



THE
NEW ZEALAND GAZETTE.

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WELLINGTON, THURSDAY, AUGUST 17, 1865.

A PROCLAMATION

Revoking portions of Proclamations delegating to Superintendents certain powers under "The Gold Fields Act, 1862."

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled, "The Gold Fields Act, 1862," it is provided that it shall be lawful for the Governor in Council, under his hand and the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province, or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections nineteen, thirty-one, thirty-two, thirty-three, and sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers;

And whereas by certain Proclamations, bearing date respectively the 15th day of September, 1863, the 15th day of September, 1863, the 16th day of June, 1864, and the 29th day of December, 1864, the Governor did, in pursuance of the above recited powers, delegate to the Superintendents of Otago, Nelson, Marlborough, and Auckland, all the powers vested in him under the said in part recited Act, except the powers contained in sections Nos. nineteen, thirty-one, thirty-two, thirty-three, and sixty-one of the said Act; to have, hold, and exercise the same within the aforesaid Provinces of Otago, Nelson, Marlborough, and Auckland, respectively;

And whereas it is expedient to revoke so much of the said Proclamations as delegate the powers under sections forty-two and forty-three of the said Act to the Superintendents of the aforesaid Provinces:

Now therefore, I, Sir George Grey, the Governor

aforesaid, with the advice and consent of the Executive Council, and in exercise of the power and authority for that purpose in me vested, do hereby revoke so much of the aforesaid Proclamations of the 15th day of September, 1863, the 15th day of September, 1863, the 16th day of June, 1864, and the 29th day of December, 1864, as delegates to the said Superintendents the powers set forth in sections Nos. forty-two and forty-three of "The Gold Fields Act 1862."

And I declare that this Proclamation shall come into operation and take effect from the day of the date hereof.

Given under my hand, at the Government House, at Wellington, and issued under the Public Seal of the Colony of New Zealand, this twenty-fourth day of July, in the year of our Lord one thousand eight hundred and sixty-five.

G. GREY.

By His Excellency's command,
H. SEWELL.

Approved in Council.
FORSTER GORING,
Clerk of the Executive Council.
GOD SAVE THE QUEEN!

A PROCLAMATION

Declaring the exceptions to be made and the clauses provisos, conditions, and agreements to be implied in "Gold Mining Leases" under "The Gold Fields Act, 1862."

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1862," it was provided that it should be lawful for the Governor in Council from time to time to make such regulations, not being contrary to the

provisions of the said Act, as he should think fit, for the regulating the granting of leases for mining purposes, and the terms and conditions on which such leases shall be granted, and such regulations from time to time to alter and abolish;

And whereas by the said Act it is further provided that the Governor may by Proclamation in the *Government Gazette* of the Colony, proclaim and declare the exceptions to be made from leases and licenses granted under the said Act, and also proclaim and declare the covenants, clauses, provisos, conditions, and agreements applicable to such leases and may in like manner from time to time rescind alter or vary the same;

And whereas by an Order in Council dated at the Government House, at Wellington, the fifth day of August, 1865, I, Sir George Grey, the Governor as aforesaid, in pursuance and in exercise of the firstly hereinbefore recited power and authority, did, with the advice and consent of the Executive Council of the Colony of New Zealand, make the regulations hereunder written, for regulating the granting of leases for mining purposes, and the terms and conditions on which such leases shall be granted:

Now therefore, I, Sir George Grey, the Governor as aforesaid of the said Colony, in furtherance of the said recited Order in Council, and in pursuance and exercise of the power and authority in that behalf conferred on me as aforesaid, do hereby proclaim that the following exceptions, covenants, clauses, provisos, conditions, and agreements shall be applicable to leases for mining purposes granted under the said Act, and that in any such lease it may be expressly declared that such lease is made subject to any or all of the covenants, clauses, provisos, conditions, and agreements hereinafter mentioned, that is to say:—

Right of Ingress and Egress.

1. Her Majesty the Queen reserves to her Government of New Zealand, and all officers and servants thereof, the right of ingress, egress, and regress to, from, and across the land hereby demised, and the mines thereon or thereunder; and of granting to any person or persons, or to the public, such right of ingress, egress, and regress; and of granting to any holder of a miner's right the privilege of entering on such land for the purpose of cutting water races or tail races, and of leading head water or tail water through the same: Provided always that all such operations shall be sanctioned by the warden, and due compensation given to the said lessee or lessees, his or their heirs, executors, administrators, and assigns.

To determine Lease if Mining be discontinued four months.

