



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, TUESDAY, OCTOBER 10, 1865.

Declaration of Indemnity for F. D. Fenton, Esq.

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 Parliament of New Zealand, made and passed in the twenty-ninth year of the reign of Her present Majesty Queen Victoria, No. 1, intituled "An Act for indemnifying persons acting in the suppression of the Native Insurrection," it is enacted amongst other things, that—"All and singular the officers of Her Majesty's forces and all and every other person and persons whosoever who shall at any time before the passing of this Act have acted by authority of the Government, or in execution of orders or directions of any officer of Her Majesty's Imperial or Colonial forces, or of any Judge, Magistrate, or other person acting under authority of the Government in or about the quelling of the said insurrection; the resisting, apprehending, detaining, confining, or imprisoning of any person or persons concerned or suspected to be concerned therein; the destroying or damaging of property belonging to any person or persons concerned or suspected to be concerned in the said insurrection; the preserving or restoring of peace or good order in any part of the said Colony; the apprehension, detention, confinement, or imprisonment of any dangerous or disloyal person or persons, or of any believed or suspected to be dangerous or disloyal; or the providing for the safety of Her Majesty's peaceable and loyal subjects, shall be, and they are hereby severally and respectively freed and indemnified of and from all actions, suits, indictments, informations, prosecutions, proceedings, and liabilities whatsoever, which they or any of them respectively, may have been or may be or become liable or subject to, for or by reason or by means of or in relation to any act, matter, or thing done by them respectively before the passing of this Act, by

such authority or in the execution of such orders or directions as aforesaid." And further, that—"in order to prevent any doubt which may arise whether any act, matter, or thing, alleged to have been so done as aforesaid shall have been done under such authority or in execution of such orders and directions as aforesaid, it shall be lawful for the Governor to declare any such act, matter, or thing, to have been done under such authority or by such orders and directions as aforesaid."

And whereas an action was lately commenced and is now pending in the Supreme Court of New Zealand, Northern District, wherein one Kihirini Kanga, an Aboriginal Native of New Zealand, in the Province of Auckland, is plaintiff, and Francis Dart Fenton, of Auckland, gentleman, one of the Justices of the Peace for the Colony of New Zealand, is defendant, in which action the plaintiff seeks to recover damages, for that, as alleged by the plaintiff in the said action, the defendant on or about the twenty-first day of December, 1864, assaulted the plaintiff and imprisoned him, and detained him in prison without any reasonable or probable cause:

Now therefore, I, Sir George Grey, the Governor of New Zealand, in pursuance of the said Act, do hereby declare that the acts, matters, and things, done, or by the declaration in the said action alleged to have been done, by the said Francis Dart Fenton, and thereby complained of, and for which the plaintiff therein seeks to recover damages as aforesaid, were done under such authority or by such orders and directions as in the said Act mentioned.

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

G. GREY.

By His Excellency's command,
HENRY SEWELL.

Declaration of Indemnity for Colonel Morant.

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 Parliament of New Zealand, made and passed in the twenty-ninth year of the reign of Her present Majesty Queen Victoria, No. 1, intituled "An Act for indemnifying persons acting in the suppression of the Native Insurrection," it is enacted, amongst other things, that, "All and singular the officers of Her Majesty's forces and all and every other person and persons whosoever who shall at any time before the passing of this Act have acted by authority of the Government, or in execution of orders or directions of any officer of Her Majesty's Imperial or Colonial forces, or of any Judge, Magistrate, or other person acting under authority of the Government in or about the quelling of the said insurrection, the resisting, apprehending, detaining, confining, or imprisoning of any person or persons concerned or suspected to be concerned therein; the destroying or damaging of property belonging to any person or persons concerned or suspected to be concerned in the said insurrection; the preserving or restoring of peace or good order in any part of the said Colony; the apprehension, detention, confinement, or imprisonment of any dangerous or disloyal person or persons, or of any person or persons believed or suspected to be dangerous or disloyal; or the providing for the safety of Her Majesty's peaceable and loyal subjects, shall be, and they are hereby severally and respectively freed and indemnified of and from all actions, suits, indictments, informations, prosecutions, proceedings, and liabilities whatsoever, which they or any of them respectively may have been or may be or become liable or subject to for or by reason or by means of or in relation to any act, matter, or thing done by them respectively before the passing of this Act, by such authority, or in execution of such orders or directions as aforesaid." And further, that "in order to prevent any doubt which may arise whether any act, matter, or thing alleged to have been so done as aforesaid shall have been done under such authority, or in execution of such orders and directions as aforesaid, it shall be lawful for the Governor to declare any such act, matter or thing to have been done under such authority, or by such orders and directions as aforesaid."

