



THE  
**NEW ZEALAND GAZETTE.**

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WELLINGTON, TUESDAY, NOVEMBER 6, 1866.

Colonial Secretary's Office,  
 Wellington, 3rd November, 1866.

**T**HE following Despatch with enclosure from Her Majesty's Principal Secretary of State for the Colonies is published for general information.

E. W. STAFFORD.

[CIRCULAR.]

Downing Street, 22nd August, 1866.

SIR,—In consequence of the prevalence of Cholera in this Country, Her Majesty's Government have considered it necessary to advise the Queen to exercise the power vested in Her Majesty by the 59th Clause of the Passenger Act of 1855, and to cause an Order in Council to be passed, requiring that, from and after the 20th instant, every Passenger Ship to which the said Act extends, carrying more than fifty passengers, shall have on board a duly qualified Medical Practitioner.

I have the honor to transmit to you six copies of this Order, and to request that you will cause it to be made public within the limits of your Government, and that you will give such further directions as may be requisite for ensuring the due observance of its requirements.

I have, &c.,  
 CARNARVON.

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

Enclosure.

At the Court at Osborne House, Isle of Wight,  
 the 9th day of August, 1866.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

**W**HEREAS by the Passengers' Act, 1855, it is enacted that it shall be lawful for Her Majesty, by an Order in Council, to prescribe such rules and regulations as to Her Majesty may seem fit, for certain purposes in the said Act specified,

and, amongst others, for requiring duly qualified Medical Practitioners to be carried in passenger ships, in cases where they would not be required to be carried under the provisions of the said Act. And such Order in Council from time to time, in like manner, to alter, amend, and revoke as occasion may require :

And whereas from the prevalence of choleraic disease in certain parts of the United Kingdom, it has become expedient that Her Majesty should exercise the discretion and authority so vested in Her as aforesaid :

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the authority vested in Her by the said Passengers' Act, 1855, doth hereby order as follows ; that is to say :

From and after the 20th instant, and so long as this Order shall continue in force, every passenger ship, carrying more than 50 passengers on any voyage to which the said Act extends, shall, whatever be the duration of the voyage, and subject to the provisions of the 42nd section of the said Act, carry a duly qualified Medical Practitioner, who shall be rated on the ship's articles.

To prevent all doubts in the construction of this Order in Council, it is hereby further ordered, that the terms "passenger," and "passenger ship," shall have the same significations as are assigned to them respectively in the said Passengers' Act, 1855, and unless inconsistent with the context words of one number shall import both numbers.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

I have, &c.,  
 ARTHUR HELPS.

Colonial Secretary's Office,  
 Wellington, 1st November, 1866.

**T**HE following Ordinance, passed by the Provincial Council, and assented to by the Superintendent of the Province of Taranaki, intituled  
 "The Sale of Liquors Ordinance, 1866,"

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

E. W. STAFFORD.

General Post Office,  
Wellington, 30th October, 1866.

IT is hereby notified for public information, that the Post Office at Ballarat Rush, in the Province of Canterbury, will in future be denominated the "Staffordtown" Post Office.

JOHN HALL.

Commissioner's Order, No. 14.

**CUSTOMS.**—In exercise of the power in me for this purpose vested by "The Customs Regulation Act, 1858," I, the Commissioner of Customs, do hereby appoint and declare that the under mentioned Port shall be a Port at which persons acting as Agents in the entrance or clearance of ships, goods, or baggage, or any business relating thereto, shall be required to be duly licensed for that purpose, namely—

BLUFF HARBOUR.

Given under my hand, at Wellington, this thirty-first day of October, in the year of our Lord one thousand eight hundred and sixty-six.

J. C. RICHMOND.

Office of the Commissioner of Customs,  
Wellington, 22nd October, 1866.

HIS Excellency the Governor has been pleased to appoint

WILLIAM SEED, Esq.,

to be Secretary of Customs. This appointment to date from the 1st July, 1866.

J. C. RICHMOND.

**SUPREME COURT OF NEW ZEALAND.**—  
Rules under "The Leases and Sales of Settled Estates Act, 1865."

October, 1866.

By virtue of the powers vested in us by the twenty-ninth section of "The Leases and Sales of Settled Estates Act, 1865," we, the undersigned, Acting Chief Justice and Judges of the Supreme Court of New Zealand, do hereby order that the following rules shall be in force on and after the first day of January, A.D., 1867.

