



THE

NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, TUESDAY, SEPTEMBER 5, 1865.

ORDER IN COUNCIL,

Proclaiming certain Lands under "New Zealand Settlements Act, 1863."

G. GREY, Governor.

At the Government House, at Wellington, the second day of September, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Settlements Act, 1863," it was enacted, amongst other things, that whenever the Governor in Council should be satisfied that any Native Tribe or section of a Tribe, or any considerable number thereof, have, since the first day of January, 1863, been engaged in rebellion against Her Majesty's authority, it should be lawful for the Governor in Council to declare that the districts within which any land, being the property or in the possession of such Tribe or section or considerable number thereof, should be situate, should be a district within the provisions of the said Act, and the boundaries of such district in like manner to define and vary as he should think fit.

And whereas the Governor in Council is satisfied that certain Native Tribes or sections of Tribes, having respectively as their property or in their possession the lands in the district hereunder described, have been engaged in rebellion against Her Majesty's authority:

Now therefore, His Excellency the Governor, in exercise of the power vested in him by the said recited Act, doth hereby with the advice and consent of the Executive Council of the Colony, declare that from the date hereof the land described in the Schedule to this Order shall be a district within the provisions of "The New Zealand Settlements Act, 1863," and shall be designated by the name mentioned in such Schedule, and doth declare that the said lands are required for the purposes of the said Act, and are subject to the provisions thereof, and doth order that the said lands shall be and the same are hereby set apart and reserved as sites for settlement and colonization agreeably to the provisions of the said Act;

and doth hereby further declare with the advice and consent aforesaid, that no land of any loyal inhabitant within the said district whether held by Native custom or under Crown Grant, will be taken, except so much as may be absolutely necessary for the security of the country, compensation being given for all land so taken, and further that all rebel inhabitants of the said district who come in within a reasonable time and make submission to the Queen will receive a sufficient quantity of land within the said district under grant from the Crown.

FORSTER GOEING,
Clerk of the Executive Council.

SCHEDULE.

Central Waikato.

All the land not yet subjected to the provisions of "The New Zealand Settlements Act, 1863," lying within the following lines, that is to say—Commencing at Pokorokoro in the Gulf of the Thames, thence proceeding southward in a straight line to the Hapuakohe Pass, thence in a straight line to the summit of Pukemoremore, thence in a straight line to the summit of Maungakawa, thence in a straight line to Pukekura, thence in a straight line to Orakau, thence in a straight line to the nearest point of the Puniu River, thence following the Puniu River to its junction with the Waipa River, thence in a straight line to the summit of Mount Pirongia, thence in a straight line to the nearest point of the Waitetuna River, thence by the Waitetuna River to Whaingaroa Harbour, thence by the harbour to the sea, thence by the sea to Waikato Heads, thence by the Waikato River to the junction of the Mangatawhiri River, thence by the Mangatawhiri River to the southern angle of the District of East Wairoa, being a district under the provisions of the said "New Zealand Settlements Act, 1863;" thence in a straight line to the Surrey Redoubt, thence in a straight line to the Esk Redoubt, thence in a straight line to the commencing point at Pokorokoro.

ORDER IN COUNCIL,

Proclaiming certain lands under "The New Zealand Settlements Act, 1863."

G. GREY, Governor.

At the Government House, at Wellington, the second day of September, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Settlements Act, 1863," it was enacted amongst other things, that whenever the Governor in Council shall be satisfied that any Native Tribe or section of a Tribe or any considerable number thereof, have, since the first day of January, 1863, been engaged in rebellion against Her Majesty's authority, it shall be lawful for the Governor in Council to declare that the district within which any land being the property or in the possession of such Tribe or section or considerable number thereof shall be situate, shall be a district within the provisions of the said Act, and the boundaries of such district in like manner to define and vary as he shall think fit.

And whereas the Governor in Council is satisfied that certain Native Tribes, or sections of Tribes, having landed properties and possessions in the lands described in the Schedules hereunder written, have been engaged in rebellion against Her Majesty's authority:

Now therefore, His Excellency the Governor, in exercise of the power vested in him by the said recited Act, doth hereby, with the advice and consent of the Executive Council of the Colony, declare that from the date hereof, the lands described in the first Schedule to this Proclamation, being districts within which there are situate lands the property or in the possession of such Tribes, or sections of Tribes, as aforesaid, shall be two districts within the provisions of the said "New Zealand Settlements Act, 1863," and shall be designated by the names of Ngatiawa and Ngatiruanui.