And whereas an action was lately commenced and is now pending in the Supreme Court of New Zealand, Northern District, wherein one Solomon Cossey, Horatio Harbord in the declaration in the said action called, is plaintiff, and Horatio Herbert Morant, a Lieutenant-Colonel in the 68th Regiment, is defendant, in which action the plaintiff seeks to recover damages, for that, as alleged by the plaintiff in the said action, on or about the seventeenth day of June, 1864, the said defendant unlawfully and maliciously assaulted and imprisoned the plaintiff, and caused the said plaintiff to be kept imprisoned in a certain tent, used as a military prison, situate at Drury, in the Province of Auckland, for a long period of time, to wit, for the space of one day:

Now therefore I, Sir George Grey, the Governor of New Zealand, in pursuance of the said Act, do hereby declare that the acts, matters, and things, done, or by the declaration in the said action alleged to have been done by the said Horatio Herbert Morant, and thereby complained of, and for which the plaintiff therein seeks to recover damages as aforesaid, were done under such authority or by such orders and directions as in the said Act mentioned.

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

G. GREY.

By His Excellency's command,
HENRY SEWELL.

Warrant appointing Additional Polling Places.

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.

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

WHEREAS by an Act of the General Assembly, intituled "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 another Act of the General Assembly, intituled "The Provincial Elections Act, 1858," it is enacted that, subject to certain provisions therein contained, every election of the Superintendent or of a Member of the Provincial Council of a Province shall be conducted in the manner prescribed by "The Regulation of Elections Act, 1858," aforesaid, and all the provisions of the said last-mentioned Act shall apply to the elections of Superintendents and Members of Provincial Councils:

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 Acts, do hereby appoint the following places to be additional polling places for the districts hereinafter mentioned, for the election of Members of the Provincial Council of the Province of Auckland, namely:

FOR RAGLAN—Post Office, Te Awamutu; Resident Magistrate's Court House, Alexandra; do., Port Waikato; do., Drury.

FOR FRANKLIN—Mr. Sellar's House, Tauranga; Resident Magistrate's Court House, Drury; Court House, Queen Street, Auckland.

FOR TOWN OF ONEHUNGA—Court House, Queen Street, Auckland.

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

G. GREY.

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

Warrant appointing an Additional Polling Place.

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.

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

WHEREAS by an Act of the General Assembly, intituled "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 another Act of the General Assembly, intituled "The Provincial Elections Act, 1858," it is enacted that, subject to certain provisions therein contained, every election of the Superintendent or of a Member of the Provincial Council of a Province shall be conducted in the manner prescribed by "The Regulation of Elections Act, 1858," aforesaid, and all the provisions of the said last-mentioned Act shall apply to the elections of Superintendents and Members of Provincial Councils:

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 Acts, do hereby appoint the following place to be a polling place for the District of the Northern Division for the election of Superintendent and Members of the Provincial Council of the Province of Auckland, namely:—

FOR THE NORTHERN DIVISION—Post Office, Waiwera.

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

G. GREY.

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

CANTERBURY.

Proclamation under "The Diseased Cattle Act, 1861."

Colonial Secretary's Office,
Wellington, 9th December, 1865.

THE following Proclamation issued by His Honor the Superintendent of Canterbury under "The Diseased Cattle Act, 1861," is re-published for general information.

J. C. RICHMOND.

PROCLAMATION.

By His Honor SAMUEL BEALEY, Esq., Superintendent of the Province of Canterbury, declaring certain Districts to be infected under "The Diseased Cattle Act, 1861."

