



THE
NEW ZEALAND GAZETTE.

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WELLINGTON, MONDAY, APRIL 8, 1867.

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the fifth day of April, 1867.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Settlements Acts Amendment Act, 1866," it is provided that all lands taken under the authority of "The New Zealand Settlements Act, 1863," or "The New Zealand Settlements Amendment and Continuance Act, 1865," or either of them, and sold and disposed of under the authority of the said first recited Act, entitled "The New Zealand Settlements Acts Amendment Act, 1866," shall be sold or disposed of under regulations to be made by the Governor in Council, which regulations shall be published in the *New Zealand Gazette* :

Now therefore, His Excellency the Governor, in pursuance of the authority vested in him in that behalf by the said first recited Act, doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, make the following additional regulation to those contained in the Order in Council dated 23rd November, 1866, and published in the *New Zealand Gazette* of the same date, for the sale and disposal of lands within the Province of Auckland, which have been taken under the authority of the said recited Acts, or either of them.

Additional Regulation.

36. In all sales of General Rural Land, whether by auction or otherwise, all scrip issued or to be issued to any person or persons by the Honorable the Colonial Secretary, or any person duly deputed by him, in satisfaction of any claim of such person or persons for compensation or in satisfaction of any sum awarded as compensation for losses sustained in the Province of Auckland by the rebellion in which certain persons of the Native race have been engaged in since the 1st of January, 1863, shall be taken in payment for such lands and in the purchase of any such land, and

scrip shall be deemed and taken to be money for the amount for which the same shall have been issued, and shall be receivable for such amount as payment or part payment for any allotment of such General Rural Lands to be sold under and subject to the said regulations published on the 23rd day of November, 1866.

FORSTER GORING,
 Clerk of Executive Council.

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the fifth day of April, 1867.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Settlements Acts Amendment Act, 1866," it is provided that all lands taken under the authority of "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865," or either of them, and sold and disposed of under the authority of the said first recited Act, intituled "The New Zealand Settlements Acts Amendment Act, 1866," shall be sold or disposed of under regulations to be made by the Governor in Council, which regulations shall be published in the *New Zealand Gazette* :

Now therefore, His Excellency the Governor, in pursuance of the authority vested in him in that behalf, by the said first recited Act, doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, make the following regulations for the sale and disposal of lands within the Ngatiawa, Middle Taranaki, or Ngatiruanui Districts, which have been taken under the authority of the said recited Acts, or either of them.

Regulations for the sale and disposal of Lands taken for settlement under "The New Zealand Settlements Act, 1863."

1. Until sold, granted, reserved, or otherwise

disposed of by the Government, the portions of Confiscated Lands which have been or may hereafter be laid out for sale in the Ngatiawa, Middle Taranaki, or Ngatiruanui Districts, may be occupied by settlers, on obtaining a license from the Commissioner of Crown Lands of the Province in which such lands are situate, upon approval in each case of the Honorable the Colonial Secretary.

2. Such license shall not in any case be for more than one hundred acres, and shall give no right to the soil, or the timber upon it, nor shall it prevent a right-of-way being laid out across such land, where it may be decided to be necessary by the Commissioner of Crown Lands, acting under the authority of the Honorable Colonial Secretary; and every license shall immediately determine over any land which may be sold, granted, reserved, or otherwise disposed of by the Government.

3. When any lands so occupied shall have been built upon or fenced, or otherwise improved, the value of such improvements, to be assessed by a valuer appointed by the Government, shall be added to the upset price of the land before sale by the Government, and shall be paid over to the occupier immediately after the sale, and the occupier shall thereupon give up all improvements to the purchaser; or, if the occupier be the purchaser, the value shall be deducted from the total sum payable by him to the Government.

4. In the case of land so occupied which may be required and taken by the Government for public purposes, the occupier shall have the right of removing any buildings, or other improvements, within one month of the time when notice shall have been given to do so.

5. Every application for a license must specify the boundaries of the land to be occupied in such manner that its position can be clearly identified, and it shall be at the discretion of the Commissioner of Crown Lands, subject to the approval of the Honorable Colonial Secretary, to grant the license or not, or with such conditions as the circumstances may seem to warrant.