2. And it is hereby declared and agreed by and between the said parties hereto that if the said lessee or lessees, his or their executors, administrators, or assigns, shall for four months discontinue the *bona fide* mining on the said land hereby demised to him or them, it shall and may be lawful for the said lessor, or any person duly appointed by him in that behalf, to enter into and upon the land and premises hereby demised, and thereby determine the estate of the lessee or lessees therein.

Rent in arrear to distrain Machinery, Tools, &c.

3. Provided also that if the rent dues duties reserved in this lease shall be in arrear and unpaid for the space of twenty-one days next after any of the days hereinbefore fixed for payment thereof, it shall and may be lawful for the said lessor, or any person duly authorized in that behalf, to enter upon the premises hereby demised, and to distrain the machinery, tools, buildings, or other property of the said lessee or lessees for the time being in, under, or

upon any part of the premises hereby demised, for or in respect of any such rent dues or duties which ought to have been paid to the lessor or any person duly authorized to receive the same.

Plan of Section of Mines.

4. Provided also that they, the said lessee or lessees, his or their executors, administrators, or assigns, will and shall at all times during the continuance of this demise, if required so to do by the said lessor or any person duly authorized in that behalf, prepare and keep a proper plan or section of all the workings and actual condition of the mines and premises hereby demised.

To furnish Returns, &c.

5. Provided also that he or they, the said lessee or lessees, his or their executors, administrators, or assigns, shall and will at all times during the continuance of this demise furnish true and accurate quarterly returns, and certify to the same on oath to the warden or other officer duly authorized in that behalf, of the average number of men on or about the mines and premises hereby demised: and shall from time to time, whenever so required by the warden, mining surveyor, or such other duly authorized officer, up to the period when the full sum hereby agreed to be expended in or about the said mines and premises shall have been so expended, furnish a true and accurate account, certified as aforesaid, of the amount at such date expended as aforesaid.

Not to work out of Limits.

6. Provided also that the said lessee or lessees, his or their executors, administrators, or assigns, shall not nor will during the continuance of this demise, work the said mines out of or beyond the limits and boundaries hereinbefore mentioned.

To fence Pits if required.

7. Provided also that he or they the said lessee or lessees his or their executors administrators or assigns shall and will build and keep in good repair a good sufficient and substantial wall or other fence around all the pits and shafts which may at any time during the said term hereby granted be open in any part of the premises if required so to do by the lessor or by any person duly authorized by him in that behalf.

Breach of covenants to re-enter and determine Lease.

8. Provided lastly and it is hereby declared and agreed by and between the said parties hereto, that in case the said lessee or lessees, his or their executors, administrators or assigns shall fail or neglect to perform and keep all and every of the covenants, conditions, provisos, and agreements hereinbefore contained and implied by virtue of "The Gold Fields Act, 1862," or of any regulations made under the authority of the said Act referring to leases for gold-mining within the Province wherein the land hereby demised is situate, and which are in force at the time of the execution hereof, it shall and may be lawful for the said lessor, or any person duly appointed in that behalf, forthwith or at any time or times thereafter to enter into and upon the land and premises hereby demised, and thereby determine this lease.

And I declare that this Proclamation shall come into operation and take effect from the day of the date hereof.

Given under my hand, at the Government House, at Wellington, and issued under the Public Seal of the Colony of New Zealand, this fifth day of August, in the year of our Lord one thousand eight hundred and sixty-five.

G. GREY.

By His Excellency's command,
HENRY SEWELL.

GOD SAVE THE QUEEN!

ORDER IN COUNCIL,

Authorizing additional Postal Regulation for the Transmission by Post of Patterns of Merchandize.

G. GREY, Governor.

At the Government House, at Wellington, on the fifth day of August, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Post Office Act 1858," power is given to the Governor in Council from time to time to make rules and regulations for the managing of the several Post Offices within the said Colony, for the receiving, despatching, conveying, and delivering of letters (including the imposition of fees for private boxes and deliveries); for the detaining, opening, and return, or other disposal of irregularly posted, unclaimed, and refused letters, or such as from any cause whatsoever cannot be delivered or forwarded, and the contents thereof respectively, and for the publication of the lists of the same; for the making, custody, and sale of postage labels; for the receiving and paying of money in connection with the said Postal Service, and for the conduct of Post Officers; and any such rules and regulations at any time in force to alter, vary, or revoke; and for the purpose of giving effect to the rules and regulations so to be made, further power is given to the Governor in Council by the said Act to impose any penalty not exceeding Ten Pounds for any one offence against such rules and regulations:

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of New Zealand, doth hereby make the following additional Post Office Regulation, and doth declare that the same shall be in force from and after the fifth day of August, 1865:—

PATTERN POST.

