Jurisdiction then possessed by the High Court of Admiralty of England. Since then the Jurisdiction of the latter Court has been much extended by the 3 and 4 Vic. c. 65., and by the 24 and 25 Vic. c. 10., and the object of this Section is to define anew the Jurisdiction of the Vice-Admiralty Courts, and to assimilate it, with certain exceptions, to that now exercised by the High Court of Admiralty of England.

(1.) *Claims for Seamen's Wages :*

This was a part of the original Jurisdiction of the Vice-Admiralty Courts.

(2.) *Claims for Masters Wages and Disbursements on account of the Ship :*

It was always thought to be a very hard thing, that though the Seamen could recover the amount due to them for Wages in the High Court of Admiralty of England, the Master could not. Accordingly Jurisdiction was given to that Court to entertain Suits for Masters Wages, under certain circumstances. Gradually the Right of the Master to sue has been extended, and now by the 24 Vict. c. 10, s. 10, the Master is allowed to recover, not only any Wages, but also any Disbursements on account of the Vessel that may be due to him. The object of this Clause of the Section is to give a Master the same Remedy in a Vice-Admiralty Court as he now has in the High Court of Admiralty of England.

(3.) *Claims in respect of Pilotage :*

This was part of the original Jurisdiction of the Courts.

(4.) *Claims in respect of Salvage of any Ship, or of Life or Goods therefrom :*

Salvage of Ship and of Goods was part of

the original Jurisdiction ; but the Courts had no Power to award Salvage for saving *Human Life at Sea*. Jurisdiction in Claims for Life Salvage was given to the High Court of Admiralty of England by the 17 & 18 Vict. c. 104, ss. 458, &c., and the Jurisdiction was extended by the 24 & 25 Vict. c. 10, s. 9. The object of this Clause is to give similar Jurisdiction to the Vice-Admiralty Courts.

(5.) *Claims in respect of Towage :*

Jurisdiction in Claims for Towage was given to the High Court of Admiralty of England by the 3 & 4 Vict. c. 65, s. 6. The object of this Clause is to extend the Jurisdiction to the Vice-Admiralty Courts, which, as such Services are of a local character, is obviously desirable.

(6.) *Claims for damage done by any Ship :*

The original Jurisdiction of the Courts included "Suits for Damage to a Ship by Collision;" thus, it would seem, including Cases where a Ship is damaged by Collision with a Pier or Wharf, but not where a Pier or Wharf is damaged by a Ship. But the Power of proceeding *in rem* possessed by the Admiralty Courts is required rather in the latter Case than in the former : there is no need to arrest a Pier or Wharf, which are stationary ; but the Ship may escape. What is wanted is Jurisdiction in all Cases where Damage is done by a Ship.

Jurisdiction in all such Cases was conferred upon the High Court of Admiralty of England by the 24 and 25 Vict. c. 10, s. 7., and this Clause gives the same Jurisdiction to the Vice-Admiralty Courts.

(7.) *Claims in respect of Bottomry or Respondentia Bonds :*

This was part of the original Jurisdiction of the Courts.

(8.) *Claims in respect of any Mortgage where the Ship has been sold by a Decree of the Vice-Admiralty Court, and the Proceeds are under its control :*

Jurisdiction in such Cases was conferred upon the High Court of Admiralty of England by the 3 & 4 Vict. c. 65, sect. 3., and this Clause gives similar Jurisdiction to the Vice-Admiralty Courts.

It is obviously desirable that Mortgagees should be enabled to prosecute their Claims before the Proceeds are disposed of, and multiplicity of Suits is avoided by giving the Adjudication thereon to the Court which has the control of the Proceeds.

(9.) *Claims between the Owners of any Ship registered in the Possession in which the Court is established, touching the Ownership, Possession, Employment, or Earnings of such Ship :*

Jurisdiction in all Questions of Ownership, &c., arising between Co-Owners was conferred upon the High Court of Admiralty of England by the 24 & 25 Vict. c. 10, s. 8. The object of this Clause is to give a similar Jurisdiction to the Vice-Admiralty Courts, but, for obvious reasons, only in the Case of

Ships registered in the Colony or Possession in which the Court is established.