6. No license shall be transferable, and non-occupation shall render the licensee liable to the forfeiture of the license and all improvements on the land. The Government to be the sole judge of the question of occupation, and they may re-enter and resume possession at any time without any claim for compensation, in case the conditions of occupation shall not in their opinion have been complied with.

7. There shall be paid to the Commissioner on every such license a fee of ten shillings, and such annual rent as may be determined by him with the authority aforesaid, not exceeding twenty shillings nor less than two shillings per acre.

FORSTER GOBLING,
Clerk of the Executive Council.

G. GREY, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, the
fifth day of April, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Native Reserves Amendment Act, 1862," it is amongst other things provided that where under the provisions of "The Native Reserves Act, 1856," the assent of the aboriginal inhabitants is required to bringing land under the operation of the said "Native Reserves Act, 1856," the Governor may by Order in Council declare such assent to have been ascertained, and

thereupon the title of the aboriginal inhabitants in the land to which the same shall relate shall be deemed to be extinguished, and the land shall from the date of such Order in Council vest in Her Majesty for the purposes and subject to the provisions of the said "Native Reserves Act, 1856," as altered by the recited Act, and that as effectually as if the same had been ceded and conveyed by such aboriginal inhabitants to Her Majesty:

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, doth hereby declare that the assent of the aboriginal inhabitants to the bringing the pieces of land described in Schedules A. and B. hereunder written under the operation of "The Native Reserves Act, 1856," has been ascertained.

FORSTER GOBLING,
Clerk of the Executive Council.

SCHEDULE A.

All that piece of land situate in the Omata District, bounded towards the North by Barrett's Reserve D. four thousand five hundred and twenty (4520) links, towards the East by the Paritutu line eight thousand two hundred and twenty (8220) links, towards the South by rural allotments Nos. forty-eight (48) and forty-eight A. (48 A.) four thousand five hundred and twenty (4520) links, and towards the West by rural allotments Nos. forty-eight A. (48 A.), forty-seven (47), forty-six (46), and forty-three (43), eight thousand two hundred and twenty (8220) links.

SCHEDULE B.

All that piece of land situate at Waiwakaiho bounded towards the North by allotment C. and an Educational Reserve four thousand eight hundred and nine (4809) links, towards the South by the said Educational Reserve two thousand four hundred (2400) links, and towards the West by allotments J. I. and H. four thousand one hundred and sixty-three (4163) links.

G. GREY, Governor.
ORDER IN COUNCIL.

At the Government House, at Wellington, the
fifth day of April, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The New Zealand Native Reserves Act, 1856," certain powers therein specified are vested in the Commissioners under the said Act, and whereas by another Act of the General Assembly of New Zealand, intituled "The Native Reserves Amendment Act, 1862," it is enacted that the Governor may by Order in Council from time to time delegate all or any of the powers competent to the Commissioners under "The Native Reserves Act, 1856," unto any person or persons for any period, and that every such delegation may from time to time in like manner be altered or revoked; and whereas on the twelfth day of September, one thousand eight hundred and sixty-three, His Excellency the Governor did by Order in Council delegate to George Frederick Swainson, all the powers competent to Commissioners under "The Native Reserves Act, 1856," and whereas the said George Frederick Swainson is desirous of being relieved of the further exercise of such powers:

Now therefore, His Excellency Sir George Grey, in exercise of the power and authority vested in him in this behalf, doth, by this Order in Council revoke

the same Order in Council bearing date the twelfth day of September, one thousand eight hundred and sixty-three.

FORSTER GORING,
Clerk of the Executive Council.

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the fifth day of April, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS at a sitting of the Native Land Court of New Zealand, held at Onoke, in the District of Hokianga, Province of Auckland, on the first day of November, one thousand eight hundred and sixty-six, the claim of Rawiri te Whare and others to a piece of land called "Otarihau," situate at Orira, in the said district, was heard, and a certain order was thereupon made by the Court aforesaid. And whereas it is enacted by "The Native Lands Act, 1865," that the Governor in Council may order a rehearing of any matter judicially heard before the Court aforesaid, before one or more Judges of the Court, and two or more Assessors, as may be specified in the Order in Council ordering such rehearing, and within such a period of time as may be limited in such: provided that no such order for a rehearing shall be made after six months shall have elapsed from the date of the original decision. And whereas it is expedient that the said claim shall be reheard before the said Court:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of the Colony, in pursuance and execution of the above recited power and authority, doth hereby order that the aforesaid claim of Rawiri te Whare and others to the aforesaid piece of land shall be reheard before the undermentioned Judge of the Native Lands Court, that is to say,—

FREDERICK EDWARD MANING, Esq.,
and before the undermentioned Assessors, or any two of them, that is to say,

WIREMU PAPAHA,
HORI KARAKA,
HONE MKOI TAWHIA,
PENETANA PAPAURIHIA,
WIREMU HOPIANA,
RIWAI NGAKARAHU,
TIO.