Regulation 85.

A system of Pattern Post will be established between places within the Colony of New Zealand, and also between the Colony and the United Kingdom and the Colonies of Victoria and New South Wales, whereby patterns of merchandize, of no intrinsic value, may be sent by post under the same regulations and at the same rates of postage as those of the Book Post.

- (1.) No packet of patterns must exceed twenty-four ounces in weight.
- (2.) The patterns must not be of intrinsic value:—This rule excludes all articles of a saleable nature, and indeed, whatever may have a value of its own apart from its mere use as a pattern; and the quantity of any material sent ostensibly as a pattern must not be so great that it can be fairly considered as having on this ground an intrinsic value.
- (3.) There must be no writing or printing other than the address of the person for whom the packet is intended, the address of the sender, a trade-mark and number, and the prices of the articles.
- (4.) The patterns must be sent in covers open at the ends, so as to be easy of examination.
- (5.) In all other respects the regulations of the Book Post will apply to the Pattern Post.
- (6.) Any packets not in accordance with the above regulations will be treated as letters.

FORSTER GORING,
Clerk of the Executive Council.

ORDER IN COUNCIL.

Delegation of powers of Governor under "Protection of Certain Animals Act, 1861," to Superintendent of Taranaki.

G. GREY, Governor.

At the Government House, at Wellington, the fifth day of August, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly intituled "The Protection of Certain Animals Act, 1861," it is provided that it shall be lawful for the Governor in Council, by warrant under his hand, from time to time to delegate all or any of the powers vested in the Governor or the Governor in Council by the aforesaid Act, subject to such regulations as he may think fit, and may from time to time rescind such delegation:

Now therefore, I, Sir George Grey, the Governor as aforesaid of the said Colony, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for this purpose in me vested, do hereby delegate unto

CHARLES BROWN, Esq.,

as Superintendent of the Province of Taranaki, all the powers vested in me as Governor or as Governor in Council by the aforesaid Act, to have hold and exercise within the Province of Taranaki, the said powers hereby delegated to the said Charles Brown, so long as he shall continue and remain Superintendent of the said Province, and no longer: Provided always that copies of all instruments signed or issued by the Superintendent under such delegation shall be further transmitted to the Colonial Secretary for record.

FORSTER GORING,
Clerk of the Executive Council.

ORDER IN COUNCIL,

Consenting to surrender of lot No. 4, section No. 12, City of Auckland.

G. GREY, Governor.

At the Government House, at Wellington, the fifth day of August, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Native Reserves Act Amendment Act, 1862," it is enacted that where, under the provisions of the said Act ("The New Zealand Native Reserves Act, 1856"), any act is required to be done by Commissioners, with the approval or assent of the Governor, it shall be sufficient if such act be done by the Governor with the advice of his Executive Council: Now therefore His Excellency the Governor, in pursuance and exercise of the said power and authority, doth hereby, with the advice and consent of the Executive Council of the Colony, declare his assent to the surrender to Her Majesty the Queen, by William Swainson, Esq., the sole surviving trustee, of lot No. 4 of section No. 12 of the City of Auckland, particularly described in the Schedule hereto, and in a Deed of Grant bearing date the seventh day of July, one thousand eight hundred and fifty-four, and filed of record in the office of the Secretary for Crown Lands.

FORSTER GORING,
Clerk of the Executive Council.

Schedule.

All that allotment or parcel of land containing by admeasurement two roods and fifteen perches,

more or less, situated in the parish of Waitemata, in the County of Eden, being lot number four of section number twelve of the City of Auckland, bounded on the north by lot number four A, four hundred and seventy-two links, on the east by a line one hundred and forty-four links; on the south by the strand, five hundred and twenty-nine links; and on the west by lot number three, one hundred and fourteen links.

Warrant appointing Trustees of the Savings' Bank at Invercargill.

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.

WHEREAS by a Act of the General Assembly of New Zealand, intituled "The Savings' Bank Act, 1858," it is enacted that the management of the affairs of every such Bank shall be vested in not less than five or more than thirty-six Trustees, who shall be nominated by the Governor, and that such Trustees may from time to time be removed from office and be re-appointed, or others may be appointed in their place. And whereas, in consequence of the absence from the Province of several of the persons who have been appointed Trustees of the Savings' Bank established at Invercargill, it is expedient that all the present Trustees should be removed from office, and that those who are resident in the Province and willing to act should be re-appointed:

Now therefore, in exercise of the powers in me vested by the said recited Act, I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby remove from the office of Trustee of the Savings' Bank established at Invercargill every person who has been appointed Trustee, and who now holds the said office, and I hereby nominate and re-appoint each of the persons hereinafter named to be a Trustee of the said Bank, namely:—

JOHN CRAWFORD HENDERSON,
DONALD McDONALD,
JAMES HARVEY,
SAMUEL BEABEN,
JOHN SYDNEY LEGETT.