1. Every petition under the Act, and every public and private notice required by the Act, shall set forth the name, address, and description of the petitioner, and also a place within three miles from the office of the Registrar or Deputy Registrar of the Supreme Court at the chief town of the Province within which the estate the subject of the petition is situate, where he may be served with any order of the Court, or of the Judge in Chambers, or notice relating to the subject of the petition.

2. All petitions and notices, and also all affidavits and other proceedings under the Act, shall be entitled in the matter of the Act, and in the matter of the property in question, mentioning the Province and place in which it is situate, and describing it by general terms; and every such petition shall be marked with the words "in the Supreme Court of New Zealand," specifying the judicial district.

3. After any such petition has been presented application may be made *ex parte* and in Chambers to the Judge for directions in what newspapers the notices required by the Act are to be inserted.

4. Motions, under the twentieth section of the Act, may be made *ex parte* within seven clear days after the publication of the advertisement which may be last inserted in the newspaper, but not later (except

by special leave of the Court or a Judge), and every order made on any such motion must be served on the petitioner within four days after the making thereof.

5. If the person obtaining such order shall require a copy of the petition, such person shall at the time of serving such order make a written application to the petitioner for such copy, with an undertaking to pay all proper charges for the same.

6. Within two clear days after such application a copy of the petition shall be ready to be delivered, and shall be delivered on demand, and on payment of the same, after the rate per folio, provided by the Supreme Court rules.

7. No petition under the Act shall be set down for hearing until after the expiration of twenty-one days from the publication of the last of the advertisements.

8. On every application under the Act for authority to sell, the Court or Judge must be satisfied by sufficient evidence who are the parties interested in the estate, whose consent is required by the Act, and what are the circumstances which render the proposed sale proper and expedient.

9. Where, under the provisions of the thirty-third section of the Act, it shall be necessary to obtain the special directions of the Court for any application to the Court, or any consent to such application, such special directions may be obtained *ex parte* by summons at Chambers.

10. Every order of the Court made in pursuance of the powers conferred on it by the Act, shall specify on what document or documents (if any) the notice referred to by the twenty-first section of the Act shall be placed or indorsed, and the Judge may, if he thinks fit, require that such document or documents so indorsed shall be produced for his inspection.

11. The fees and allowances to all officers and solicitors of the Court, in respect of the matters under the Act, shall be such fees and allowances as by the practice of the Court they are entitled to take and charge for business of a similar nature.

12. All proceedings in the Court whatsoever, taken under or by virtue of the said Act, or of these rules, in respect of which no specific provision is made to the contrary by the said Act, shall be subject to the general rules of the Court for the time being in force, in relation to other proceedings in the Court of a like nature.

ALEXANDER J. JOHNSTON,  
Acting Chief Justice.  
H. B. GRESSON, J.  
C. W. RICHMOND, J.  
J. S. MOORE, J.

**SUPREME COURT OF NEW ZEALAND.**—  
Allowances to Sequestrators and Trustees under "The Debtors and Creditors Acts Amendment Act, 1866."

October, 1866.

By virtue of the power in us for this purpose vested by the ninth section of "The Debtors and Creditors Acts Amendment Act, 1866," we, the undersigned Judges of the said Supreme Court, do hereby order, that the allowances to be paid out of the proceeds of the estate and effects of the debtor, by way of remuneration to trustees and sequestrators appointed under "The Debtors and Creditors Act 1862," and to Inspectors when appointed to act as trustees or sequestrators for the performance of their duties as such trustee or sequestrator, shall be at the following rates, that is to say—

To sequestrators in respect of each estate	£2 2s.
To sequestrators receiving the pro-	

ceeds of property sold by them under order of the Court or a Judge, the same allowance as trustees in like case, in addition to the last-mentioned fee.

To trustees upon the net amount of their receipts on account of the estate, a percentage as follows—

- On their first receipts up to £250 of 8 ½ cent.
- On their next receipts after the first £250 up to £500 of ... 6 ½ cent.
- On their next receipts after the first £500 up to £1000 of ... 4 ½ cent.
- On their next receipts after the first £1000 up to £3000 of ... 2 ½ cent.
- On all further receipts after the first £3000 of ... 1 ½ cent.

Provided that the percentage on the proceeds of the sale of property subject to any mortgage shall be calculated only on the surplus payable to the debtor's estate.

Provided also that no percentage shall be allowed to trustees on the proceeds received by a sequestrator of property sold by him under order of the Court or a Judge.