And doth order that such rehearing shall take place before the first day of July next.

FORSTER GORING,
Clerk of the Executive Council.

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the fifth day of April, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Militia Act, 1858," it is enacted that it shall be lawful for the Governor in Council, from time to time, to constitute throughout the Colony, or in any part thereof, Militia Districts, and such districts from time to time to abolish, and the boundaries thereof to vary; and whereas by an Order in Council, dated the twelfth day of January, 1867, the following Militia Districts in the Province of Taranaki were constituted, namely—

The Taranaki Northern District,

The Taranaki Middle District, and
The Taranaki Southern District,
and whereas it is expedient to alter the boundaries of the said Taranaki Southern District, for the purpose of constituting another Militia District in addition thereto in the said Province:

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of the Colony of New Zealand, and in exercise of the above recited power, doth by this present Order fix the southern boundary of the said Taranaki Southern District at the mouth of the Kaipokonui River, and from thence, by a straight line running due east to the eastern boundary of the said Province:

And doth constitute an additional Militia District in the Province of Taranaki aforesaid, to be called

THE PATEA DISTRICT,

and doth define the said Patea District to be all the territory comprised within the following boundaries, namely:—on the North by the southern boundary of the Taranaki Southern District, as hereinbefore described; on the East by the eastern boundary of the Province of Taranaki, on the South by the southern boundary of the said Province, and on the West by the sea.

FORSTER GORING,
Clerk of the Executive Council.

G. GREY, Governor.

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING:

WHEREAS by "The Militia Act, 1858," it is enacted that it shall be lawful for the Governor, by Warrant under his hand, to direct the Officer commanding the Militia of any District, with all convenient speed, to draw out for actual service such Militia force:

Now know ye, that I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby order and direct you, Lieutenant-Colonel Maxwell Lepper, the Officer commanding the Militia in the Province of Taranaki, with all convenient speed, to draw out for actual service the whole of the Militia Force within the Patea District.

Given under the hand of 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, at the Government House, at Wellington, this fifth day of April, one thousand eight hundred and sixty-seven.

J. RICHARDSON.

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the fifth day of April, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the sixteenth section of "The Intestate Estates Act, 1865," it is enacted that the Colonial Treasurer shall deduct such amount as shall from time to time be fixed by the Governor in Council, but not exceeding five pounds per centum, from the moneys paid to the credit of the Intestate Estates Fund, and by "The Intestate Estates Act Amendment Act, 1866," it is among other things enacted that "the sums of money which shall have been, or shall hereafter be, deducted by the Colonial Treasurer from the moneys paid to the

credit of the Intestate Estates Fund under and by virtue of the sixteenth section of "The Intestate Estates Act, 1865," shall be kept in a separate account:

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of the Colony, doth hereby fix, order, and direct that the amount to be deducted by the Colonial Treasurer from all moneys paid, or which shall hereafter be paid, to the credit of the Intestate Estates Fund, shall be after the rate of five pounds per centum per annum.

FORSTER GORING,
Clerk of the Executive Council.

Colonial Secretary's Office,
Wellington, 6th April, 1867.

IT is hereby notified that
The Hon. DANIEL POLLEN,
has been appointed Agent, at Auckland, of the
General Government of New Zealand.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 8th April, 1867.

THE following Ordinance passed by the Provincial Council and assented to by the Superintendent of the Province of Canterbury, intituled—

"The Appropriation Ordinance, 1867,"

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

E. W. STAFFORD.

ERRATUM.—The word "six" was erroneously inserted for the word "three," in paragraph numbered five of the Order in the matter of the petition of Vincent Pyke, published in *Gazette*, No. 12, of the 28th day of February last.

Dated this twenty-seventh day of March, 1867.