Given under my hand at Government House, Wellington, this fifth day of August, one thousand eight hundred and sixty-five.
G. GREY.

By His Excellency's command,
H. SEWELL.

Warrant Appointing Trustees of the Savings' Bank at Auckland.

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.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Savings' Bank Act, 1858," it is enacted that the management of the affairs of every such Bank shall be vested in not less than five or more than thirty-six Trustees, who shall be nominated by the Governor, and that such Trustees may from time to time be removed from office and be re-appointed, or others may be appointed in their place. And whereas in consequence of the resignation of the persons who have been appointed Trustees of the Savings' Bank established at Auckland, it is expedient that others be appointed in their stead:—

Now therefore, in exercise of the powers in me vested by the said recited Act, I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby accept the resignation of the undermentioned persons who have held the office of Trustees of the Savings' Bank at Auckland, namely:—

JAMES CRUICKSHANK,
JOSIAH CLIFTON FIRTH,
CHARLES PETSCHLER,
THOMAS HENDERSON,
CHRISTOPHER ATWELL HARRIS.

And I hereby nominate and appoint each of the persons hereinafter named to be a Trustee of the said Bank, namely:—

EDMUND JAMES COX,
SAMUEL JACKSON,
GEORGE PATRICK PIERCE,
GEORGE WEBSTER,
WILLIAM SWINTON LAURIE.

Given under my hand at Government House, Wellington, this fifth day of August, one thousand eight hundred and sixty-five.

G. GREY.

By His Excellency's command,
H. SEWELL.

Warrant Abolishing a Principal Polling Place and Appointing another in lieu thereof.

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.

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING:—

WHEREAS by "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor by Warrant under his hand, from time to time, to appoint polling places for each electoral district, within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such polling places at any time to abolish and to appoint other polling places in lieu thereof;

And whereas by Warrant under the hand of the Governor, bearing date the sixteenth day of July, one thousand eight hundred and sixty-three, the

COURT HOUSE, Blenheim,

was appointed a Principal Polling Place for the District of Lower Wairau, for the Election of Members of the Provincial Council of the Province of Marlborough;

And whereas it is expedient to abolish the same, and to appoint another in lieu thereof:

Now know ye, that I, Sir George Grey, the Governor of the said Colony, in pursuance of the power and authority in me vested by the said Act, do hereby abolish the abovenamed principal polling place for the District of Lower Wairau, for the election of Members of the Provincial Council of the Province of Marlborough, and do appoint in lieu thereof

The House of Mr. JOHN SHEPHERD, the Big Bush, Lower Wairau.

Given under my hand, at the Government House, at Wellington, this sixteenth day of August, in the year of our Lord one thousand eight hundred and sixty-five.

G. GREY.

By His Excellency's command,
J. C. RICHMOND,
Colonial Secretary.

Warrant Abolishing a Principal Polling Place, and Appointing another in lieu thereof.

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.

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING:—

WHEREAS by "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor by Warrant under his hand, from time to time, to appoint polling places for each electoral district, within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such polling places at any time to abolish and to appoint other polling places in lieu thereof;

And whereas by Warrant under the hand of the Governor, bearing date the sixteenth day of July, one thousand eight hundred and sixty-three, the

COURT HOUSE, Picton,

was appointed a Principal Polling Place for the District of Queen Charlotte's Sound, for the Election of Members of the Provincial Council of the Province of Marlborough;

And whereas it is expedient to abolish the same; and to appoint another in lieu thereof:

Now know ye, that I, Sir George Grey, the Governor of the said Colony, in pursuance of the power and authority in me vested by the said Act, do hereby abolish the abovenamed principal polling place for the district of Queen Charlotte's Sound, for the election of Members of the Provincial Council of the Province of Marlborough, and do appoint in lieu thereof

The House of Mr. DUNCAN, The Grove, Queen Charlotte's Sound.

Given under my hand, at the Government House, at Wellington, this sixteenth day of August, in the year of our Lord one thousand eight hundred and sixty-five.
G. GREY.

By His Excellency's command,
J. C. RICHMOND,
Colonial Secretary.