WHEREAS by "The Diseased Cattle Act, 1861," it was provided that the Governor in Council might, by warrant under his hand, from time to time delegate to the Superintendent of any Province within the said Colony, all or any of the powers vested in the Governor or Governor in Council by the said Act, subject to such regulations as he might think fit, and might from time to time rescind such delegation: And whereas the said Governor hath, with the advice and consent of the Executive Council of New Zealand, delegated to Samuel Bealey, Esquire, so long as he shall hold the office of Superintendent of the Province of Canterbury, the several powers vested in the said Governor by the second, fourth, fifth, seventh, ninth and tenth sections of the said Act, subject to being rescinded as in the said Act provided, and subject to the regulations issued by the Governor in Council on the eighteenth day of September, one thousand eight hundred and sixty-five, and to any other regulations to be from time to time duly made:

Now therefore I, Samuel Bealey, by virtue of such powers in me vested, do hereby proclaim and declare, that after the date hereof the several Colonies of Australia, that is to say, the Colony of Victoria, of New South Wales, of Queensland, of South Australia, and Western Australia, as well as the Colony of Tasmania, and the Colony of the Cape of Good

Hope, and the Islands of Great Britain and Ireland; the several Provinces of the Colony of New Zealand, that is to say, the Provinces of Otago, of Southland, in the Middle Island, and the Province of Auckland in the North Island, shall be deemed to be infected districts within the meaning of the said Act; and that no cattle shall be imported from the said Districts into the Province of Canterbury. And I do further proclaim and declare the following regulations for the destruction of diseased cattle, and for the preventing the removal or transportation of cattle from the said several infected districts into the Province of Canterbury:—

1. If any person shall drive or remove, or cause to be driven or removed, or assist in driving or removing, any cattle from either of the said infected districts into the Province of Canterbury, such person shall be liable to a penalty of fifty pounds for every head of cattle so driven into the Province of Canterbury.
2. It shall be lawful for any inspector of cattle or police constable to destroy, or cause to be destroyed, any cattle which shall pass into this Province from either of the said districts.
3. If any person shall wilfully impede or obstruct any inspector or any police constable acting under the authority of these regulations, every person so offending shall and may be seized and detained by such person so acting as aforesaid, or any person or persons he may call to his assistance, until such offender or offenders can be taken before two Justices of the Peace, and shall be liable to a penalty of fifty pounds.

Given under my hand, at Christchurch, this twenty-third day of September, one thousand eight hundred and sixty-five.

S. BEALEY,
Superintendent.

By his Honor's command,

EDW. JOLLIE,
Provincial Secretary.

Acts left to their operation (Taranaki.)

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

THE following Acts, passed by the Provincial Council of Taranaki—

"Publicans' Licensing Extension Ordinance, 1865,"
"Branding of Cattle Ordinance, 1865,"

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

J. C. RICHMOND.

Acts assented to (Wellington.)

Colonial Secretary's Office,
Wellington, 9th October, 1865.

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

"Reclaimed Lands Act, 1865,"

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.

J. C. RICHMOND.

*Resignation by H. Jackson, Esq., of his office of
Coroner accepted.*

Attorney-General's Office,
Wellington, 27th September, 1865.

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

HENRY JACKSON, Esq.,
of Dunstan, in the Province of Otago, of his appointment of Coroner.

HENRY SEWELL.

H. W. Robinson, Esq., appointed a Coroner.

Attorney-General's Office,
Wellington, 27th September, 1865.

HIS Excellency the Governor has been pleased to appoint
HENRY WIRGMAN ROBINSON, Esq., R.M.,
of Dunstan, in the Province of Otago, to be a Coroner having jurisdiction within the Colony of New Zealand.

HENRY SEWELL.

H. McCulloch, Esq., appointed Sheriff.

Attorney-General's Office,
Wellington, 9th October, 1865.

HIS Excellency the Governor has been pleased to appoint

HENRY McCULLOCH,
of Invercargill, in the Province of Southland, Esquire, to be Sheriff for the District of Southland.

