



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, SATURDAY, DECEMBER 21, 1867.

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Resident Magistrates Act, 1867," power is given to the Governor of New Zealand, by proclamation in the *New Zealand Gazette*, to constitute throughout the Colony, or in any part thereof, districts to be called Resident Magistrates' Districts, and in any such proclamation to fix a time on and from which any such district shall be constituted: And whereas power is also given by the said Act to the Governor, by proclamation in the said *Gazette*, to declare that the limit of jurisdiction of the Resident Magistrate's Court of any district shall be extended to fifty pounds or to one hundred pounds as he may think fit:

Now therefore, I, Sir George Grey, K.C.B., the Governor of the Colony of New Zealand, in pursuance and exercise of the powers and authorities so vested in me, do hereby proclaim and constitute the several districts described in the Schedule hereto to be on and from the first day of January, one thousand eight hundred and sixty-eight, Resident Magistrates' Districts within the meaning and for the purposes of the said Act.

SCHEDULE.

Mongonui.

This district comprises all that portion of the Province of Auckland which lies to the north of a line drawn from Herekino (False Hokianga) to the summit of Maungataniwha, and of a line thence to West Bay (north of Whangaroa Harbour). Including the adjacent islands.

Bay of Islands.

This district is bounded towards the north-west by the Mongonui District hereinbefore defined, towards the North and East by the sea, towards the South by the southern boundaries of the Counties of Bedford and Hokianga, and towards the south-west by the sea, Including the adjacent islands.

Whangarei.

This district is bounded towards the East by the sea from Rocky Bay to Cape Bream Tail; thence by the southern and western boundaries of the Parish of Waipu, and the western boundaries of the Parishes of Ruarangi and Maungakaramea to the Waionepe River; thence by a line westerly to Omanu, on the Wairoa River; thence by the Wairoa River to its confluence with the Wairua River; thence by the Wairua River to the southern boundary of the Bay of Islands District hereinbefore defined; and thence easterly by that boundary to the commencing point. Including the adjacent islands.

Kaipara.

This district is bounded towards the North by part of the southern boundary of the Bay of Islands District hereinbefore defined, that is to say—from Kokatu Point to the Wairua River; thence towards the East by the Whangarei District hereinbefore defined, and by the sea to Okura; thence towards the South by a line to Muriwai on the West Coast; and thence on the south-west by the sea to the commencing point. Including the adjacent islands.

Auckland.

This district comprises all that area which is bounded towards the North by the Kaipara District hereinbefore defined; towards the East by the sea, Waitemata Harbour, Whau Creek, and Portage, to the Manukau Harbour; towards the South by the Manukau Harbour; and towards the West by the sea to Muriwai, the commencing point. Also, all that area which is bounded towards the North by the Waitemata Harbour, from the Meola Stream to the north-west angle of Lot No. 38A of Tamaki farms; and thence towards the East, South, and West, by the boundaries of the Auckland Municipal Police District.

Onehunga.

This district is bounded towards the North by the Waitemata Harbour, by part of the Auckland District hereinbefore defined, and by the Tamaki Strait,

to the mouth of the Wairoa River; thence by the north-western and south-western boundaries of the Parish of Wairoa, to a point due east of the south-eastern angle of the Parish of Manurewa; thence towards the South by a line due west, and by the southern boundary of the Parish of Manurewa to Manukau Harbour; and thence towards the West by that harbour, and part of the Auckland District hereinbefore defined, to Waitemata Harbour, including the Islands of Rangitoto, Motutapu, Waiheke, Ponui, and adjacent isles.

Papakura.

This district is bounded towards the North by the Onehunga District hereinbefore defined, and by the Tamaki Strait to Oreri Point; thence towards the East by a line to the Wairoa Range, and along that range and by a line due South to the most northerly source of the Maungatawhiri Creek; thence towards the South by that creek and by the Waikato River, and towards the West by the eastern and northern boundaries of the Parish of Puni, by part of the eastern boundary of the Parish of Waiuku and by the Manukau Harbour to the south-western angle of the Onehunga District aforesaid.

Waiuku.

This district is bounded towards the North by the Manukau Harbour, towards the East by the Papakura District hereinbefore defined, and by a line southerly from the south-east angle of Camerontown to the summit of and along the watershed between the Waikato River and the West Coast to a point due east of Waikorea on the West Coast, towards the South by a line to Waikorea, and towards the West by the sea to the South Head of the Manukau Harbour, the commencing point.

Coromandel.

This district comprises all that area which is included within the boundaries of Queen's County, including the adjacent islands.

Hauraki.

This district is bounded towards the North by the Frith of the Thames and the southern boundary of the Coromandel District hereinbefore defined from Oreri Point to Whangamata Bay; thence towards the East by the sea to a point on the coast five miles North of Kati Kati; thence towards the South by a line to the summit of Te Aroha Mountain, and by a line thence to the north-eastern angle of the Waikato Military Settlements Block; thence towards the West by a line to Hapuakohe Pass, by a line thence to the most northerly source of the Maungatawhiri Creek, and thence by the eastern boundary of the Papakura District hereinbefore defined to the commencing point.

Tauranga.

This district is bounded towards the North by the Hauraki District hereinbefore defined from the sea to the summit of Te Aroha Mountain; thence south-easterly by the summit of Te Aroha Range and a line to the summit of Otanewainuku Mountain; thence on the south-east by a line to the mouth of the Wairaki Stream, and towards the north-east by the sea to the commencing point, including Mayor, Motiti, and Plate Islands.

Waikato.

This district is bounded towards the North by the southern boundary of the Papakura District hereinbefore defined; towards the East by the western boundary of the Hauraki District hereinbefore defined, from the northern source of the Maungatawhiri Creek to the south-western angle of the last mentioned district; thence again on the North by the southern boundary of that district to the summit of Te Aroha Mountain; thence by the south-western

boundary of the Tauranga District hereinbefore defined to the summit of Otanewainuku Mountain; thence by a line to the summit of Maungakawa Mountain and by the southern and western boundaries of the Military Settlements Block to the north-western angle of that block; thence by a line to the south-eastern angle of the Waiuku District hereinbefore defined; and thence by the eastern boundary of that district to the Waikato River.