Acts of the Assembly which Her Majesty will not be advised to disallow.

Colonial Secretary's Office,
Wellington, 4th August, 1865.

THE following Acts passed by the General Assembly of New Zealand in the Session held in the twenty-eighth year of the reign of Her Majesty Queen Victoria, intituled:—

"An Act to authorize the Governor to increase the rate of interest on moneys to be hereafter raised under 'The New Zealand Loan Act, 1863;'"

"An Act for raising One Million by Debentures;"

"An Act for enabling Land to be taken for Roads and other public purposes through Native and other Districts of the Colony;"

"An Act to amend 'The Coroners' Act, 1858;'"

"An Act to amend 'The Auckland Reserves Act, 1858,' so far as concerns certain Lands the proceeds of which are thereby rendered applicable to the Improvement of the Auckland Domain;"

"An Act to continue 'The Arms Act, 1860;'"

"An Act to validate certain acts done by R. H. Forman as Registrar of Deeds for the Province of Otago;"

"An Act to extend certain provisions of 'The Protection of certain Animals Act, 1861;'"

"An Act for the Naturalization of certain Persons in the Colony of New Zealand;"

"An Act to enable the Governor to set apart a portion of a Reserve in the City of Auckland as a site for a Music Hall and other buildings, and to issue a Crown grant of the same;"

"An Act to amend 'The Native Lands Act, 1862;'"

"An Act to authorize the Authentication of Coupons by means of Stamps;"

"An Act to amend 'The Sheriffs' Act, 1858;'"

having been laid before the Queen, in conformity with the provisions of "The Constitution Act," His Excellency the Governor has been informed by the Secretary of State that Her Majesty will not be advised to exercise her power of disallowance with respect to those Acts.

J. C. RICHMOND.

Ordinance left to its operation (Taranaki).

Colonial Secretary's Office,
Wellington, 8th August, 1865.

THE following Ordinance, passed by the Provincial Council of Taranaki, intituled—

"An Ordinance to provide for the ownership and branding of Cattle in the Province of Taranaki,"

having been laid before the Governor, His Excellency has been pleased to leave the same to its operation.

J. C. RICHMOND.

Colonial Secretary's Office,
Wellington, 7th August, 1865.

THE following Despatch, with enclosures, from Her Majesty's Principal Secretary of State for the Colonies, as to the provisional recognition of a Flag for the Duchies of Schleswig, Holstein, and Lauenburg, is published for general information.

J. C. RICHMOND.

Downing Street, 29th March, 1865.

SIR,—I have the honor to transmit to you a copy of a letter from the Foreign Office, with copies of a correspondence relating to a proposal made by Austria and Prussia for the recognition of a Provisional Flag for the Duchies of Schleswig, Holstein, and Lauenburg.

You will perceive that Her Majesty's Government have consented to the provisional recognition of the proposed Flag, and you will take such measures as may be necessary on the part of your Government for giving effect to this decision.

I have, &c.,

EDWARD CARDWELL.

Governor Sir George Grey, K.C.B.

Mr. Hammond to the Under Secretary of State,
Colonial Office.

Foreign Office, 20th March, 1865.

SIR,—I am directed by Earl Russell to transmit to you the accompanying copy of a correspondence which has passed in consequence of a proposal having been made by Austria and Prussia for the recognition of a Provisional Flag for the Duchies of Schleswig, Holstein, and Lauenburg, pending the definitive settlement of the Constitution of those territories, from which it will be seen that it has been decided, upon certain conditions, to consent to the provisional recognition of the proposed Flag; and I am to request that you will move Mr. Secretary Cardwell to issue the necessary instructions to Her Majesty's Authorities abroad under his control, with

the view of carrying into effect the decision which has been arrived at upon this subject.

I am, &c.,

E. HAMMOND.

The Under Secretary of State, Colonial Office.

Correspondence respecting the Provisional Recognition of a Flag for the Duchies of Schleswig, Holstein and Lauenburg.

No. 1.

Count Apponyi to Earl Russell.—(Received 21st February.)

[TRANSLATION.]

London, 21st February, 1865.

M. LE COMTE,—The Government of His Imperial and Royal Apostolic Majesty, and that of His Majesty the King of Prussia, have resolved on granting to the Duchies of Holstein and Schleswig, until the definitive settlement of their Constitution, a Provisional National Flag, composed of three horizontal stripes, blue, white and red, with a yellow square on the blue stripe, next to the flagstaff.

I have been instructed in consequence, in concert with my colleague of Prussia, to invite the Government of Her Britannic Majesty to recognise this Flag, and to be pleased to grant the necessary orders in order that it may be recognized in all the ports depending on the Crown of England, and by all the British naval authorities.