And whereas it is further enacted that it shall be lawful for the Governor in Council from time to time to set apart within any such districts eligible sites for settlements for colonization, and the boundaries of such settlements to define and vary, and further, that for the purpose of such settlements the Governor in Council may from time to time reserve or take any land within such district, and that such land shall be deemed to be Crown Land, freed and discharged from all title interest or claim of any person whomsoever, as soon as the Governor in Council shall have declared that such land is required for the purposes of the said Act, and is subject to the provisions thereof.

And whereas by a Proclamation dated the 30th day of January, 1865, in exercise of the powers vested in the Governor by the said Act, the Governor hath declared that certain lands shall be districts within the provisions of the said "New Zealand Settlements Act, 1863," and shall be designated by the name of Middle Taranaki:

Now therefore, His Excellency the Governor, in further exercise of the power vested in him by the said recited Act, doth hereby, with the advice and consent of the Executive Council of the Colony, set apart, as eligible sites for settlement for colonization, the lands described in the second Schedule to this Proclamation, being lands within the said Proclaimed District of Middle Taranaki, and the Districts hereby constituted of Ngatiawa and Ngatiruanui, and doth declare that the lands described in the said Schedule are required for the purposes of the said Act and are subject to the provisions thereof, and doth reserve and take such lands for such purposes, and doth hereby further declare with the advice and

consent aforesaid, that no land of any loyal inhabitant within the said districts, whether held by Native custom or under Crown Grant, will be taken except so much as may be absolutely necessary for the security of the country, compensation being given for all land so taken, and further that all rebel inhabitants of the said districts who come in within a reasonable time and make submission to the Queen, will receive a sufficient quantity of land within the said district under grant from the Crown.

FORSTER GORING,
Clerk of the Executive Council.

SCHEDULE 1.

Ngatiawa.

Bounded on the north-west and north by the sea, from the mouth of the River Waitara to the tunnel at Parininihi, and thence by a straight line in a direction due east (true bearing) for a distance of twenty miles; on the south-east by a straight line drawn from the eastern extremity of the said northern boundary in a direction south 39 degrees west (true bearing) till it intersects the straight line between the summit of Mount Egmont and Parikino on the Wanganui River; on the south by the said lastnamed straight line from its intersection with the said south-eastern boundary to its intersection with the Kairoa and Waimate Road; on the west by the eastern boundary of the District of Middle Taranaki, proclaimed under "The New Zealand Settlements Act, 1863," from the point last named to the commencing point at the mouth of the River Waitara.

Ngatiruanui.

On the north-east by a straight line bearing on the summit of Mount Egmont, commencing at the Kairoa and Waimate road, and drawn thence to Parikino on the River Wanganui; on the east by the said river to the sea; on the south-west by the sea from the mouth of the said River Wanganui to the Waimate Stream; and on the west by the said Kairoa and Waimate Road from the said Waimate Stream, which last or western boundary is also part of the eastern boundary of the said District of Middle Taranaki; excepting all lands held by or under the Crown prior to the date of this Proclamation.

SCHEDULE 2.

Ngatiawa Coast.

Bounded on the west and north-west by a line drawn straight from the summit of Mount Egmont to the source of the River Waiongona, thence along the said River Waiongona to Tarurutangi, thence straight to the junction of the Rivers Maunganui and Waitara, thence along the said River Waitara to the sea, thence along the sea coast to the tunnel at Parininihi; on the north by a straight line in a direction due east (true bearing) from the said tunnel at Parininihi for a distance of twenty miles; on the south-east by a straight line drawn from the eastern extremity of the said northern boundary in a direction south 39 degrees west, till it intersects the straight line between the summit of Mount Egmont and Parikino on the Wanganui River; and on the south-west by the said straight line last named, from its intersection with the said south-eastern boundary to the summit of Mount Egmont.

Ngatiruanui Coast.

Bounded on the north by the River Hangatahua, from its mouth to the southern angle of the Oakura district, and thence by a straight line passing between the Pouakai and Patua Ranges to the point where a Native path passing in the same direction intersects the south-western boundary of the Tapuae (or Omata) Block; on the north-east by the said south-west boundary and by the south-east boundary of the said

Tupuae Block to the River Mangoraka, thence by the said Rivèr Mangoraka to its source, thence by a straight line to the summit of Mount Egmont, and thence by a straight line to Parikino on the River Wanganui; on the south-east by the said River Wanganui from Parakino to the sea; and on the south-west by the sea from the mouth of the said River Wanganui to the mouth of the said River Hangatahua; excepting all lands within the said boundaries held by or under the Crown prior to the date of this Proclamation.