Raglan.

This district is bounded towards the North by the Waiuku and Waikato Districts hereinbefore defined; towards the East by the last-mentioned district of Pironia, and thence by the summit of the watershed between the Waipa River and the West Coast and by a line bearing South 22° 30' East to the most northerly point of the Province of Taranaki; thence towards the South by a line to Te Rua Point, and thence towards the West by the sea.

Maketu.

This district is bounded towards the North by the sea from the mouth of the Wairaki Stream to a point five miles East of the mouth of the Matata River; thence by a line to Mount Edgecumbe; thence by a line to a point five miles due South of the most southerly extremity of Rere Whakaitu Lake, thence by a line till it meets the extremity of a line drawn due South a distance of twenty-two miles from Otanewainuku Mountain; thence by the last-mentioned line and the south-eastern boundary of the Tauranga District hereinbefore defined to the sea.

Opotiki.

This district is bounded towards the North by the sea, towards the south-east, from Matakawa Point by the summit of the watershed between the Bay of Plenty and the East Coast, and by a line bearing South 22° 30' West to the confluence of the Waiau and Waikaretaheki Rivers; thence towards the south-west by a line to the southern angle of the Maketu District hereinbefore defined, and thence towards the West by the eastern boundary of that district. Including the adjacent islands.

Waiapu.

This district is bounded towards the North and East by the sea from Matakawa Point to Paretu; towards the south-west by a line from Paretu to the confluence of the Waiau and Waikaretaheki Rivers, and towards the north-west by the south-eastern boundary of the Opotiki District hereinbefore defined. Including the adjacent islands.

Wairoa.

This district is bounded towards the north-east by the south-western boundary of the Waiapu District, hereinbefore defined; towards the East and south-east by the sea from Paretu to the mouth of the Tonghoio River; towards the south-west by that river to its source, and by a line drawn north-west from the source of the said river to the northern boundary of the Province of Hawke's Bay; and towards the north-west by a line drawn from the last-mentioned point to the confluence of the Waiau and Waikaretaheki Rivers.

New Plymouth.

This district is bounded towards the North by the southern boundary of the Raglan district hereinbefore defined; towards the East by portion of the eastern boundary of the Province of Taranaki; towards the South, and again towards the East by the Upper Wanganui District, hereinafter defined; and towards the south-west and West by the sea.

Taupo.

This district comprises all that portion of the Province of Auckland which is not included in any of the districts hereinbefore defined, and also all that

portion of the Province of Wellington which lies to North of the 39° 15' parallel of South latitude.

Napier and Waipukurau.

This district comprises all that portion of the Province of Hawke's Bay not included in the Wairoa district hereinbefore defined. Including the adjacent islands.

Upper Wanganui.

This district is bounded towards the West by a line from the mouth of the Koupokonui River to the summit of Mount Egmont; thence towards the North by a line to a point ten miles due North of Pipiriki, on the Wanganui River; thence southerly by a line and by the summit of the watershed between the Wanganui and Wangaehu Rivers to the northern boundary of the Wanganui Block; thence north-westerly, following the boundary of that block to its north-western angle; and thence by a line to the north-eastern angle of the Waitotara Block; thence by the northern and western boundaries of that block to the sea; and thence north-westerly by the sea to the commencing point.

Wanganui.

This district is bounded towards the North by the Taupo District hereinbefore defined; towards the East by the western boundary of the Province of Hawke's Bay; towards the South by the northern boundary of the Otaki District hereinafter defined; towards the south-west by the sea, from the northern boundary of the Otaki District to the mouth of the Waitotara River; thence towards the North-west, West and South by the Upper Wanganui District hereinbefore defined; and again towards the north-west by the boundary of the Province of Taranaki to the south-west angle of the Taupo District aforesaid.

Otaki.

This district is bounded on the North by a line from a point on the West Coast, five miles north of the mouth of the Rangitikei River, to the Manawatu Gorge; thence towards the south-east and South by the summit of the Tararua Range to the northern extremity of the Wellington District hereinafter defined, and by the north-western and northern boundaries of the said district to the Ferry at Porirua, and thence towards the West by the sea to the commencing point. Including the adjacent islands.

Wellington.

This district is bounded towards the North by a right line from the Porirua Ferry to the north-west corner of Section No. 34 Tukapu District; thence along the northern boundary of the said section, and a line in continuation of the same to the summit of the hills forming the watershed between Port Nicholson and Porirua; thence towards the north-west by the summit of the said hills to the Tararua Range; thence towards the south-east by the summit of the Tararua and Rimutuka Ranges to Cape Taourakira; and thence towards the South and West by the sea to the commencing point (Porirua Ferry), including the adjacent islands.

Wairarapa.

This district is bounded towards the North by the southern boundary of Hawke's Bay from the Manawatu Gorge to the sea, towards the East and South by the sea to Cape Taourakira, and thence towards the north-west by the south-eastern boundaries of the Wellington and Otaki Districts hereinbefore defined to the commencing point.

Collingwood.

This district is bounded towards the East by the summit of the range of hills south-east of Awarua Bay, from Awarua Point to its junction with the range of mountains between Separation Point and Mount Arthur; thence by the summit of the said mountains

to Mount Arthur; thence towards the South by a right line to the north-easterly source of the Karamea or Mackay River, and by the southern bank of that river to the sea; and thence towards the West, North, and north-east, by the sea to the commencing point.

Nelson.

This district is bounded towards the North by the sea from Awarua Bay to the north-western boundary of the Province of Marlborough (including the adjacent islands); thence towards the south-east and East by the boundary of that Province to the confluence of the Acheron and Clarence Rivers; thence westerly by a line in transit with Lake Christabel, to the summit of the eastern watershed of Lake Christabel and the Grey River; thence towards the south-west by the summit of the watershed of the north-eastern source of the Grey River to the Victoria Mountains; thence towards the West and north-west by the summit of the Victoria Mountains, the Brunner Mountains, the Lyell Mountains, the Marine Mountains, and the Tasman Mountains, to Mount Arthur; and by the south-eastern boundary of the Collingwood District, hereinbefore defined, to the commencing point.

