



The New Zealand Gazette.

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SATURDAY, MAY 14, 1864.

CUSTOMS.

Governor's Order, No. 49.

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., &c.

IN exercise of the power in me vested by the "Customs Regulation Act, 1858," I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby appoint the following day in every year to be kept as a Holiday at the Custom Houses at the undermentioned Ports, as the Anniversary of the Foundation of the Settlement within which such Ports are situate (that is to say):—

At Invercargill, Bluff Harbor, and River-ton, and any other Port to be hereafter declared, within the limits of the Province of Southland,

31st MARCH,

Provided that when the said day falls on a Sunday, the following day may be kept as a Holiday instead.

Given under my hand at the Govern-ment House, at Auckland, this eleventh day of May, one thousand eight hundred and sixty-four.

G. GREY.

By His Excellency's command,

T. RUSSELL.

Colonial Defence Office,
Auckland, 10th May, 1864.

HIS Excellency the Governor directs the publication of the following Despatch, with its enclosures, from Commodore Sir William Wiseman, Bart., C.B.

T. RUSSELL.

H.M.S. 'Miranda,'
Tauranga, 28th April, 1864.

SIR,—I beg to forward a copy of a Despatch received this day from Captain Robert Jenkins, commanding the 'Miranda,' and I have much pleasure in calling your Excel- lency's attention to paragraph 7 of the Despatch, pointing out the zeal and energy of Captain Marks, commanding the colonial steamer 'Sandfly.'

I beg to add my own testimony to the readiness and zeal Captain Marks has always shown in carrying out any directions that he may have received from the Senior Naval Officer under whom he may have been serving at the time.

I also enclose a copy of a letter received from Mr. Francis Corbet, Acting Master of the 'Miranda,' pointing out where it is desirable to place beacons and buoys to mark the channel into this harbour.

The entrance without these buoys is ex- tremely unsafe for large vessels. All of Her Majesty's ships under my command have grounded, and more or less damaged them- selves in coming in. I have therefore to request that the necessary buoys and beacons may be sent down at once; they can be placed in position by Mr. Corbet, Master of the

'Miranda,' who has surveyed and is intimately acquainted with the anchorage.

I have, &c.,

WM. WISEMAN,
Commodore.

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

Reporting Proceedings at Maketu.

H.M.S. 'Miranda,'

Tauranga, 27th April, 1864.

SIR,—I have the honor to inform you that, in compliance with your orders, I embarked at daylight this morning in the Colonial steamer 'Sandfly,' and, with H.M.S. 'Falcon,' proceeded to Maketu.

2. On the arrival of the vessels off that place, Major Colville sent on board Ensign Langlands, 43rd L.I., with a letter (copy of which is enclosed), and to show me the position of the hostile Natives. A whale-boat also came out with Natives going to Flat Island; I, however, sent them back with a letter to Major Colville, informing him that I was going to shell the enemy's position.

3. The 'Falcon' was placed in a position which enfiladed the enemy's works, from the whares on their right on the cliff; but before she had opened fire, a large number of Natives were seen retreating along the beach to the eastward. I immediately followed them with the 'Sandfly,' and on nearing them opened on them with the 12-pounder Armstrong of 'Falcon,' manned by 'Mirandas,' and the 'Esk's,' manned by its own crew.

4. On our firing, the Natives took cover under the sand-hills, and continued their hurried retreat to Otamarako; they, however, were seen to stop in several clumps of trees, &c., into which shells were at once thrown, after which the extensive whares both inside and out of the old pa at Otamarako were shelled.

5. Soon after noon, the 'Falcon' ceased firing, the enemy's works on the left bank of the Waihi river being occupied by the troops from Maketu, under Major Colville of the 43rd. 'Sandfly' then anchored, to await the arrival of 'Falcon,' when both vessels shelled the whares at Otamarako, the 'Falcon' also throwing shell amongst bodies of Natives which were seen from her masts-heads retreating.