PROCLAMATION OF PEACE.

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.

The Governor announces to the Natives of New Zealand that the War which commenced at Oakura is at an end.

The Governor took up arms to protect the European settlements from destruction, and to punish those who refused to settle by peaceful means the difficulties which had arisen, but resorted to violence and plunged the country into war.

Upon those Tribes sufficient punishment has been inflicted. Their war parties have been beaten; their strongholds captured; and so much of their lands from again appealing to arms.

The Governor has therefore shewn that he will not permit the peace of the Colony to be disturbed without inflicting severe chastisement on those who resist his authority.

The Governor hopes that the Natives will now have seen that resistance to the law is hopeless: he proclaims on behalf of the Queen, that all who up to the present time have been in arms against Her Majesty's authority will never be prosecuted for past offences, excepting only those who have been concerned in the murders of the following persons because those persons were barbarously and treacherously murdered:—

- The children Parker and Pote, killed at Omata, on the 27th March, 1860;
- The boy Joseph Sarten, killed at Henui, on the 4th December, 1860;
- The Native Ngakoti, who was killed, and his wife and her daughter killed at Kaipikari, in December, 1864;
- Mrs. Margaret Fahey, killed at Rama Rama, on the 16th October, 1863;
- The boys Richard Trust and Nicholas Trust, killed at Kennedy's Farm, on the 24th October, 1863;
- The Rev. Mr. Volkner, killed at Opotiki, on the 2nd March, 1865;
- Mr. James Fulloon, and his companions, killed at Whakatane, on the 27th July, 1865;
- The Chief Rio Haeaterangi, killed near Wanganui, in January, 1865.

The murderers of those persons will be brought to trial as soon as they are arrested.

The Governor also excepts from this pardon the Chief Te Pehi, because, having taken the Oath of Allegiance to Her Majesty, he violated his oath, and treacherously attacked the Queen's troops at Pipiriki; when taken he will be brought to trial for this crime.

All others are forgiven.

Out of the lands which have been confiscated in the Waikato, and at Taranaki and Ngatiruanui, the Governor will at once restore considerable quantities to those of the Natives who wish to settle down upon

their lands, to hold them under Crown grants, and to live under the protection of the law. For this purpose Commissioners will be sent forthwith into the Waikato, and the country about Taranaki, and between that place and Whanganui, who will put the Natives who may desire it upon lands at once, and will mark out the boundaries of the blocks which they are to occupy. Those who do not come in at once to claim the benefit of this arrangement must expect to be excluded.

The Governor will take no more lands on account of the present War.

As regards the prisoners now in custody, the Governor will hold them until it shall be seen whether those who have been in arms return to peace. If they do so the prisoners will be set at liberty.

The Governor is sending an expedition to the Bay of Plenty to arrest the murderers of Mr. Volkner and Mr. Fulloon. If they are given up to justice the Governor will be satisfied; if not, the Governor will seize a part of the lands of the Tribes who conceal these murderers, and will use them for the purpose of maintaining peace in that part of the country and of providing for the widows and relatives of the murdered people.

The Governor now calls upon all the Chiefs and Tribes to assist him in putting a stop to all such acts of violence for the future; for all, whether Europeans or Natives, have a common interest in putting an end to such crimes, and in preserving the peace of the Colony.

The Governor is about to call a meeting of all the great Chiefs to consult with his Government as to the best means whereby the Maori people may be represented in the General Assembly, so that they may henceforth help to make the laws which they are called on to obey. At that meeting all matters can be discussed, with a view of establishing a general and lasting peace throughout New Zealand.

Her Majesty the Queen desires that equal laws and equal rights and liberties may be enjoyed by all her subjects in this Island, and to that end the Governor in the name of the Queen publishes this Proclamation.

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

G. GREY.

By His Excellency's command,

FRED. A. WELD.

GOD SAVE THE QUEEN!

PROCLAMATION

Proclaiming Martial Law throughout the Districts of Opotiki and Whakatane.