Nelson South-west Gold Fields.

This district is bounded towards the North by the southern boundary of the Collingwood District, hereinbefore defined; towards the south-east and East by the north-western and western boundaries of the Nelson District, hereinbefore defined, to the south-western angle thereof, and by the summit of the watershed of the north-eastern and south-eastern sources of the Grey River to the saddle between the Hurunui and Teramakau Rivers; towards the south-west by the southern boundary of the Province of Nelson; from that saddle to the sea at the mouth of the Grey River; and thence towards the West by the sea to the mouth of the Mackay River, the commencing point.

Marlborough.

This district comprises all that area included within the boundaries of the Province of Marlborough.

Kaiapoi.

This district is bounded towards the North by the southern boundaries of the Nelson and Marlborough Districts, hereinbefore defined; towards the East by the sea, from the mouth of the River Conway to the mouth of the Waimakariri River; thence towards the South and West by that river to the Southern Alps at its most westerly source; and towards the north-west by the summit of the Southern Alps to the saddle between the Hurunui and Teramakau Rivers, and by part of the south-eastern boundary of the Nelson South-west Gold Fields District, that is to say—by the summit of the watershed of the south-eastern and north-eastern sources of the Grey River to the southern boundary of the Nelson District.

Lyttelton.

This district is bounded towards the North by the southern shore of Lake Ellesmere; towards the West by the eastern shore of the said lake, by the western bank of the River Halswell, to the western boundary of Section No. 1879; thence by that boundary and the Ahuriri Bush Road to the southern boundary of Section No. 1901, by that boundary and the ridge of hills by Cooper's Knob and Cass Peak, and again towards the North by the ridge of hills north of Lyttelton Harbour to a point where it meets a line drawn due North and South through the easternmost extremity of the boundary of the said Town of Lyttelton as originally laid out by the Canterbury Association; thence by that line to Port Lyttelton and by Port Lyttelton and the sea to a point on the coast being midway between Port Levy and Pigeon

Bay; thence towards the south-east by a right line to the Trigonometrical Station on Mount Sinclair; thence by a right line to the summit of Barry's Pass; thence by a right line to a point on the eastern boundary of the Town of Wairewa, where it is intersected by the River Okute; thence by the said river to Lake Forsyth; and thence towards the South by the northern shore of Lake Forsyth, and by the sea to the outlet of Lake Ellesmere, aforesaid. Including the adjacent islands.

Christchurch.

This district is bounded towards the north-east and North by the Kaiapoi District, hereinbefore defined; towards the East by the sea and the Lyttelton District hereinbefore defined; towards the south-east by the sea; towards the south-west by the southern bank of the Ashburton River, from its mouth to the source of its main branch; and by a right line north-west, true bearing, to the summit of the main range of the Southern Alps; and towards the north-west by the said summit to the source of the Waimakariri River, the commencing point.

Akaroa.

This district is bounded towards the West by the Lyttelton District hereinbefore defined, and towards the North, East, and South by the sea.

Timaru.

This district is bounded towards the north-east by the Christchurch District hereinbefore defined; towards the East by the sea; towards the South by the southern boundary of the Province of Canterbury from the mouth of the Waitangi River to Mount Aspiring; and thence towards the north-west by the summit of the main range of the Southern Alps to the western angle of the Christchurch District aforesaid.

Greymouth.

This district is bounded towards the north-east by the southern boundary of the Province of Nelson, from the mouth of the Grey River to the saddle between the Hurunui and Teramakau Rivers; thence towards the south-east by the summit of the main range of the Southern Alps to the source of the Arahura River; thence towards the south-west by that river to its mouth; and thence towards the north-west by the sea to the mouth of the Grey River, the commencing point.

Hokitika.

This district is bounded towards the north-east by the Greymouth District hereinbefore defined; towards the south-east by the summit of the main range of the Southern Alps, to the source of the Wanganui River; thence towards the south-west by that river to its mouth; and thence towards the north-west by the sea to the mouth of the Arahura River, the commencing point.

Okarito.

This district is bounded towards the north-east by the south-western boundary of the Hokitika District hereinbefore defined, towards the south-east by the summit of the main range of the Southern Alps to Mount Aspiring; thence towards the South by the southern boundary of the Province of Canterbury to Big Bay; and thence towards the north-west by the sea to the commencing point at the mouth of the Wanganui River.

Otago Gold Fields.

This district is bounded as follows:—Commencing at Fox Peak, thence by the north-eastern watersheds of the Shotover and Arrow Rivers to Mount Cardrona, thence to the junction of Boundary Creek with the Cardrona River, thence by that creek to its source, thence to the Kirtle Burn, and by the Kirtle Burn to its first feeder, thence by that feeder and a line to the source of Park Burn, thence by Park

Burn to the Clutha, thence by a line in a north-easterly direction to Mount St. Bathans, thence by a line to the Hawkdun Mountains, thence by the summit of that range to Kyeburn Hill, thence by the summit of the Kakanui Mountains and the spur leading to the junction of the Deepdell Creek with the Waihemo or Shag River, thence by the watershed between the Taieri and Waikouaiti Rivers to Silver Peak, thence by Silver Stream to where it crosses the road leading to Dunedin, thence by that road to the boundary of the Hundreds, and by the boundary of the Hundreds to the North branch of the Tokomairiro River, thence by that branch to the Main South Road, thence by that road to its intersection with Lovell's Creek, thence by that creek to the south-western boundary of run numbered fifty-four, thence by that boundary to a point situated north-east of the sources of the Crook Burn, thence by a south-westerly line to the Crook Burn, thence by the Crook Burn to the Clutha River, thence by that river to its junction with the Black Cleugh Creek, thence by that creek to its source, thence to the summit of the Tapanui Ranges, thence by those ranges to the source of Spylaw Burn, thence by Spylaw Burn to its junction with the Pomahaka River, thence by that river to its junction with the Parasol Creek, thence by that creek to its source, thence by a line to Black Umbrella, thence by the watershed of the western branch of the Waikaka River to the South boundary of run numbered one hundred and ninety-three, thence by that boundary to the Mataura River, thence by that river to Eyre Peak, thence by the summit of the western and northern watersheds of Lake Wakatipu to the commencing point at Fox Peak.