(10.) *Claims for Necessaries supplied, in the Possession in which the Court is established, to any Ship of which no Owner or Part Owner is domiciled within the Possession at the time of the Necessaries being supplied.*

Jurisdiction over Claims for Necessaries supplied to *Foreign Ships* was given to the High Court of Admiralty of England by the 3 & 4 Vict. c. 65, s. 6., and was extended to all Cases where no Owner or Part Owner is domiciled in England or Wales by the 24 & 25 Vict. c. 10, s. 5. Before these Provisions were enacted, British Subjects who had supplied Necessaries to *Foreign Ships* had no means of enforcing their Claims, except by suing the *Foreign Shipowner* in the Courts of his own Country for Goods supplied perhaps in this.

This caused much inconvenience to the *Shipowner* also, for Merchants were naturally unwilling to supply the Ship with Necessaries, knowing that they could not recover the Value by proceeding against the Ship. The same reasons apply to Cases where Necessaries are supplied in any Colony to a Ship whose Owners are not there domiciled ; and the object of this Clause is to enable Colonial Merchants, who have so supplied Necessaries in any Colony, to proceed against the Ship in the Vice-Admiralty Court of that Colony, as may now be done by English Merchants in the High Court of Admiralty of England.

(11.) *Claims in respect of the building, equipping, or repairing within any British Possession of any Ship of which no Owner or Part Owner is domiciled within the Possession at the time of the work being done.*

Similar reasons apply for extending the Jurisdiction of the Vice-Admiralty Courts to the Claims for Building &c. mentioned in this Clause.

Section 11.

(1) *All Cases of Breach of the Regulations and Instructions relating to Her Majesty's Navy at Sea :*

This was part of the original Jurisdiction of the Courts.

(2) *All Matters arising out of Droits of Admiralty.*

This also was part of the original Jurisdiction.

Section 12.

The Object of this Section is—

(1) To save the existing Jurisdiction of the Vice-Admiralty Courts in other Cases than those above mentioned ; e. g., in Matters relative to the Slave Trade ; and

(2) To save the Jurisdiction of all other Courts from any possible infringement.

Section 13.

This Section merely expresses in other words a Provision which is contained in one of the existing Acts.

Sections 14 to 19.

These Sections merely re-enact, with a few verbal alterations, the existing Provisions contained in Sections 1 to 5 of 2 and 3 Will. 4, c. 51.

Section 20.

The Registrar of the High Court of Admiralty was empowered to administer Oaths by the 24 Vict. c. 10, s. 26, and the Object of this Section is to confer a similar Power upon the Registrars of the Vice-Admiralty Courts.

The Section is adopted *mutatis mutandis* from that in the 24 Vict. c. 10.

Section 21.

The Object of this Section is to place the Parties in certain Cross Causes on an equality. It is adopted with merely verbal alterations from Section 34 of the 24 Vict. c. 10. It is simply a Matter of Practice.

Section 22.

The Section provides that there shall not be any Appeal from any Decree of a Vice-Admiralty Court which is not in the Nature of a final Sentence, except by permission of the Judge.

Section 23.

The object of this Section is to obviate the delay which has occurred from the great length of time allowed for appealing. By the 5 Geo. 4. c. 113, s. 29, the Slave Trade Consolidation Act, the time allowed for appealing from any Vice-Admiralty Court to the West of the Cape of Good Hope was 12 months, and from the Court at the Cape, and any Vice-Admiralty Court to the Eastward of the Cape, 18 months. By the 6 and 7 Vic. c. 38, s. 11, which was an Act for regulating Appeals to the Judicial Committee of the Privy Council, the time allowed for appealing was 12 months from the Vice-Admiralty Court at the Cape of Good Hope, and from all Vice-Admiralty Courts to the Westward thereof, and 18 months from Vice-Admiralty Courts to the Eastward thereof. With the present facilities of communication 6 months will probably be ample time for appealing from any Vice-Admiralty Court wherever established. It is clearly desirable to shorten the time, as far as can be done without injustice to Appellants, especially as no Distribution can be made of Bounties in Slave and Piratical Cases, or of other Naval Prize Money arising out of Prizes condemned in the Vice-Admiralty Courts, until the extreme time for appealing has expired. Power is, however, reserved to Her Majesty of extending the time allowed for appealing in Cases in which it may appear right to do so.