6. At 3 p.m., ceased firing, the enemy having apparently entirely abandoned the settlement, and a body of friendly Natives being seen advancing along the beach from Maketu. I then returned in the 'Sandfly' to Tauranga, the 'Falcon' proceeding to Auckland with the mails, which were awaiting her at the mouth of the harbour.

7. I beg to bring to your notice the zeal and exertions of Senior Lieutenant Hope, in command of the 'Falcon,' and of Captain Hannibal Marks, commanding the Colonial

steamer 'Sandfly,' whereby in a few hours the enemy has been driven from their strong position, which completely hemmed in the garrison of Maketu, and also from the extensive settlement of Otamarako, the former being occupied by a detachment of the 43rd L.I., under Major Colville, and the latter by the friendly Natives of Maketu. I would also beg to recommend Henry Glassington, Boatswain's Mate and Seaman Gunner, Edward Metters, Leading Seaman and Gunnery Instructor of the 'Miranda,' and John Farrels, Gunner's Mate and Gunnery Instructor of the 'Esk,' for the extraordinary precision of their fire from the 12-pounder Armstrongs, notwithstanding that there was a very considerable swell during the whole time.

I have, &c.,

ROBERT JENKINS,
Captain.

Commodore Sir William Wiseman, Bart.,
Commanding in Chief, &c.

Fort Maketu,

April 27th, 1864.

SIR,—I was unable to obtain the correct compass bearings as required, on account of being so hemmed in by large bodies of the enemy. I send an officer on board, Ensign Langlands, 43rd L.I., who has a very fair idea of the different positions, and I fancy will give you any information required for shelling the enemy's pa at Waihi.

It has been reported to me that two small schooners and many canoes are now lying off the river Waihi, full of provisions for the rebels. I cannot vouch for the truth of this, but of course it can be easily found out by you on arrival.

It has been reported that a number of the rebels propose landing on the opposite island, Motete or Flat Island, and taking all the provisions from off it in the course of the day.

I have the honor to request that you will be so good as to allow Ensign Langlands to return when his duty is completed, if the surf is practicable for sending out for him, on your return.

I have, &c.,
F. M. COLVILLE,
Major 43rd L.I.,
Commanding Maketu.

To the Officer Commanding H.M.S.
'Miranda.'

H.M.S. 'Miranda,'
Tauranga Harbour, N.Z.,
27th April, 1864.

SIR,—In compliance with your order of this date, I venture to suggest that the following buoys and marks be laid down for the safety of vessels entering Tauranga Harbour:—

First—A light iron Beacon, ten feet at least in height, to be placed on the extremity

of the rocks running out from Stoney Point, so as to be visible at high water.

Secondly.—A Buoy of about fifty-gallon capacity, to be placed in position **A**, as shown in accompanying plan. This latter I consider to be of the greatest importance, as it is the place on which both H.M. ships 'Esk' and 'Falcon' grounded, owing to the ebb tide setting strongly in towards the shore, and the shoal extending much farther out than is shown in chart, "nearly as far from high-water mark as Stoney Point itself."

These two marks I consider to be sufficient for vessels, "more particularly if steamers," entering the Harbour. For proceeding up towards Maketu Mound, stakes from sixteen to twenty feet in length might be driven in at the positions B, C, and E. And to mark the anchorage above Maketu Mound, a buoy might be placed at position **D**, where the channel branches off towards Otumoiti, as the anchorage here is difficult to distinguish, owing to the low sandy beach, and the sameness of its appearance. Should it be thought necessary to mark the channel up to Te Papa, in addition to the Buoys already laid down, and marked in the chart of this anchorage lately completed, stakes might be driven in on either side in shoal water.

I have, &c.,
FRANCIS C. CORBET,
Acting Master,
H.M.S. 'Miranda.'
Commodore Sir William Wiseman, C.B., Bart.,
Commanding the Australian Station.

MILITIA AND VOLUNTEERS.

Colonial Defence Office,
Auckland, 12th May, 1864.

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

In the Auckland Militia.

Captain Alfred W. East to be Adjutant.
Date of Commission, 5th May, 1864.

In the Wanganui Militia.

Ensign James Duff Hewitt to be Captain.
Date of Commission, 3rd May, 1864.