The Imperial Government indulges in the hope that until the conclusion of fresh Treaties of Navigation with the definitive Government to be instituted in the Duchies, vessels sailing under the Provisional National Flag will enjoy the same rights and immunities which were granted to the ships of the Duchies of Holstein, Schleswig, and Lauenburg, before their separation from Denmark, in virtue of the Treaties of Commerce and Navigation existing with that kingdom.

Begging your Excellency to be so good as to inform me in due time of the course adopted with regard to my present application, I take, &c.,

APPONYI.

No. 2.

[TRANSLATION.]

Count Bernstorff to Earl Russell.

London, 21st February, 1865.

MY LORD,—The Government of the King my gracious Sovereign, in conjunction with the Austrian Government, has determined to grant a Provisional National Flag to the ships of the Duchies of Schleswig Holstein, and Lauenberg until the definitive settlement of those territories. This Flag will have the colours, blue, white and red, in horizontal stripes, and will be distinguished from the Mecklenburg flag, which has the same colours, by a yellow field placed on the blue field next the flagstaff.

I am instructed, together with the Austrian Ambassador, who will at the same time address a communication to your Excellency, to propose this Provisional Flag for recognition to the Government of Her Majesty the Queen, &c., and at the same time to express the hope of His Majesty's Government that the British Government will grant to the ships bearing this Flag the same rights which belonged to the ships of the aforesaid three Duchies until their separation from Denmark, on the ground of the Commerce and Navigation Treaties concluded by that Power with England.

I have, &c.,

BERNSTORFF.

No. 3.

Earl Russell to Lord Napier.*

Foreign Office, 8th March, 1865.

MY LORD,—I enclose herewith to your Excellency a copy of a note which was addressed to me on the 21st ultimo by the Prussian Ambassador at this Court,† stating that the Governments of Austria and Prussia had determined to grant a Provisional National Flag to the Duchies of Schleswig, Holstein, and Lauenburg until the definitive settlement of the Constitution of those territories, and proposing that Her Majesty's Government should recognize the Flag in question and should grant to ships bearing it the same rights which were accorded to the ships of the Duchies previously to their separation from Denmark. A similar communication was addressed to me by the Austrian Ambassador.

I have to instruct you to state to the Minister for Foreign Affairs that Her Majesty's Government have fully considered this proposal, and that they are prepared to recognize the Flag provisionally, saving the rights of the States of Holstein and Schleswig and of the German Confederation, and only till the definitive Constitution of the Duchies concerned.

I am, &c.,

RUSSELL.

* A similar despatch was addressed to Mr. Bonar. † No. 2.

James Macandrew, Esq., elected to the House of Representatives.

Colonial Secretary's Office,

Wellington, 8th August, 1865.

IT is hereby notified that a writ issued for the election of a member of the House of Representatives, for the Electoral District of Bruce, has been returned with a certificate to the effect that

JAMES MACANDREW, Esq.,

has been duly elected.

J. C. RICHMOND.

Colonial Secretary's Office,

Wellington, 17th August, 1865.

THE General Government are able to dispose of, by private sale, a few copies of Dr. Hooker's "Handbook of the New Zealand Flora."

The price is 15s. a volume for two volumes.

The first volume only is at present published.

Purchasers will be required to pay for both volumes, and the second volume will be forwarded to them as soon as it is received by the Government.

Application to be made to this Office.

By command.

W. GISBORNE,

Under Secretary.

Appointment of Crown Solicitor.

Attorney-General's Office,

Wellington, 3rd August, 1865.

HIS Excellency the Governor has been pleased to appoint

FREDERICK MORRIS PRESTON BROOKFIELD, Esq., of Auckland, in the Province of Auckland, to be Crown Solicitor within the said Province, for the conduct of Prosecutions under the Regulations of the 23rd day of February, 1864.

HENRY SEWELL.

Resignation of James Howorth, Esq., of his appointment of Crown Solicitor, Otago, accepted.

Attorney-General's Office,

Wellington, 9th August, 1865.

HIS Excellency the Governor has been pleased to accept the resignation by

JAMES HOWORTH, Esq.,

of his appointment of Crown Solicitor within the Province of Otago.

HENRY SEWELL.

Hon. James Prendergast appointed Crown Solicitor in Otago.

Attorney-General's Office,
Wellington, 10th August, 1865.