Section 24.

This Section repeals Three Acts which are superseded by this Act, and saves the existing rules of Practice and Tables of Fees established under the 2 & 3 Will. 4, c. 51., until new Rules shall be issued.

Schedule A.

Schedule A. contains a List of the Courts to which the Act applies. It includes all the existing Vice-Admiralty Courts, except those

within Her Majesty's Possessions in India; viz., Calcutta, Madras, Bombay, and Aden. These Courts have been expressly excepted at the request of the Secretary of State for India, who was of opinion that the Provisions of the Act should not be extended to them, no representation having reached him that any such extension was necessary.

Schedule B.

Specifies the Acts and Parts of Acts repealed. They are—

- (1.) 56 Geo. 3, c. 82., which confirmed the Judicial Acts of Surrogates of Vice-Admiralty Courts during Vacancies in the Office of Judge, and which is superseded by the general Provisions contained in Sections 8 and 9 of this Act.
- (2.) 5 Geo. 4, c. 113, s. 29, which fixed the time to be allowed for appealing in Slave Trade Cases, and is superseded by Section 23 of this Act.
- (3.) 2 & 3 Will. 4, c. 51., which is embodied in this Act, with a few verbal alterations.
- (4.) 6 & 7 Vict. c. 38, s. 11., which fixed the time for appealing from the Ecclesiastical and Vice-Admiralty Courts, and which is superseded as to the latter by Section 23 of this Act.
- (5.) 17 & 18 Vict. c. 37., which confirmed the Judicial Acts of a Judge of the Vice Admiralty Court of Mauritius who had been informally appointed, and which, like the 56 Geo. 3, c. 82., is superseded by Sections 8 and 9 of this Act.

Gibbes, Sir S. O., accepting his resignation of Seat in Legislative Council.

Colonial Secretary's Office,
Auckland, 9th October, 1863.

HIS Excellency the Governor directs it to be notified that

Sir S. OSBORNE GIBBES, Bart.,

has resigned his seat in the Legislative Council of New Zealand, and that His Excellency accepted such resignation on the 6th instant.

ALFRED DOMETT.

Canterbury Ordinances left to their operation.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

THE following Ordinances, passed by the Superintendent and Provincial Council of the Province of Canterbury, intituled

"THE FERRYMEAD RAILWAY AND WHARF TOLLS ORDINANCE,"

"THE PUBLIC HOUSE ORDINANCE, 1863,"

having been laid before the Governor, in conformity with the provisions of the "Constitution Act," His Excellency has been pleased to leave the same to their operation.

ALFRED DOMETT.

Canterbury Loan Ordinance Amendment Ordinance, 1863, assented to.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

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

"THE LOAN ORDINANCE 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.

ALFRED DOMETT.

PROVINCE OF MARLBOROUGH.

Assent withheld from Bill.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

THE following Bill, passed by the Provincial Council of Marlborough, intituled

"THE MARLBOROUGH DRAINAGE ACT, 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 withhold his assent to the same.

ALFRED DOMETT.

Marlborough Ordinances Assented to.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

THE following Ordinances, passed by the Provincial Council of the Province of Marlborough, intituled

"THE PICTON IMPROVEMENT ACT AMENDMENT BILL,"

"THE APPROPRIATION ACT, 1863,"

"THE MARLBOROUGH FENCING ACT, 1863,

which Ordinances were 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.

ALFRED DOMETT.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

THE following letter relating to an error in the spelling of the name of the gentleman returned as member for the House of Representatives for the district of Hampden is published as a correction of the Notice published in the *Zew Zealand Gazette* of the 6th August last, page 311.

ALFRED DOMETT.

Hawke's Bay,
19th September, 1863.

SIR,—By the enclosed note which I have just received, it appears I have made a mistake

in the spelling of the name of the gentleman returned as Member of the General Assembly for Hampden.

I therefore beg to state that Frederick *Wayne* was duly returned to represent the Electoral District of Hamden in the General Assembly, and not Frederick *Waine*.

I have, &c.,

(Signed) J. W. MURDOCK,
Returning Officer,
Hampden District.

Colonial Secretary's Office,
Auckland, 9th October, 1863.