Oamaru.

This district is bounded towards the North by the southern boundary of the Province of Canterbury from a point where a line drawn due North from Cosmos Peak meets that boundary to the mouth of the Waitangi River; thence towards the south-east by the sea to the mouth of the Waihema Creek, thence on the South by that creek to Double Hill, thence by the summit of the watershed of the South branch of the Waikouaiti River to Silver Peak, thence towards the West, and again towards the South by the boundary of the Otago Gold Fields District hereinbefore defined, to the point where it meets the line first above mentioned; thence by that line to the commencing point.

Dunedin.

This district is bounded towards the North by part of the southern boundary of the Oamaru District hereinbefore defined, that is to say—from the Silver Peak to the mouth of the Waihema Creek in Blueskin Bay, towards the north-east and south-east by the sea from the mouth of the Waihema to the mouth of the Taieri River, towards the south-west by that river from its mouth to the Waipori Lake, and by the Waipori Lake and river to the boundary of the Otago Gold Fields District hereinbefore defined, and towards the north-west by part of the south-eastern boundary of the Otago Gold Fields District, that is to say—from its intersection by the Waipori River to Silver Peak. Including the adjacent islands.

Clutha.

This district is bounded towards the north-east by the south-western boundary of the Dunedin District hereinbefore defined, towards the south-east and South by the sea from the mouth of the Taieri River to the mouth of the Mataura River, towards the West by the Mataura River from its mouth to the southern boundary of the Otago Gold Fields District hereinbefore defined, and towards the North by the Otago Gold Fields District.

Te Anau.

This district is bounded towards the north by the southern boundary of the Province of Canterbury from the mouth of the Awarua River to the western boundary of the Oamaru District hereinbefore defined, thence by part of the western boundaries of the Oamaru and Otago Gold Fields Districts hereinbefore defined, and the northern and western boundaries of the Province of Southland to the sea at the mouth of the Waiau River, and on the South and West by the sea from the mouth of that river to the mouth of the Awarua River. Including the adjacent islands.

Southland.

This district comprises all that area included within the boundaries of the Province of Southland. Including Stewart Island and the adjacent islands.

Chatham Islands.

This district comprises all the group of islands situated in the Pacific Ocean in latitude 44° South and longitude 176° West, and known as the Chatham Islands.

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, and issued under the Seal of the said Colony, this twenty-ninth day of November, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN!

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by "The Intestate Estates Act, 1865," it is enacted that the said Act shall come into force in each Province of the Colony respectively, on such day as the Governor may fix by proclamation in the *New Zealand Gazette*: Now therefore, I, Sir George Grey, the Governor, as aforesaid, in pursuance and exercise of the said power and authority in me vested, do hereby appoint and fix the first day of January next to be the day on and from which the said "Intestate Estates Act, 1865," shall come into force within each of the following Provinces, viz. :—

THE PROVINCE OF TARANAKI,
THE PROVINCE OF OTAGO, and
THE PROVINCE OF SOUTHLAND,

in the said Colony.

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, and issued under the Seal of the said Colony, at Wellington, this seventh day of December, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN!

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by "The Intestate Estates Act Amendment Act, 1866," it is enacted that it shall be lawful for the Governor, by proclamation published in the *New Zealand Gazette*, from time to time to divide the Colony for the purposes of "The Intestate Estates Act, 1865," and the said "Intestate

Estates Act Amendment Act, 1866," into such and so many districts as he shall think fit, and every such district shall be called by a distinct name and shall be a Curator's district; and in like manner from time to time, and as he shall think fit, to abolish any such district, or alter or vary the boundaries of any district, or increase the number of such districts:

Now therefore, I, Sir George Grey, the Governor of the Colony of New Zealand, in pursuance and exercise of the said power and authority in me vested, do hereby proclaim and appoint the districts comprised within the boundaries of the Provinces of Taranaki, Otago, and Southland respectively, to be Curators' districts for the purposes of the above-mentioned Acts, and to be respectively called

THE TARANAKI DISTRICT,
THE OTAGO DISTRICT, and
THE SOUTHLAND 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, and issued under the Seal of the said Colony, this seventh day of December, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN!

G. GREY, Governor.

ORDER IN COUNCIL.

Approved in Council this seventh day of December, one thousand eight hundred and sixty-seven.

Present:

THE PRESIDENT AND MEMBERS OF THE EXECUTIVE COUNCIL.

IN pursuance and exercise of the power and authority in him vested for this purpose, His Excellency the Governor, by and with the advice and consent of the Executive Council of the Colony, doth hereby appoint the Town of New Plymouth, City of Dunedin, and the Town of Invercargill, in the respective Provinces of Taranaki, Otago, and Southland, to be the places at which

WILLIAM SMITH ATKINSON,
ALFRED ROWLAND CHETHAM STRODE, and
FREDERICK NUTTER,

Esquires, the persons appointed to be Curators of Intestate Estates within the said Provinces and Districts shall keep their respective offices.

FORSTER GORING,
Clerk of the Executive Council.

G. GREY, Governor.

ORDER IN COUNCIL.

Approved in Council this seventh day of December, one thousand eight hundred and sixty-seven.

Present:

THE PRESIDENT AND MEMBERS OF THE EXECUTIVE COUNCIL.

WHEREAS by "The Petty Sessions Act, 1865," it is enacted that the Governor, from time to time, by Order in Council, whereof notice shall be published in the *New Zealand Gazette*, may constitute and define districts within and for which Courts of Petty Sessions shall be held, and such districts or any of them may, from time to time, in manner aforesaid, abolish, and the boundaries thereof may define or alter.

And whereas by an Order in Council bearing date the ninth day of May, one thousand eight hundred and sixty-six, certain districts including among others the Bay of Islands District, were constituted and defined under the said Act, and it is expedient to alter the boundaries of the said district and to constitute a separate district under the said Act, to be called the Mongonui District:

Now therefore, His Excellency the Governor, in pursuance and exercise of the power and authority in him vested for this purpose, doth hereby, with the advice and consent of the Executive Council of the Colony, constitute and define the districts following to be districts within and for which Courts of Petty Sessions shall be held for the purposes of the said Act, that is to say—

PROVINCE OF AUCKLAND.