HIS Excellency the Governor has been pleased to appoint

The Hon. JAMES PRENDERGAST, M.L.C.

of Dunedin in the Province of Otago, to be Crown Solicitor within the said Province, for the conduct of Prosecutions under the Regulations of the 23rd day of February, 1864.

HENRY SEWELL.

Errata.

Attorney-General's Office,
Wellington 14th August, 1865.

IN *Gazette* No. 10, of the 18th March, folio 57, the Christian name of W. B. TOSWILL, Esq. should be WILLIAM BROWNING, instead of William Browning.

In *Gazette* No. 30, of the 9th August, folio 243, the Christian name of G. FITZGERALD, Esq., should be GERARD instead of Gerald.

H. SEWELL.

Colonial Defence Office,
Wellington, 17th August, 1865.

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

In the Wanganui Militia.

Major Charles Cecil Rookes to be Lieutenant-Colonel. Date of Commission, 20th July, 1865.

Lieutenant Frederick Ross to be Captain. Date of Commission, 17th August, 1865.

In the Auckland Militia.

Captain Thomas McDonnell to have the Brevet rank of Major. Date of Commission, 20th July 1865.

Captain Frederick Nelson George to have the Brevet rank of Major. Date of Commission, 21st July, 1865.

In the Taranaki Militia.

Captain Willoughby Brassey to be Major. Date of Commission, 3rd April, 1865.

Lieutenant Thomas Wilson to be Captain. Date of Commission, 18th July, 1865.

Lieutenant William Newland to be Captain. Date of Commission, 19th July, 1865.

Ensign Henry Allan Clery to be Lieutenant. Date of Commission, 18th July, 1865.

Ensign Jonathan Bear to be Lieutenant. Date of Commission, 19th July, 1865.

H. A. ATKINSON.

Colonial Defence Office,
Wellington, 17th August, 1865.

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

In the Taranaki Militia.

John Norman to be Ensign. Date of Commission, 17th August, 1865.

In the Dunedin Rifle Volunteers.

Frederick Moss to be Captain. Date of Commission, 2nd August, 1865.

Vincent Pyke to be Captain. Date of Commission, 3rd August, 1865.

In the Dunedin Volunteer Naval Brigade.

William Thomson to be Lieutenant. Date of Commission, 2nd August, 1865.

John B. Robertson to be Sub-Lieutenant. Date of Commission, 2nd August, 1865.

H. A. ATKINSON.

Colonial Defence Office,
Wellington, 17th August, 1865.

HIS Excellency the Governor has been pleased to accept the resignation of the Commissions held by the undermentioned Officers:—

Ensign W. E. Dalrymple, Taranaki Militia.

Cornet C. P. Powles, Rangitikei Cavalry Volunteers.

H. A. ATKINSON.

I. E. Featherston, Esq., appointed a Commissioner to purchase Land on behalf of the Crown within the Manawatu Block.

Native Secretary's Department,
Wellington, 8th August, 1865.

HIS Excellency the Governor has been pleased to appoint

ISAAC EARL FEATHERSTON, Esq.,

to be a Commissioner to purchase land on behalf of the Crown within the boundaries of the Manawatu Block.

J. C. RICHMOND.

John White, Esq., appointed a special Commissioner for completion of outstanding Land purchases.

Native Secretary's Department,
Wellington, 8th August, 1865.

HIS Excellency the Governor has been pleased to appoint

JOHN WHITE, Esq.

to be a Special Commissioner temporarily, for the completion of outstanding Land purchases.

J. C. RICHMOND.

Henry Cooper Daniell, Esq., appointed a Commissioner of Crown Lands.

General Crown Land Office,
Wellington, 1st August, 1865.

HIS Excellency the Governor has been pleased to appoint

HENRY COOPER DANIELL, Esq.,

to be a Commissioner of Crown Lands.

A. DOMETT.

Customs Notice.

NOTICE is hereby given that the undermentioned warehouse has been duly approved and appointed under clause XI. of "Customs Regulation Act, 1858," to be a warehouse for the securing of goods under bond for the payment of Duties of Customs:

The cellar and part of ground floor of a brick two-storied building belonging to Messrs. Calder Blacklock and Co., situated on Section 8, Block II. in the town of Invercargill, and fronting Esk Street.

A. J. ELLES,
Deputy-Commissioner.

Custom House, Invercargill,
24th July, 1865.

Customs Notice.

NOTICE is hereby given that the Bonded Warehouse lately in the occupation of Messrs. Manning and Whitton, being part of an iron building, situated on Section 17, Block III. in the town of Invercargill, and fronting Tay Street, has been trans-

ferred to Messrs. McPherson and Co., and will for the future be known as Messrs. McPherson and Co.'s Warehouse.