Henry Ireson Jones to be Lieutenant.
Date of Commission, 3rd May, 1864.

In the Wellington Militia.

Harry Bowler to be Ensign. Date of Commission, 5th May, 1864.

In the Napier Militia.

Lieutenant Donald Gollan, to be Captain.
Date of Commission, 4th May, 1864.

Ensign James Davis Canning to be Lieutenant. Date of Commission, 4th May, 1864.

Ensign Alexander Grant to be Lieutenant.
Date of Commission, 5th May, 1864.

Boswell Danby Danvers to be Ensign.
Date of Commission, 4th May, 1864.

Sydney Johnston to be Ensign. Date of Commission, 5th May, 1864.

James Wilson to be Ensign. Date of Commission, 6th May, 1864.

T. RUSSELL.

THE undermentioned Officers are to be considered on the unattached list :—

Captain John Curling—Napier Militia.
Ensign Charles Durie—Wanganui Militia.

T. RUSSELL.

Colonial Defence Office,
Auckland, 12th May, 1864.

HIS Excellency the Governor has been pleased to accept the following Resignations, viz. :—

Lieutenant Walter L. Martin—Wellington Militia.

Ensign James Kirwan—Wellington Militia.

T. RUSSELL.

ERRATUM.—In Gazette No. 16, of the 6th May, folio 189, in the appointment in the Howick Troop Royal Cavalry Volunteers, read Cornet "Charles Roberts," instead of Cornet "James Robertson."

P O S T A L.

Appointment of Postmasters.

General Post Office,
Auckland, 12th May, 1864.

IN virtue of the powers delegated to me by His Excellency the Governor, the following Appointments have been made in the service of the Colony.

FREDK. WHITAKER,
For the Postmaster-General.

Auckland.

Duncan McKenzie, to be Postmaster at Waipu, from 1st April, 1864.

Sergeant Roger Hunt, H.M. 50th Regiment, to be Postmaster at Head Quarters, Camp, from 18th March, 1864.

William Polkinhorne, to be Postmaster at at Wade, from 22nd March, 1864.

Sergeant Bartholomew Callaghan, to be Postmaster at the Queen's Redoubt.

John Jones, to be Postmaster at Muddy Creek, from 11th April, 1864.

John Evans Baines, to be Postmaster at Mauka, from 1st April, 1864.

Canterbury.

John Daniell, to be Postmaster at Akaroa.

William Blackford, to be Postmaster at the School House, Head of the Bay, Port Lyttelton, from 1st July, 1864.

George Fitzmaurice, to be Postmaster at the Railway Terminus, Heathcote Valley Station, from 1st July, 1864.

James Turnbull, to be Postmaster at Gorge of the Rakaia, "Windwhistle House," from 1st July, 1864.

William White, to be Postmaster at Weeden, from 1st April, 1864.

Hawke's Bay.

Frederick Ashton Lincoln, to be Postmaster

at Clive, from 1st April, 1864.

Charles Nairn, to be Postmaster at Pourere.

Marlborough.

John Tucker Robinson, to be Postmaster at

Wakamarina, from 1st June, 1864.

Peter Duncan, to be Postmaster at the

Grove, from 1st June, 1864.

Otago.

John Stewart, to be Postmaster at the Nevis,

from 19th February, 1864.

George Skene, to be Postmaster at Switzers,

from 20th February, 1864.

John Kerr, to be Postmaster at Deep Stream,

from 1st April, 1864.

George Raynor, to be Postmaster at Rocky

Point, from 1st April, 1864.

POSTAL.

The Chief Clerk in the Audit Office to Frank

Letters free of Postage.

General Post Office,

Auckland, 11th May, 1864.

HIS Excellency the Governor has been pleased to authorize

THE CHIEF CLERK IN THE AUDIT OFFICE to Frank Official Letters and Packets addressed from the Departments of the Auditor of Public Accounts, and Comptroller of Militia Pay, free of Postage, in terms of the Proclamation of the 12th February, 1862.

FRED. WHITAKER,

For the Postmaster-General.

POSTAL.