Mongonui District.

This district comprises all that portion of the Province of Auckland which lies to the northward of a line drawn from Herekino to the summit of Maungataniwha, and of a line thence to West Bay (to the north of Whangaroa Harbour).

Bay of Islands District.

This district is bounded towards the north-west by the Mongonui District hereinbefore defined, towards the North and East by the sea, towards the South by the southern boundaries of the counties of Bedford and Hokianga, and towards the south-east by the sea, including the adjacent islands.

FORSTER GORING,
Clerk of the Executive Council.

G. GREY, Governor.

IN exercise of the power vested in me by "The Nelson Debenture Act, 1858," and "The Nelson Waterworks Loan Act, 1864," I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby nominate and appoint the persons hereinafter named to be Trustees under "The Nelson Debenture Act, 1858," and "The Nelson Waterworks Loan Act, 1864," for the management and investment of Sinking Funds:—

JAMES EDWARD FITZGERALD, Esq., Comptroller-General;

WILLIAM GISBORNE, Esq., Under Secretary.

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, and issued at Wellington, this seventeenth day of December, one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

Approved in Council:

FORSTER GORING,
Clerk of the Executive Council.

Colonial Secretary's Office,
Wellington, 18th December, 1867.

HIS Excellency the Governor has been pleased to issue Letters of Naturalization under "The Aliens Act, 1866," in favour of the undermentioned persons, viz:—

Name.	Residence.	Occupation.	Date.
Albert Eichardt ...	Queenstown, Otago	Hotel Keeper ...	1867. 16 Dec.
Carl Möller ...	Dunedin ...	Working Jeweller	Do.
Edward Goldstein	Dunedin ...	Working Jeweller	Do.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 18th December, 1867.

THE following Bill, passed by the Provincial Council, and assented to by the Superintendent of the Province of Nelson, intituled

"The Supplementary Appropriation Act," Session XVII., No. 1, 1867,

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

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 18th December, 1867.

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

"The Electoral Districts Act Amendment Act," Session XVII., No. 2, 1867,

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.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 18th December, 1867.

HIS Excellency the Governor has been pleased to appoint

DANIEL CLARKE, Esq.,

to be Registrar of Marriages, and of Births, Deaths, and Marriages, for the District of Waitahuna, as the same is defined in proclamation of 30th November, 1865, and published in *New Zealand Gazette*, of 11th December, 1865, No. 48, *vice* Joseph Barnes Borton, Esq., resigned.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 18th December, 1867.

THE following Despatches, with enclosures, are published for general information.

E. W. STAFFORD.

Government House, Auckland,
(Separate.) 1st June, 1867.

MY LORD,—I have the honor to transmit a Memorandum of my Responsible Advisers, enclosing one from the Attorney-General of New Zealand, relative to an obstacle which a provision of the fifty-first section of the 9th and 10th Vict., c. 382, apparently presents to the bringing under the Land Registry Acts, titles depending upon Crown Grants of land executed in fulfilment of contracts contained in New Zealand Company's Land Orders.

My Responsible Advisers request me to move your Lordship to cause some Bill on the subject to be introduced into the Imperial Parliament which may remove the difficulty.

I have, &c.,
G. GREY.

The Right Hon. the Earl of Carnarvon.

Memorandum by Mr. Stafford.

MINISTERS have had under their consideration the operation of the Land Registry Acts in New Zealand; their attention has been drawn to an obstacle which a provision in the fifty-first section of the 9th and 10th Vict., c. 382, apparently presents to the bringing under the Land Registry Acts, titles depending upon Crown Grants of land executed in fulfilment of contracts contained in New Zealand Company's Land Orders.

They submit a Memorandum on this subject by the Attorney-General of New Zealand, in which all the questions are fully discussed and certain remedies suggested.

Ministers respectfully request His Excellency to forward the Attorney-General's Memorandum to the Secretary of State for the Colonies, with a request either that a Bill may be submitted to the Imperial Parliament, declaring the meaning of the provision in question, if such meaning, in the opinion of the Law Advisers of the Crown, be not inconsistent with the Land Registry Acts of the Colony; or in the event of that not being the opinion of the Law Advisers of the Crown, then a Bill providing such remedy as he may be advised the circumstances of the case require.

E. W. STAFFORD.

Wellington, 6th May, 1867.

Memorandum by the Attorney-General of New Zealand on the operation of the Land Registry Acts on Lands granted by the Crown under certain Acts of the Imperial Legislature relating to the New Zealand Company and their Contracts.

In consequence of doubts in the Colony as to the true construction of certain words in the fifty-first section of the 9th and 10 Vict., c. 382 (The New Zealand Company's Act), and the incompetency of the Colonial Legislature to deal with cases falling within that section, if the generally received construction of such words be the true construction, lands to which New Zealand Company's Land Orders related have not been allowed to be registered under "The Land Registry Act, 1860."

As to lands in the principal towns and suburban districts, these doubts and difficulties render "The Land Registry Act, 1860," almost wholly inoperative; and it is very much to be desired that the Imperial Legislature should, if such be the case, declare that the meaning of the words in the section above referred to is such that the supposed difficulty does not in fact exist, or that if the words truly construed do create the difficulty, it should settle the doubt by a declaratory Act, and also either by direct legislation remove the difficulty or authorize the General Assembly by legislation to remove the difficulty.

I proceed now to draw attention to the provisions in the Imperial Acts which have created the difficulty above referred to, and as to the construction of which doubts exist in the Colony. The effect which these provisions have hitherto had in impeding the bringing into operation "The Land Registry Act, 1860," will also be pointed out.