HIS Excellency the Governor has been pleased to appoint

JOHN HARE

to be Registrar of Marriages and Registrar of Births, Deaths, and Marriages for the District of Invercargill, as the same is defined in Proclamations bearing date the 16th July, 1863, and published in *Gazette* No. 31, of 22nd July, 1863. This appointment takes effect from the 2nd October, 1863.

ALFRED DOMETT.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

HIS Excellency the Governor directs the republication of the following notice to Mariners, received from the Government of the Colony of Victoria.

ALFRED DOMETT.

LIGHTNING ROCKS.

THE accompanying Notice to Mariners, respecting temporary buoys marking the position of the Lightning Rocks, is published for general information.

JAS. G. FRANCIS,
Commissioner of Trade and Customs,
Department of Trade and Customs,
Melbourne, 27th August, 1863.

NOTICE TO MARINERS.

TEMPORARY BUOYS ON THE LIGHTNING ROCKS.

MASTERS of vessels navigating between Port Phillip Heads are hereby cautioned to avoid four small temporary spar buoys, colored red, which have been placed round and close to the Lightning Rocks.

As these buoys are very liable to be washed away, and are placed there for a special purpose, mariners must not trust to them in any way to mark the position of these rocks, but, as hitherto, use the shore marks for that purpose on Point Lonsdale and Shortland's Bluff, as published in the *Gazette*, dated 22nd December, 1862.

CHARLES FERGUSON,
Chief Harbour Master,
Department of Ports and Harbors,
Williamstown, 26th August, 1863.

Colonial Secretary's Office,
Auckland, 8th October, 1863.

HIS Excellency the Governor directs the republication of the following Notice to Mariners, received from the Government of the Cape of Good Hope.

ALFRED DOMETT.

NOTICE TO MARINERS.

Table Bay Harbour Works.

THE following notice to Mariners is published for general information.

Notice is hereby given that a Green Light of the 6th order will be exhibited on the staging forming the outer arm of the Harbour Works, on and after the 1st day of November, 1863.

This Light will be 25 feet above Highwater Mark, and will proceed outwards as the works progress. Showing between the bearings of North round by East to South, consequently will not be seen until Vessels (entering the Port) have rounded the Mouille Light.

The light has been erected to guide Ships entering the Port of Table Bay from a too close proximity to the Works.

H. WILSON, Port Captain.
Port Office, Cape Town, 31st July, 1863.

Appointment of Health Officer for the Port of Otago.

Colonial Secretary's Office,
Judicial Department,
Auckland, 1st October, 1863.

IT is notified for public information that JOHN DUNCAN NIVENS, Esq., M.D. has been appointed Health Officer for the Port of Otago.

ALFRED DOMETT.

Justices of the Peace Appointed.

Colonial Secretary's Office,
Judicial Department,
Auckland, 30th September, 1863.

HIS Excellency the Governor has been pleased to appoint

- Henry Elmhirst Reader, Esq., Canterbury.
- Benjamin Michael Moorhouse, Esq., "
- Alexander Lean, Esq., "
- John Ollivier, Esq., "
- William Henry Simms, Esq., "
- Herbert Belfield, Esq., "
- George Kirton, Esq., "
- John Kirwan, Esq., Wellington,
- John Marshall, Esq., of Tututora, Province of Wellington,

to be Justices of the Peace for the Colony of New Zealand.

ALFRED DOMETT.

Colonial Defence Office,
Auckland, 5th October, 1863.

HIS Excellency the Governor has been pleased to appoint

Major-General Thomas James Galloway to command the Colonial Defence Force in New Zealand. Date of Commission—September 20th, 1863.

T. RUSSELL.

Colonial Defence Office,
Auckland, October 9th, 1863.

HIS Excellency the Governor has been pleased to make the following appointments, viz. :—

In the Auckland Militia.

Lieutenant Raleigh Peacocke, to be Captain. Date of Commission—October 4th, 1863.

Lieutenant Archibald William Ramsay Davidson, to be Captain. Date of Commission—October 5th, 1863.

William St. Clare Tisdall, to be Captain and Quarter-Master. Date of Commission—October 6th, 1863.

Robert Johnstone, to be Lieutenant. Date of Commission—September 18th, 1863.