HENRY SEWELL.

Native Title extinguished.

Native Office,
Wellington, 30th September, 1865.

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

JAMES EDWARD FITZGERALD.

SCHEDULE.

Province of Wellington, Aranga te Kura Block, containing about 505 Acres.

The boundaries commence at the Kakau o Tamaru, thence going inland on the Queen's boundary to Ngakoau, thence going on in Ngakoau te Hatuapopeti and on to the Eotara, thence inland to Opaiwai, thence to the Koparoa, descending into the Ruamahanga, thence on to the Para, thence on in the course of the Ruamahanga and on to the Rakau o Tamaru; then the boundaries meet.

P O S T A L.

Post Office, Mataura Gold Fields, closed.

General Post Office,
Wellington, 7th October, 1865.

IT is hereby notified for public information that the Post Office at Mataura Gold Field (also known as Menzies Town), in the Province of Otago, was closed on 30th September, 1865.

J. L. C. RICHARDSON,
Postmaster-General.

Court of Appeal, New Zealand.

NOTICE is hereby given that a Sitting of the Court of Appeal of New Zealand shall be held within the Supreme Court House, Lambton Quay, in the City of Wellington, upon Tuesday, the Twenty-fourth day of October instant, at Eleven o'clock in the Forenoon, when all persons having business before the said Court are required to give their attendance.

ROBERT R. STRANG,
Acting Registrar of the Court of Appeal
of New Zealand.

Wellington, 2nd October, 1865.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen—
To Henry Vernon, of the City of Auckland, in the Colony of New Zealand, Sheriff's Bailiff, sequestrator of the Estate of John Johnson, of Newcastle, in the District of Waikato, in the said Colony, settler, an insolvent debtor, and to the said John Johnson, and to James Hunter Crawford, of the City of Auckland, gentleman, Registrar of Deeds for the Province of Auckland, and others, greeting:

WHEREAS an action has been commenced in the Supreme Court of the Colony of New Zealand, wherein William John Young is plaintiff and Edward Ross is defendant.

And whereas it has been made known to us that real and personal estate belonging to the said Edward Ross, either separately or jointly with the said John Johnson, is now in the possession or control of you, the said Henry Vernon, and John Johnson, and James Hunter Crawford, or of one of you, or of your tenant or tenants:

We command you that you do not sell or otherwise convey, assign, or part with the said real and personal estate until the further order of our said Court shall be made known to you.

Witness Sir GEORGE ALFRED ARNEY, Knight, Chief Justice of our Supreme Court of the Colony of New Zealand, this thirtieth day of August, one thousand eight hundred and sixty-five.

This writ was issued by John Benjamin Russell, of Shortland-street, in the City of Auckland, solicitor for the plaintiff.

Great Independent Gold Mining Company (Limited).

NOTICE.—An Extraordinary General Meeting of the Shareholders of the Great Independent Gold Mining Company (Limited) will be held at the Company's Office, Canada Buildings, Queen-street, Auckland, at 4 o'clock, p.m., on the 25th day of October next, for the purpose of confirming a proposition made at an Extraordinary General Meeting of the Shareholders, held in the above office, on the 18th day of September instant.

PROPOSITION:

"That this meeting requires that this Company be wound up voluntarily."

(By order of the Directors)

A. BOARDMAN,
Secretary.

Auckland, 19th September, 1865.

Notice under "The Patent Act, 1860."

NOTICE is hereby given that an application has been made by Joseph Robley of Auckland, miller, in accordance with "The Patent Act, 1860," for the issue to him of Letters Patent, granting to him exclusive right to prepare an "Aerated Flour" for the purpose of making light and nutritious bread without the aid of yeast. And any person or persons who may wish to prefer any objection to the granting of such Letters Patent, are hereby required to send, within four months from the publication hereof to C. Knight Esq., of Wellington, M.D., being the person appointed for that purpose, under the provisions of the said Act, a statement in writing setting forth the grounds of such objections, subscribed with his or their proper name and address.

ANDREW BEVERIDGE,
Solicitor, Auckland, Agent.

September 21st, 1865.