Two or more joint trustees or sequestrators shall be entitled only to a single allowance.

Inspectors in Bankruptcy appointed to act as trustees or sequestrators shall be entitled to allowances at one-fourth of the above rates.

ALEXANDER J. JOHNSTON,  
Acting Chief Justice.

H. B. GRESSON, J.  
C. W. RICHMOND, J.  
J. S. MOORE, J.

**C**HRISTOPHER ALDERSON CALVERT, Esq., Registrar at Canterbury of the Supreme Court of New Zealand, in account with the Estate of RUDOLPH ROHR, late of Hokitika, gold digger, deceased (3rd September, 1865), intestate.

1865.	Dr.	£	s.	d.
Dec. 11.	To cash of Bank of New Zealand, Hokitika (for deposit receipt)	28	0	0
	To cash found on person	8	11	6
		£36	11	6

1866.				
May.	To balance brought down	£24	7	3

1865.	Cr.	£	s.	d.
Dec. 12.	By cash paid Court fees, viz. :—			
	Making, 2s.; filing (3s.) affidavit	0	5	0
	Setting down ...	0	5	0
	Order of Court ...	0	6	0
	Letters of administration ...	1	10	0
	Advertisements (West Coast)	1	12	6
	Making, 2s.; filing (3s.) affidavit	0	5	0
	Funeral expenses (when remains found) ...	4	15	0
	Commission 8 per cent. on £28	2	4	9
	Ditto 5 per cent. on £8 11s. 6d.	2	13	3

1866.				
May.	By making, 2s.; filing (3s.) affidavit, with inventory and account ...	0	5	0
	By advertising in <i>New Zealand Gazette</i> ...	0	7	6
	By balance due to the estate, and carried down ...	24	7	3
		£36	11	6

1866.				
May 28.	By cash paid to Colonial Treasurer, pursuant to Judge's order ...	24	7	3

**C**HRISTOPHER ALDERSON CALVERT, Esq., Registrar at Canterbury of the Supreme Court of New Zealand, in Account with the Estate of ALEXANDER THOMPSON, late of Aystun, deceased, intestate.

1866.	Dr.	£	s.	d.
June 21.	To cash of Bank of New South Wales, amounts of deposits at Nelson and Dunedin, with interest ...	303	5	0
		£303	5	0
June 21.	To balance brought down	£283	16	6

1866.	Cr.	£	s.	d.
May 1.	By Court fees, viz. :—			
	Affidavit, swearing, 2s.; filing, 3s. ...	0	5	0
	Setting down, 5s; order 6s.	0	11	0
	Letters of administration	3	0	0
June 21.	Commission, 5 per cent. on £303 5s. ...	15	0	0
„ 21.	By Court fees, viz. :—			
	Swearing, 2s.; filing, 3s.; affidavit with account ...	0	5	0
„ 21.	Advertisement in <i>Gazette</i> ...	0	7	6
„ 21.	Balance due to the estate, and carried down ...	283	16	6
		£303	5	0

June 22.	By cash paid to Harold Henry de Bourbel, Esq., Curator of Intestate Estates for the Province of Canterbury ...	283	16	6
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**T**HOMAS OUTHWAITE, Esq., late Registrar of the Supreme Court of New Zealand, at Auckland, in account with the Estate of THOMAS JOHNSTONE, deceased, intestate.

1863.	Dr.	£	s.	d.
Dec. 16.	By cash, sale of effects ...	3	1	0
		£3	1	0

1863.	Cr.	£	s.	d.
Aug. 11.	Paid Supreme Court, letters of administration ...	1	10	0
Nov. 6.	Paid <i>Southern Cross</i> newspaper, advertisement (notice to creditors) ...	0	4	6
„ 6.	Paid advertisement (notice to creditors) in <i>New Zealander</i>	0	4	6
1866.				
May 10.	Paid advertisement, balance sheet ...	0	7	6
„ 10.	Paid administrators' commission ...	0	4	9
„ 10.	Paid Aitcheson, Oliver ...	0	0	5
„ 10.	Paid J. Jeffery ...	0	7	5 <sup>1</sup> / <sub>2</sub>
„ 10.	Paid Daniel Coyle ...	0	0	6 <sup>3</sup> / <sub>4</sub>
„ 10.	Paid John Dunlop ...	0	0	3 <sup>3</sup> / <sub>4</sub>
„ 10.	Paid W. Swanson (per Samuel Jackson) ...	0	0	6
„ 10.	Paid Robert Stow (per Stephen E. Hughes) ...	0	0	6
		3	1	0

RETURN of the QUANTITY and VALUE of GOLD Exported from NEW ZEALAND,  
from 1st April, 1857, to the 30th September, 1866.