Ensign George Rayner, to be Lieutenant. Date of Commission—October 1st, 1863.

Ensign Lewes Rye, to be Lieutenant. Date of Commission—October 4th, 1863.

Patrick Dowell Malone, to be Ensign. Date of Commission—September 25th, 1863.

Robert Smelt Bush, to be Ensign. Date of Commission—September 30th, 1863.

William De Renzie Ribton Turner, to be Ensign. Date of Commission—October 4th, 1863.

Cranley Lancelot Perry, to be Ensign. Date of Commission—October 5th, 1863.

Hugh Stratford, to be Ensign. Date of Commission—October 6th, 1863.

Alfred Mason Speedy, to be Ensign. Date of Commission—October 7th, 1863.

Assistant-Surgeon Alexander Stewart, to be Surgeon. Date of Commission—September 12th, 1863.

Joseph Giles, to be Surgeon. Date of Commission—October 6th, 1863.

Captain Oswald Pilling, to be Adjutant in the 3rd Battalion. Date of Commission—September 29th, 1863.

In the Wanganui Militia.

William Finnimore, to be Ensign. Date of Commission—September 28th, 1863.

T. RUSSELL.

Native Office,
Auckland September 30th, 1863.

HIS Excellency the Governor has directed the publication of the following letter from the master of the "Salcombe Castle," for general information.

READER WOOD,
In the absence of the Native Minister.

Auckland, September 30th, 1863.

SIR,—As late master of the schooner "Salcombe Castle," wrecked on the 16th instant, near Mongonui Bluff, on the West Coast of New Zealand, I desire to bring under the

Notice of your Excellency the kindness and assistance myself and crew received from the undermentioned Natives of the District, viz :

WHA RE KERERU, } of Hokianga ;
TAMA, his boy, }
PARAE, a chief, }
WATA ROBE, } his sons, } of Mangawarha.
TE TAMA, }

who have kindly undertaken the protection of any Property belonging to the Wreck, until they again hear from me.

I also wish to inform your Excellency that when the Natives came in sight, I caused to be destroyed all the ammunition and lead that was about the vessel, for fear of its getting into their hands.

I have the honor, &c.,

JOHN JAMES.

To His Excellency
Sir George Grey, K.B.C.,
&c., &c.

Native Office,
Auckland, October 6th, 1863.

HIS Excellency the Governor has been pleased to appoint the undermentioned Chiefs, in the Provinces of Nelson and Marlborough, Assessors under the "Resident Magistrates' Courts Ordinances, Session VII., No. 16."

F. D. BELL.

Province of Nelson.

Rene Te Onenuku, of Kaiaka, Croixelles Harbour.
Wiremu Katene Te Manu, of Wakapuaka.
Pitama Te Tirikau, of Wakapuaka.
Peni Te Poa Karoro, of Motueka.
Rawiri Watene, of Motupipi.
Retimana Na Paru, of Takaka.
Eruera Patana Te Keha, of Pariwhakaoho.
Tamati Pirimona Marino, of Aorere.
Riwai Turangapeke, of Taitapa.
Paiura Te Rangikatatu, of Kawatiri.

Province of Marlborough.

Ropoamo Te One, of Arapaoa.
Te Rore Pukekohatu, of Wairau.
Ihaia Poieke, of Kaikoura.
Raihania Tamaherangi, of Kaikoura.
Rori Te Pakerehu, of Te Hoiere, Pelorus.
Ihaia Kaikoura, of Te Hoiere.

Mr. W. R. Carver appointed Sub-Collector of Customs at Timaru.

Office of Commissioner of Customs,
Auckland, 1st October, 1863.

HIS Excellency the Governor has been pleased to appoint

MR. WILLIAM ROBINSON CARVER,
to be Sub-Collector of Customs at the Port

of Timaru, vice Mr. A. Rose, appointed Landing Surveyor, at the Port of Lyttelton. This appointment dates from the 1st September, 1863.

READER WOOD.

Mr. W. R. Carver appointed Licensing Officer at Timaru.

Office of Commissioner of Customs,
Auckland, 1st October, 1863.

HIS Excellency the Governor has been pleased to appoint

MR. WILLIAM ROBINSON CARVER,
Sub-Collector of Customs at Timaru, to be a Licensing Officer under the provisions of the "Arms Act, 1860," vice Mr. Alexander Rose. The appointment dates from 1st September, 1863.