A. J. ELLES,
Deputy-Commissioner.
Custom House, Invercargill,
24th July, 1865.

Customs Notice.

THE Warehouse in the Port of Hokitika which will be known as

TAGGART and REEVES' BONDING WAREHOUSE, and is described below, has been approved and appointed under clause XI. of "The Customs Regulation Act, 1858," as a Warehouse for securing Goods under Bond without payment of duty on first entry thereof:—

An Iron Building, owned, occupied and recently erected by Messrs. Taggart & Reeves, situate in Sewell-street, in the town of Hokitika, and on "business site" numbered 220 on the maps of the Chief Surveyor of Canterbury.

J. W. HAMILTON,
Deputy Commissioner.
Custom House, Lyttelton,
5th August, 1865.

Customs Notice.

NOTICE is hereby given, that

RICHARD BRIGNELL HAYBITTLE has been duly licensed under clause 16 of "The Customs Regulation Act, 1858," to act as a Custom House Agent at the Port of Wellington until the 31st December, 1865.

W. SEED,
Deputy Commissioner.
Custom House, Wellington,
7th August, 1865.

Notice to Mariners.

CAPTAIN DECK, of the Government steam-vessel "St. Kilda," has furnished the following report of a Sunken Rock on which Her Majesty's ship of war "Eclipse," struck when drawing 12 feet water:

The Rock is about seven miles to the southward of East Cape, and is out of the usual course of vessels drawing so much water as Her Majesty's ship "Eclipse"—Lat. 37° 46' 20" South; Long. 178° 30' 40" E. The bearings of East Cape Island N. 19° E.; Village Te, S. 63° W.; Wharariki Point, S. 35° W.,—all magnetic.

CHAS. SHARP,
President Marine Board.
Marine Board Office,
Wellington, 1st August, 1865.

*In the Supreme Court of New Zealand:
Otago and Southland Districts.*

In the matter of the petition of Alexander McLeod and James Gibson, trading together in co-partnership under the style or firm of McLeod and Gibson, of Dunedin, in the Province of

Otago, grocers, debtors, and in the matter of "The Debtors and Creditors Act, 1862."

UPON reading the petition of the said Alexander McLeod and James Gibson, and the affidavits thereunto annexed, and upon hearing Mr. Barton, of counsel for the said petitioner, and Mr. Harvey, of counsel for Henry Miller, of Dunedin, merchant, it is ordered that the Registrar of this Honorable Court do forthwith convey assign and make over all the real and personal estate and effects of the said Alexander McLeod and James Gibson, unto Robert Wilson, of Dunedin, merchant, and Henry Miller, of Dunedin, merchant, upon trust for the collection and conversion into money of the said estate and effects, and the distribution of the net proceeds *pro rata*, and subject to existing legal priorities (if any) amongst such of the creditors of the said petitioners as shall duly prove their respective debts by affidavit filed in the office of the Registrar at Dunedin, within the space of three calendar months after the date of the registration of the said deed in this Court.

Dated the fifteenth day of May, 1865.

By the Court,
ROBERT CHAPMAN,
Registrar.

*In the Supreme Court of New Zealand:
Otago and Southland District.*

In the matter of the petition of Frederick Watts, of the West Taieri, in the Province of Otago, settler, a debtor, and in the matter of "The Debtors and Creditors Act, 1862."

UPON reading the petition of the said Frederick Watts, and the affidavits thereto annexed, and upon hearing Mr. Barton, of counsel for the said petitioner, it is ordered that the Registrar of this Honorable Court do forthwith convey assign and make over all the real and personal estate and effects of the said Frederick Watts, unto Conrad Rains, of West Taieri, settler, and Henry Frederick Blatch, of West Taieri, settler, upon trust for the collection and conversion into money of the said estate and effects, and the distribution of the net proceeds *pro rata*, and subject to existing legal priorities (if any) amongst such of the creditors of the said petitioner as shall duly prove their respective debts by affidavit filed in the office of the Registrar at Dunedin, within the space of three calendar months after the date of the registration of the said deed in this Court.

Dated the fifteenth day of May, 1865.

By the Court,
ROBERT CHAPMAN,
Registrar.

Notice.

THE partnership heretofore existing between JOSIAH BIRCH and WILLIAM COCKERILL BESWICK, of Kaiapoi, merchants, trading under the firm of "Beswick and Birch," has been dissolved by a deed bearing date the 14th day of June, 1865, and made between the said Josiah Birch of the one part, and the said William Cockerill Beswick of the other part, from the date of the same deed.