Contract for Inter-Provincial Steam Postal Services.

General Post-Office,

Auckland, 11th May, 1864.

THE following Articles of Agreement with the Inter-Colonial Royal Mail Company, for Inter-Provincial Steam Postal Services, are published for general information.

FRED. WHITAKER,

For the Postmaster-General.

MEMORANDUM OF AGREEMENT, made this Thirty-first day of March, Eighteen hundred and sixty-four, between the Honourable the Postmaster-General of New Zealand on the one part and the Inter-Colonial Royal Mail Company (Limited) of the other part: Witnesseth, that in consideration of the mutual Covenants hereinafter contained, the said parties hereto for themselves and their respective executors, administrators, and successors, do hereby respectively covenant and agree to and with the other of them, and their respective executors, administrators, and successors, in manner following, that is to say:

1. The Contract at present subsisting between the said parties hereto, for a Steam Postal Service along the East Coast of New Zealand, from Auckland to Otago *via* Napier, Wellington, and Lyttelton, as at present performed by the 'Lord Ashley' Steamer, is hereby cancelled and terminated.

2. From and after the date hereof and for Twelve Calendar Months then next ensuing, the said Inter-Colonial Royal Mail Company shall, with the said 'Lord Ashley,' or other steamer authorised by the said Postmaster-General, perform a service monthly between Auckland and Otago *via* the East Coast of New Zealand, according to the Time-Table hereunto annexed, No. 1, subject to variation of dates, as hereinafter mentioned.

3. From and after the date hereof, and for Twelve Calendar Months then next ensuing, the said Inter-Colonial Royal Mail Company shall with the 'Airedale,' or other steamer authorised by the said Postmaster-General, perform a service monthly between Manukau and the Bluff, according to the Time-Table hereunto annexed, No. 2, subject to variation of dates, as hereinafter mentioned.

4. By the aforesaid Steam Postal Services the said Company shall receive and safely carry Her Majesty's mails, and provide all necessary accommodation therefor to the satisfaction of the said Postmaster-General, and shall deliver the same over the ship's side at the respective ports of call free of any charge, other than the payments hereinafter mentioned.

5. By each of the aforesaid steamers the said company shall, if required, provide a free cabin passage, fare, and accommodation for one person in charge of the mails, in accordance with written instructions from the said Postmaster-General.

6. The aforesaid steamers shall (weather permitting) proceed on their respective voyages from Auckland and Otago at noon, or as near thereto as the tide will permit, on the respective dates mentioned in the said time-tables hereunto annexed, or on such other dates as may be fixed, as hereinafter mentioned; and shall not on their respective voyages between the said ports exceed the time allowed by the said tables. Provided always that it shall be lawful for the said Postmaster-General, or his authorised agent, at either of the said ports, to detain without charge either of the said boats for the period of Twenty-four hours, and to detain them for such further time as he shall think proper, on payment of a bonus of Fifty Pounds (£50) per day, not exceeding three days, the said Company paying a liquate penalty of Fifty Pounds for each day, or part of a day, they do not (weather permitting and accidents excepted) proceed from the aforesaid ports at the times aforesaid.

7. In consideration of the punctual performance of the aforesaid services the aforesaid Postmaster-General shall out of moneys voted by the Parliament of New Zealand pay to the aforesaid Company the sum of Four hundred and seventy-four pounds ten shillings (£474 10s.) per month in respect of the aforesaid East Coast Service, and the sum of Five hundred and fifty-two (£552) pounds per month in respect of the aforesaid West Coast Service, on the certificate of the Secretary of the General Post-Office that the said services respectively have been duly performed.

8. The said Postmaster-General shall be at liberty on reasonable notice to alter the dates of sailing mentioned in the said time-tables hereunto annexed, provided such alteration does not interfere with the correspondence between the dates of the said West Coast Service and the dates of the arrival and departure of the said Company's inter-colonial steamer at Nelson, and that such alteration does not, without consent of the Company, shorten the times of remaining at the several intermediate ports of New Zealand respectively.