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 instructions have been issued and Military force has been employed to capture the Murderers of the Rev. Mr. Volkner, Mr. James Fulloon and his companions, at Opotiki, and Whakatane:

And whereas it is expedient that summary authority should be exercised by the Commander of the Military Forces so employed, and that persons suspected of the said Murders, or of aiding and abetting therein, should be tried by Courts-Martial:

Now I, the Governor, do hereby proclaim that Martial Law will be exercised throughout the Districts of Opotiki and Whakatane, from the date hereof until this Proclamation shall be duly revoked.

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

G. GREY.

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

GOD SAVE THE QUEEN!

ORDER IN COUNCIL,

Constituting the District of Coromandel under "The Native Districts Regulation Act, 1858."

G. GREY, Governor.

At the Government House, at Wellington, the twenty-eighth day of June, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand intituled "The Native Districts Regulation Act, 1858," it is provided that it shall be lawful for the Governor in Council from time to time to appoint districts for the purposes of the said Act, being districts over which the Native Title shall not for the time being have been extinguished:

Now therefore, His Excellency the Governor, by and with the advice and consent of his Executive Council, doth hereby order, appoint, and declare that the territory hereafter described shall be a district for the purposes of the said Act, that is to say—All territory lying within a boundary line commencing on the north at Cape Colville, thence by the sea-coast to Whangamata, thence by a straight line to Tararu Point, Hauraki Gulf, thence by the eastern shore of that gulf to the point of commencement; and doth appoint and declare that the said district shall be called the Native District of Coromandel.

And doth declare that this order shall take effect from and after the twenty-eighth day of June, 1865.

FORSTER GORING,
Clerk of the Executive Council.

ORDER IN COUNCIL

Constituting the District of Coromandel under "The Native Circuit Courts Act, 1858."

G. GREY, Governor,

At the Government House, at Wellington, the twenty-eighth day of June, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Native Circuit Courts Act, 1858," it is provided that it shall be lawful for the Governor in Council from time to time to appoint districts for the purposes of the said Act, being districts over which the Native Title shall not for the time being have been extinguished:

Now therefore, His Excellency the Governor, by and with the advice and consent of his Executive Council, doth hereby order, appoint, and declare that

the territory hereafter described shall be a district for the purposes of the said Act, that is to say—All territory lying within a boundary line commencing on the north at Cape Colville, thence by the sea-coast to Whangamata, thence by a straight line to Tararu Point, Hauraki Gulf, thence by the eastern shore of that gulf to the point of commencement; and doth appoint and declare that the said district shall be called the Native District of Coromandel.

And doth declare that this order shall take effect from and after the twenty-eighth day of June, 1865.

FORSTER GORING,
Clerk of the Executive Council.

ORDER IN COUNCIL,

Revoking an Order in Council, of March, 1863, and otherwise regulating the exercise of the Miners' Rights Franchise.

G. GREY, Governor.

At the Government House, at Wellington, this twenty-eighth day of August, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The Miners' Representation Act, 1862," section IX., it was enacted "that it shall be lawful for the Governor in Council from time to time to make such Rules and Regulations as may be necessary for removing any obstacle of a technical or formal nature to the carrying out of the provisions of the said Act." And by "The Miners' Representation Act Amendment Act, 1863," section IV., it was enacted that "the above clauses" (therein) "shall be read and construed as part of 'The Miners' Representation Act, 1862,' and the provisions of the said Act shall apply to such licenses as aforesaid" (referring to the licenses mentioned in section II. of the said Amendment Act) "in all respects in like manner as to Miners' Rights."

And whereas by an Order in Council made in pursuance of the provisions of the first-mentioned Act (and notified in the *Government Gazette* of the 5th March, 1863), a stamp bearing the words "Miners' franchise exercised," was appointed "at each election as the distinguishing mark or stamp to be impressed upon every Miner's Right in respect of which any person shall vote at such election."

And whereas it is expedient that such Order in Council should be revoked, and that such Regulation should be made as hereinafter provided:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, doth hereby revoke the said recited Order in Council, and doth hereby direct that the following Regulation shall be in force from and after the fifteenth day of August, 1865.

Whenever any person qualified to vote by virtue of clause II. of "The Miners' Representation Act, 1863," shall have voted in respect of such qualification at any election of Gold-fields Members of the House of Representatives, or of Gold-fields Members of the Provincial Council of any Province, or for Members of the General Assembly or of a Provincial Council, the Returning Officer or Poll Clerk shall forthwith thereafter write upon the Miners' Right held by such voter the word "exercised," adding thereto the date of such vote, and the signature of such Returning Officer or Poll Clerk.

FORSTER GORING,
Clerk of Executive Council.