The 9th and 10th Vict., c. 382 (The New Zealand Company's Act) in the fifty-first section, after reciting that divers land orders or contracts for the sale of land in New Zealand had been issued by the Company, but as to which no conveyances had then been required, and that from deaths of and dealings by purchasers conflicting claims to conveyances might arise, enacts: That a conveyance by the Company of the lands to which any such land order shall relate to the purchaser named in such order, on his request, or to any person deriving title from, through, or under such purchaser, on the request of such person and on proof of his title to the satisfaction of the persons therein mentioned, shall be deemed both at law and in equity, as well in the Colony as elsewhere, a complete performance by the Company of the contract contained in such order to convey the land, and shall exonerate the Company from all responsibility as to the disposition of such land or any other matter consequent on or resulting from such conveyance; "but notwithstanding any rule of law and equity to the contrary prevailing in the Colony of New Zealand or elsewhere, the land, tenements, and hereditaments comprised in any such conveyance, shall continue and be subject to such equitable estates, charges, and liens, if any, created by the purchaser or purchasers named in the land order or contract to which the

same shall relate, or any person deriving title from, through, or under him, her, or them, as at the date of such conveyance shall be subsisting, or be then or thereafter capable of taking effect, and the rights and interests or the parties interested as or through the purchaser or purchasers named in such land order or contract (*inter se*) shall remain unaffected thereby."

The 10th and 11th Vict., c. 112 (the New Zealand Company's Colonization Act) in the nineteenth section, after reciting that it is expedient to provide for the contingency of the Company finding themselves unable to continue their proceedings with profit to themselves and benefit to the Colony, enacts, amongst other things, that if the Directors shall give the notice therein mentioned within three months after 5th April, 1850, that they are to surrender the charters of the Company to Her Majesty and all their lands in the Colony, the powers of the Company shall cease, and all their lands revert and become vested in Her Majesty, subject to any contracts which shall then be subsisting in regard to any of the lands.

In the 14th and 15th Vict., c. 84 (the New Zealand Company's Settlements Act), recites in the preamble that the notice provided for in section nineteenth of 10th and 11th Vict., c. 112, had been delivered on 4th July, 1850, and that thereupon all the Company's lands in New Zealand had reverted and become vested in Her Majesty as part of the demesne lands of the Crown in New Zealand, subject as by the said Act (10th and 11th Vict., c. 112) is provided. In the tenth section of this Act (14th and 15th Vict. c. 84) it is provided that in all cases falling within the provisions of the fifty-first section of the 9th and 10th Vict., c. 382 (that is, in cases of conveyances of land as to which land orders has been issued by the Company) a grant from the Crown shall have the like force and effect in all respects as a conveyance by the Company would have had by virtue of the said Act if the aforesaid notice had not been given, and the Company continued to exercise its powers. The force and effect which a conveyance by the Company would have had is defined by the said fifty-first section. It would have been deemed a complete performance by the Company of the contract contained in the order, and would have exonerated the Company from all responsibility as to the disposition of the land; but the lands comprised in such conveyance would have continued, and would be subject "to any equitable estate charges and liens created by the purchaser named in the land order, or by any person deriving title from such purchaser, and then (at date of conveyance) subsisting, or then or thereafter capable of taking effect, and the rights and interests of parties interested either as or through the purchasers named in the land order, would have remained unaffected by such conveyance. The result is, that in cases of Crown Grants of lands to which any New Zealand Company's land order relates, the Crown is exonerated from all responsibility, but the land continues to be and is subject to any such equitable estate charges or liens as may have been or may be subsisting at the time of the issue of the grant, and the rights and interests of the parties interested as or through purchasers named in the land order remain unaffected by the grant made by the Crown, and "this notwithstanding any rule of law or equity to the contrary prevailing in the Colony or elsewhere." Whether any rule of law or equity in particular are here referred to, and whether rules of the statute law as well as common law, there is nothing in the Act to show. A grant from the Crown, executed by the Governor by virtue of his commission under the public Seal of the Colony, is generally assumed to have the same effect as a grant from the Crown

executed under the Great Seal, and enrolled, and though not made a record of any Court, is assumed to have the effect of a record, and is consequently received as conclusive evidence of title. Whether or not there is sufficient ground for that assumption is not material to the present question. (See however "The Queen against Hughes and Another," Privy Council Report, 1866.) The Colonial Legislature could, if necessary, make provision putting that question beyond a doubt. Assuming however that a colonial grant from the Crown has, in the absence of express provision to the contrary, the effect of a Crown Grant under the Great Seal as conclusive evidence of title, yet in the cases of grants from the Crown of lands, to which New Zealand Company's land orders relate, it is clear that such grants have not the conclusive effect of grants under the Great Seal; and so long as they remain subject to the provision contained in the fifty-first section of 9th and 10th Vict., c. 82, they cannot be received as conclusive or satisfactory evidence of a good title. This defect in the Crown Grant of lands as to which land orders relate has to a very great extent had the effect of depriving the Colony of those benefits which it was anticipated would flow from the passing and bringing into operation of the Land Registry Acts.

The 24th Vict., No. 27 (Land Registry Act, 1860), makes provision whereby any person entitled absolutely for his own benefit to an estate in fee-simple at law and in equity, free from trusts and encumbrances, may be registered as proprietor. Provision is also made for registration in cases where trusts and encumbrances are admitted to exist.

Registration, by the thirty-third section of this Act, confers an indefeasible title on the person registered as proprietor, subject to the encumbrances and other matters entered on the register, but free from all other estates, encumbrances, and interests whatsoever.

An objection which appears insuperable until Imperial legislation has been obtained, has been made permitting persons to register who claim under grants from the Crown of lands to which New Zealand Company's land orders relate.

It would appear that "The Land Registry Act, 1860," if it extend and apply to such lands, is repugnant to the Imperial Acts above referred to, for the Land Registry Act assumes to give an indefeasible title, and to free the lands as to which a person has been registered as proprietor from all estates, encumbrances, and interests whatsoever not registered, while the Imperial Acts provide that notwithstanding any rule of law or equity to the contrary, such lands shall continue and be subject to such equitable estates, charges and liens as subsisted at date of grant, or where then or should thereafter be capable of taking effect.