READER WOOD.

POSTAL.

Appointment of Postmasters.

General Post Office,
Auckland, 7th October, 1863.

IN virtue of the powers delegated to me by His Excellency the Governor, the following appointments have been made in the Postal Service of the Colony:—

READER GILSON WOOD.

Province of Auckland.

CHARLES BURTON to be Postmaster at Papatotoi from the 17th August, 1863.
WALTER G. PUCKEY to be Postmaster at Kaitaia, in the Province of Auckland.
OLIVER MAYS to be Postmaster at the North Shore.
Corporal JOHN EVANS, H.M. 65th Regt., to be Postmaster at Queen's Redoubt.

Province of Otago.

EMANUEL THOMPSON to be Postmaster at Glenore, from the 1st July, 1863.
JOHN ANDERSON to be Postmaster at Caversham, from the 21st July, 1863.
CAMPBELL THOMPSON to be Postmaster at Deep Stream, from the 21st July, 1863.
CHARLES LEMON to be Postmaster at Oamaru, from the 1st August, 1863.
ROBERT KIDD to be Postmaster at Albertown (Otago) from the 20th August, 1863.
CHARLES VINCENT BREWER to be Postmaster at Molyneux, from the 1st August, 1863.
JOHN BARR to be Postmaster at Clutha Ferry, from the 17th August, 1863.
HARRY WALTER PELLEN SMITH to be Postmaster at Mount Ida, from the 20th August, 1863.
JOHN CAMPBELL to be Postmaster at Green Island, from the 5th September, 1863.
ANDREW SOUTER to be Postmaster at Kyeburn, from the 16th September, 1863.

Province of Canterbury.

DANIEL FERGUSON to be Postmaster at Arowhenua, from the 1st July, 1863.

Province of Marlborough.

ALLEN HOUGHTON to be Postmaster at Havelock, from the 1st October, 1863.

JAMES FORD HATHAWAY to be Postmaster at Goulard's Ferry, from the 1st October, 1863.

Province of Southland.

JAMES FREDERICK BARKE to be Postmaster at Riverton, from the 1st September, 1863.

WILLIAM HOPCROFT to be Postmaster at Gummy's Bush, from the 1st September, 1863.

Native Office, Auckland,
October 6th, 1863.

IT is hereby notified that the Native Title has been extinguished over the Blocks of Land whereof the boundaries are mentioned or described in the Schedule hereunto annexed.

F. D. BELL.

SCHEDULE.

PROVINCE OF AUCKLAND.

DISTRICT OF BAY OF ISLANDS

Maungataniwha West, No. 2.
Estimated to contain 11,002 acres.

BOUNDARIES.

Commencing at a Hill named Puketoetoe, along the Survey line to Te Huinga, thence along the Survey lines to a point known as Tapuketukituki, thence along the Survey lines to

a point called Opou on the Kaitaia stream, thence along the Survey lines returning towards the Kaitaia river, thence along the Kaitaia river to the Native Reserve known as Mangataeore, thence along the Survey line of the Native Reserve to a peg on the Kaitaia river, named Kowhatupotakataka, thence along the Survey line to the starting point at Puketoetoe.

Maungataniwha West, No. 1.

Estimated area 12,940 acres.

BOUNDARIES.

Commencing at the Native Reserve "Peria" following the Westerly boundary of the Maungataniwha (East) block to a peg near Whakahira thence along the Survey lines to the South of the Maungataniwha, to a stake, marked "Te Huinga," thence along the Survey line to Puketoetoe, thence along the Survey line and creek to the open ground Otira, thence along the Survey line to the Hikurangi boundary, thence following the Hikurangi boundary and the Oruru boundary, thence along the line of the Native Reserve to the starting point on the Peria Reserve. But the plan of the Survey will shew more particularly the boundaries connected with the sale of this block of land.

Cancellation of the Appointment of Thomas Cook Irving as Pilot.

General Post Office,
Auckland, October 7th, 1863.

HIS Excellency the Governor has been pleased to cancel the Pilot's License issued to Thomas Cook Irving, of Otago.

READER GILSON WOOD.