9. Should a steam service between Panama and New Zealand, under contract between the said parties hereto, be brought into operation before the expiry of the twelve months herein mentioned, this contract shall, upon the commencement of such Panama service, cease and determine; but otherwise shall continue in force until terminated by two months' notice by either of the said parties hereto. Provided that it shall not be terminated by such notice sooner than the aforesaid period of twelve months, such notice to be delivered at the offices in Auckland of the respective parties hereto.

In witness whereof the said parties to these presents have hereunto set their hands the day, month, and year first above written.

THOMAS B. GILLIES.
JOHN VINE HALL.

Signed by Thomas Bannatyne Gillies, Postmaster-General of New Zealand for the time being in presence of

G. ELLIOTT ELLIOTT,
Secretary Genl. Post Office.

Signed by John Vine Hall, General Manager of the Intercolonial Royal Mail Company, for and on behalf of the said Company, in presence of

HENRY LAWSON,
Sub-Mgr., Chief Accntt. I.R.M.C.

No. 1.
MONTHLY TIME-TABLE
Referred to in the before, written Contract.

Places.	Time of Departure eachMonth.	Time of Arrival eachMonth.
Auckland ... dep.	3rd	
Napier ... arr.		5th
" ... dep.	6th	
Wellington... arr.		7th
" ... dep.	9th	
Lyttelton ... arr.		10th
" ... dep.	11th	
Otago ... arr.		12th
" ... dep.	20th	
Lyttelton ... arr.		21st
" ... dep.	22nd	
Wellington... arr.		23rd
" ... dep.	25th	
Napier ... arr.		26th
" ... dep.	27th	
Auckland ... arr.		29th

No. 2.
MONTHLY TIME-TABLE
Referred to in the before-written Contract.

Places.	Time of Departure eachMonth.	Time of Arrival eachMonth.
Manukau ... dep.	8th	
Taranaki ... arr.		9th
" ... dep.	9th	
Nelson ... arr.		10th
" ... dep.	12th	
Picton ... arr.		12th
" ... dep.	13th	
Wellington... arr.		13th
" ... dep.	14th	
Lyttelton ... arr.		15th
" ... dep.	16th	
Otago ... arr.		17th
" ... dep.	19th	
Bluff ... arr.		20th
" ... dep.	22nd	
Otago ... arr.		23rd
" ... dep.	25th	
Lyttelton ... arr.		26th
" ... dep.	27th	
Wellington... arr.		28th
" ... dep.	29th	
Picton ... arr.		29th
" ... dep.	30th	
Nelson ... arr.		30th
" ... dep.	2nd	
Taranaki ... arr.		3rd
" ... dep.	3rd	
Manukau ... arr.		4th

IN THE SUPREME COURT OF NEW ZEALAND.

CANTERBURY DISTRICT.

In the matter of the Debtors and Creditors Act, 1862, and in the matter of the estate and effects of GEORGE LUMLEY and CHARLES JOHN MARTIN, lately carrying on business at Christchurch, in the said district, as tobaccoists, in copartnership, under the style or firm of Lumley and Martin, and in the matter of the Petition of Edward Allen Hargreaves and William Henry Hargreaves, of Lyttelton in the said District, merchants, carrying on business in copartnership, under the style or firm of Hargreaves and Co., creditors.

Monday, the fifteenth day of February, 1864, at a sitting of the said Court, pursuant to the said Act.

UPON reading the order, made the fifteenth day of December last past, and upon examination of the above-named Charles John Martin, pursuant to the said Act, and upon hearing of Mr. Slater, of Counsel for the said debtors, and Mr. Travers, of Counsel for the said petitioners, this Court doth declare that the following persons have proved their respective claims, namely,—

	£	s.	d.
Edward Brenchley Bishop	54	0	0
Richard Milsom	45	10	0
George Henry Tribe	113	13	0
John Walden	57	18	6
Hargreaves and Co.	361	2	0