Interpreting the Land Registry Act as not applying to such lands, or as repugnant to the Imperial Acts, and consequently not capable of affecting them, titles to such lands have not been permitted to be registered, as it was considered an indefeasible title could not be given by reason of the Imperial Acts, notwithstanding the provisions of the Land Registry Act. This seems to have been the proper course.

It has been suggested that such titles might be received, and that the inquiries as to title in such cases should be pursued back to the issue of the land order; that is, that the Crown Grant is not to be received as the source of title, but that the land order must. Assuming, however, that such investigations could be satisfactorily made, the registered proprietor would have a title not indefeasible by reason of registry under the Act, but a title proved to be perfectly good to the satisfaction of the Registrar or such other person or tribunal as by the

Act is appointed. Such a title would not be indisputable or indefeasible, but open to dispute and capable of being defeated, though the inquiries may have been so satisfactory as to reduce the chances of such defeasance to a minimum.

It has also been suggested that to such cases the sixty-sixth section of the Land Registry Act would apply. That section provides that where the land appears to be subject to uncertain or doubtful claims or encumbrances, the proprietor may be registered notwithstanding, on paying such sum or giving such security as an indemnity as the Registrar may determine. The effect, however, of this provision is still the same; it assumes to give an indefeasible title to the registered proprietor in cases where such title cannot be given by reason of provisions in Imperial Acts. If persons having equitable interests in or claims or liens on such lands, decline to take compensation from the Indemnity Fund, and insist upon such interests, claims, or liens, it seems clear that the Land Registry Act cannot prevent them from establishing such claims or liens.

Thus it is that lands to which New Zealand Company's land orders relate cannot be brought under the operation of the Land Registry Act, because the Act cannot as to such lands give an indefeasible title.

The fifty-first section of the 9th and 10th Vict., c. 82, provides that the equitable estates charges and liens affecting such lands are to continue, notwithstanding any rule of law or equity to the contrary prevailing in New Zealand or elsewhere, and it has been remarked that there is nothing in the Act to show what rules of law or equity are referred to, or whether rules of statute law, as well as common law are referred to. It is necessary therefore to draw attention to two Ordinances then and still in force in New Zealand relating to land and the transfer of it. These Ordinances are the Deeds Registration Ordinance and the Conveyancing Ordinance.

The first passed in December, 1841, the other in January, 1842.

The Deeds Registration Ordinance provides for registration of Crown Grants of land, and deeds or contracts affecting such lands subsequently to the Crown Grant, and for registration of judgments, *lis pendens* and other matters, and gives priority to deeds or contracts, &c., first registered. It may be that this Ordinance and the rule of law which it creates was referred to. Certainly, whether the Imperial Legislature had this Ordinance in view or not, the Imperial Act, so far as it affects lands granted to the New Zealand Company, and by them sold and contracted to be conveyed, does prevent the operation of the Deeds Registration Ordinances on contracts or deeds affecting such lands.

The conveyancing Ordinance introduces several new rules of law relating to land and transfers of land.

Amongst others it provides that no land shall be charged or affected by way of equitable mortgage. (See section forty-two.) It also provides that no vendor of land shall have any equitable lien thereon by reason of non-payment of purchase money or any part of the purchase money. (See section forty-three.)

Was it intended by the Imperial Legislature that lands to which land orders related should be subject to equitable estates charges or liens, notwithstanding the provisions of the Conveyancing Ordinance to the contrary?

It might be contended that the object and intention of the Legislature in using the words in the said fifty-first section here referred to, and above set out "in full" between inverted commas, was only to keep alive equitable estates charges and liens, although a deed of conveyance from the Company had been executed, and notwithstanding any rule of law or

equity giving to such a conveyance a conclusive or barring operation.

Such may be and perhaps is the true construction; and it is borne out by the concluding paragraph of that part of the fifty-first section. "And the rights and interests of the parties interested shall remain unaffected thereby," that is "that notwithstanding any rule of law or equity to the contrary, such interests shall remain unaffected by the Company's deed, leaving such interests to be affected by the ordinary law of the Colony, but unaffected by the Company's deeds, whatever peculiar effect they might by law have." So construed, the Land Registry Act would not be repugnant to the Imperial Acts, and if this construction were undoubted, no Imperial legislation would now be required. As, however, much doubt is entertained in New Zealand as to the meaning of the words in question, it appears necessary that the Imperial Legislature should be asked either to remove the doubt by declaring that the meaning above suggested is the true one, or to make such provision as will enable Crown Grants of such lands to be accepted as conclusive evidence of title either at once or after some period, or after notice given—or to provide that the equitable estates charges and liens kept alive by the fifty-first section should for the purpose of the Land Registry Act be barred either immediately on issue of grant, or after a lapse of some fixed period of time from issue of grant, or after a lapse of some fixed period from registration under the Registry Act. For instance, two years, as is provided in the Registry Act generally, as to interests of persons non-resident in New Zealand at the time of registration.

It still remains to refer to an Ordinance passed by the New Zealand Legislature for the purpose of removing the difficulties which the transfers of and dealings with the Company's land orders gave rise to.

The 15th Vict. Session XL., No. 15, an Ordinance of the Governor and Legislative Council (The New Zealand Company's Land Claimants Ordinance) makes provision for investigation being made by Commissioners into such dealings, and for issue of Crown Grants to the persons appearing to such Commissioners to be the persons entitled, and provides that such grant shall give a valid title against all persons whatever.