PORT OF EXPORT.	PRODUCE OF THE GOLD FIELDS IN THE PROVINCE OF	DURING THE QUARTER ENDED 30TH SEPTEMBER, 1866.						EXPORDED PREVIOUS TO THE 30TH JUNE, 1866.		TOTAL EXPORTED FROM NEW ZEALAND TO THE 30TH SEPTEMBER, 1866.		
		To Great Britain.	To New South Wales.	To Victoria.	To Tasmania.	To other Places.	TOTALS.		Oz.	£	Oz.	£
							Quantities.	Value.				
Auckland ...	Auckland ...	Oz.	Oz.	Oz.	Oz.	Oz.	Oz.	£	Oz.	£	Oz.	£
Picton ...	Marlborough ...	...	1,270	...	...	...	1,270	3,810	17,864	54,763	19,134	58,573
Nelson ...	Nelson ...	...	295	...	...	...	295	1,143	32,932	126,597	33,227	127,740
Greymouth ...	Nelson ...	3	21,969	11,826	...	6	33,804	130,991	221,321	857,717	255,128	988,720
"	Canterbury...	4	6,885	6,541	...	1	12,931	50,108	455,896	1,772,112	560,925	2,179,100
Hokitika ...	Canterbury...	...	18,776	73,322	...	...	92,098	356,880	1,983,845	7,687,401	2,022,303	7,836,426
Dunedin ...	Otago ...	1,061	...	37,391	...	6	38,458	149,025	1,625	6,297	4,171	16,163
Invercargill ...	Southland ...	807	...	1,739	...	...	2,546	9,866	2,713,483	10,504,887	2,894,888	11,206,722
	Totals ...	1,875	48,695	130,822	...	13	181,405	701,835				

Office of the Commissioner of Customs,  
Wellington, 2nd November, 1866.

THOMAS HILL,  
(For the Secretary.)

I, WILLIAM HENRY CUTTEN, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session XI., 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 Claims of the persons whose names appear in the Schedule hereunder, having been duly referred to me for investigation, I do hereby decide that the said persons are respectively entitled to the Crown Grants set against their names in the said Schedule.

W. H. CUTTEN,  
Commissioner.

Land Claims Office,  
Dunedin, 11th October, 1866.

No. of Report.	No. of Claim.	Name of Claimant.	Commissioner's Decision.
384	395	John Shaw ...	Entitled to a Crown Grant of Rural Section 14, Block XXII. Clutha District.
385	428	James Harker Wilson ...	Entitled to a Crown Grant of Rural Section 34, West Taieri District.
377	429	William Taylor Cumine ...	Entitled to a Crown Grant of Rural Sections 31, Block IV.; 36, Block V.; 37, 38, and 39, Block VI., Waiholo District.
386	431	William Taylor Cumine ...	Entitled to a Crown Grant of Rural Section 5, Block XI., Waiholo District.
386	431	William Taylor Cumine ...	Entitled to a Crown Grant of Rural Sections 55 and 56, Block VIII., Waiholo District.
387	433	Antoine Joseph ...	Entitled to a Crown Grant of Rural Section 4, Block XXX., Waiholo District.
388	434	William Barry ...	Entitled to a Crown Grant of half of Rural Section 5, Block XXVIII, Waiholo District.
389	435	Emma McGlashan and Edward McGlashan	Entitled to a Crown Grant of Town Section 53, Block IX., Dunedin.
390	437	Thomas Tayler ...	Entitled to a Crown Grant of Town Section 81, Port Chalmers.
391	436	Louisa Parsons ...	Entitled to a Crown Grant of Town Section 58, Port Chalmers.
391	436	Louisa Parsons ...	Entitled to a Crown Grant of Town Section 101, Port Chalmers.
392	442	James Hair ...	Entitled to a Crown Grant of Town Section 1, Block IV., Dunedin.
393	443	Gilbert Burns ...	Entitled to a Crown Grant of Suburban Section 5, North-east Valley District.
394	444	Andrew Dalziel ...	Entitled to a Crown Grant of Suburban Section 157, Wakari District.
395	445	William Alfred Mosley ...	Entitled to a Crown Grant of Rural Section 2, Block II., South Molyneux District.