And upon consideration of the matters aforesaid at this the final hearing of the said petition, the Court doth declare that the said debtors are entitled to full relief, according to the provisions of the said Act, upon execution of the deed hereinafter mentioned. And the Court doth order and direct that the said Charles John Martin, on behalf of himself and the said George Lumley, and of the said copartnership, do forthwith cede, and deliver, convey, and assign all the said copartnership estate and effects, at the time of making and filing the said petition, to John Ward Shackelton, of Christchurch aforesaid, his executors, administrators, and assigns, he appearing to the Court a fit person to act as trustee upon trust to realize the same, such conveyance and assignment to be pursuant to the said Act, and to contain all requisite powers for enabling the said John Ward Shackelton to recover and receive all debts, moneys, goods, chattels, estate, and effects, in any way belonging to or due and payable to the said copartnership firm, upon the trusts, with the powers, and subject to the conditions requisite for the purpose of selling, disposing of, getting in, and receiving or otherwise realizing such estate, moneys, goods, chattels, and effects, and thereout, in the first place of payment of a sum of one shilling in the pound, to be computed on the gross amount of all moneys recovered and received from the said copartnership estate and effects, such sum to be paid into Court to the credit of the Insolvent Estates Fund, pursuant to the said Act, and in the next place of satisfying all costs, charges, and expenses incurred by order of the Court, or incidental to the execution of such trusts, and all fees of Court, and such other sums of money, if any, as shall be ordered by the Court, and subject thereto for the purpose of a just distribution, and administration of such copartnership estate and effects, between and amongst and for the benefit of all the creditors of the said copartnership who have so proved their debts as aforesaid, and subject thereto of all such creditors of the said copartnership estate, if any, at the time of filing the said petition as shall within six

calendar months from the date of this order have proved their claims to the satisfaction of the Court, or a judge thereof, by way of *pro rata* distribution without priority. And this Court doth further order, that in the meantime and until further order, the said Charles John Martin and his estate shall be deemed to be protected from arrest, execution, or other legal process, in respect of all debts of and claims against the said copartnership estate specified herein. And it is hereby declared that upon compliance by the said Charles John Martin with the terms of this order, he shall be released and discharged from all the debts, liabilities, and engagements specified herein, this Court expressly reserving to the said Petitioners, the Receiver and Trustee in the said estate, and the Creditors thereof, liberty to apply to the Court as they may see fit or be advised.

By the Court,
(L.S.) CHRISTOPHER ALDERSON CALVERT,
Registrar.

BANK OF NEW ZEALAND.

IN accordance with the Resolution passed at the Special General Meeting of the Proprietors, held on the 15th of December, 1863, the Directors hereby give notice that the Eighth Call of One Pound per Share will be payable at the places mentioned below on Tuesday, the 16th day of August next:—

Auckland.....	At the Bank of New Zealand,
Taranaki.....	" "
Napier.....	" "
Wellington..	" "
Wanganui...	" "
Nelson.....	" "
Picton.....	" "
Blenheim....	" "
Christchurch	" "
Lyttelton....	" "
Dunedin.....	" "
Invercargill..	" "
Riverton.....	" "
Sydney.....	At the Oriental Bank Corporation Office.
London.....	At the Bank of New Zealand, 50, Old Broad-street.

A. KENNEDY.

Bank of New Zealand,
Auckland, 9th May, 1864.

Land Claims Office,

Dunedin, 8th September, 1863.

I WILLIAM HENRY CUTTEN, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session 11, of the Legislative Council of the Islands of New Zealand, to hear and decide Claims to Land by persons claiming Title thereto, from, through, or under the New Zealand Company, Report that the Claim of the person whose name appears in the Schedule hereto, having been referred to me for investigation, I do hereby decide that the said person is entitled to the Crown Grant set against his name in the said Schedule.

W. H. CUTTEN,
Commissioner.

SCHEDULE.

No. of Report	No. of Claim.	Name of Claimant.	Commissioner's Decision.
254	283	George Ross, infant Son and heir-at-law of the deceased George Ross.	Entitled to a Crown Grant of fifty-two acres, one rood and twenty poles, being Rural Section numbered one (1), Block one (1), Clutha District; and I further report that it is expedient that the legal Estate should be deemed to have been vested in grants, from and after 17th January, 1860.