In cases of land orders, investigations by Commissioners have always been made, and if the provisions of the Ordinance making the title created by the grant good against all the world were valid, there would be now no difficulty, because other equitable estates, liens, or charges (if any) would be defeated by such a grant. But if the Imperial Act (9th and 10th Vict., c. 382) enacts that the equitable estate, charges, and interests shall (irrespective of any peculiar effect which a Company's conveyance might by law have) continue notwithstanding any rule of law or equity to the contrary, is not the provision in the Colonial Ordinance giving to a Crown Grant made under it a conclusive operation repugnant to the fifty-first section of the Imperial Act (9th and 10th Vict., c. 382), and so far as it is repugnant, void? It cannot be doubted that it is so. However, this Ordinance has been deemed invalid on another ground. On the 21st July, 1852, Sir John Pakenham, in a Despatch to Governor Grey, points out to him the invalidity of this Ordinance, in so far as it is repugnant to the provisions of the 10th and 11th Vict., c. 112, section 19, above referred to. The Ordinance provides that proceedings under it and grants made thereunder shall be deemed, both at law and equity, a full and complete performance by the Crown, or behalf of the Company, of the contract or obligation contained in or resulting from any land order, contract, or scrip, and shall be deemed a good,

valid, and effectual conveyance of the land purported to be conveyed by such grant as against Her Majesty, her heirs and successors, and against all other persons whatsoever. The Ordinance was deemed invalid as conflicting with the 10th and 11th Vict., c. 112, which imposed on the Crown the fulfilment of the Company's contracts. It is not suggested, in the Despatch above referred to, that the Ordinance, where it enacts that the Crown Grant made under it shall be a good conveyance against not only the Crown, but also "against all other persons whatsoever," was invalid as conflicting with the fifty-first section of the 9th and 10th Vict., c. 382, in connection with the tenth section of the 14th and 15th Vict., c. 85. It is true that the only question necessarily under consideration was the Crown's liability and its exoneration therefrom, and that it was not necessary to consider the effect of the Crown Grant under the Ordinance. But, as it appears from the ninth paragraph of the Despatch, that the tenth section of the 14th and 15th Vict., c. 86, taken in connection with the fifty-first section of the 9th and 10th Vict., c. 382, was under consideration, and as it appears from other parts of the Despatch that the Ordinance had been submitted to the Law Advisers of the Crown in England for their opinion, and as no objection is made to the Ordinances as being in conflict with the fifty-first section of the 9th and 10th Vict., c. 382, it may not improperly be inferred that the Law Advisers of the Crown were of opinion that the Ordinance, in so far as it enacts that the Crown Grant made under it should be a good conveyance against all persons whatsoever, was not invalid or as coupled with the said fifty-first section, where it provides that notwithstanding any rule of law or equity to the contrary prevailing in New Zealand or elsewhere, the lands comprised in the conveyance should continue and be subject to such equitable estates, charges and liens, if any, created by the purchaser named in the land order, or any person deriving title from, through, or under such purchase. If this inference is supported by the fact, if the Law Advisers were of this opinion, it is probable that the construction to be put upon the said fifty-first section, suggested in a former part of this Memorandum, is the one then adopted by the Law Advisers. Even should this be so, as there would still be a doubt, it is submitted that this is clearly a case for a declaratory Act.

(Signed) JAMES PRENDERGAST.

22nd April, 1867.

Downing Street,
6th September, 1867.

(No. 55.)
SIR,—I have been in communication with the Law Officers of the Crown on the subject of your Despatch marked separate, of the 1st of June last, relative to the true construction to be placed on certain words contained in the fifty-first section of the Imperial Act, 9th and 10th Victoria, cap. 382—the New Zealand Company's Act.

I am advised that the construction suggested by your Attorney-General (Mr. Prendergast) in the first two paragraphs of page 3 of the printed memorandum which accompanied your Despatch, is correct.

Although the construction of the Act referred to appears to Her Majesty's Government to be reasonably clear, the question is one by which many titles may be affected; and as doubts have been entertained and expressed, I shall take steps for submitting to Parliament a declaratory Act with a view to quiet such doubts.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Colonial Secretary's Office,
Wellington, 18th December, 1867.

THE 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,
31st August, 1867.

SIR,—The attention of Her Majesty's Government has been called to some difficulties and inconveniences which have been found to arise in several of the British Colonies and Settlements from the absence of an efficient machinery for the administration of the jurisdiction of the Vice-Admiralty Courts therein, and especially from the absence of any power in the Judges of those Courts to appoint Deputies who may hold Vice-Admiralty Courts in different parts of the same Colony.

Very considerable improvements were effected, as you are aware, with respect to Vice-Admiralty Courts in British Colonies and Settlements by the Imperial Act 26 Victoria, cap. 24. I enclose copies of that Act, and of a circular of the 30th June, 1863, in which the provisions of that Act are fully explained.*

Her Majesty's Government have since thought it desirable to amend and extend the provisions of that Act, by an Act which has lately received the Royal Assent, intituled "An Act to extend and amend the Vice-Admiralty Court Acts, 1863,"† a copy of which I also enclose.

You will observe that by section five of the annexed Act the Judge of the Court (who by section three is declared to be the person lawfully appointed by the Admiralty, or, in default of such appointment, the Chief Justice or principal Judicial Officer, or the person for the time lawfully authorized to act as the Chief Justice or principal Judicial Officer) may, with the approval of the Governor, appoint Deputy Judges to assist or represent him in the discharge of his judicial powers.

Ample powers are given to the Deputy Judges by section six; and by section nine the Judge of the Admiralty Court may direct when and where the Deputy Judge shall sit, and generally make such arrangements as shall seem proper for the division and despatch of the business of the Court.

By section twelve the Judge has full powers given him to appoint Deputy Registrars and Marshals.

It is only necessary for me to call your attention to one more provision of the Act in section sixteen, by which Her Majesty is empowered to establish one or more Vice-Admiralty Courts in any British Possession, notwithstanding that such Possession may have previously acquired independent Legislative powers, and by which also all existing Vice-Admiralty Courts are confirmed.

You will communicate this Act to the Judge of the Vice-Admiralty Court in the Colony under your Government.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Sir George Grey.

* 26 Vict., cap. 24. Explanations of the provisions of the Act 26 Vict., cap. 24. Circ. 30th June, 1863.
† 30 and 31 Vict., cap. 45.

CAP. XLV.

An Act to extend and amend the Vice-Admiralty Courts Act, 1863. [15th July, 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short Title.

1. This Act may be cited for all purposes as "The Vice-Admiralty Courts Act Amendment Act, 1867."

26 and 27 Vict., c. 24, applied.

2. This Act shall be read as one Act with "The Vice-Admiralty Courts Act, 1863."

Interpretation of terms.

3. In the interpretation and for the purposes of this Act (if not inconsistent with the context or subject matter), the following terms shall have the respective meanings hereinafter assigned to them, that is to say—

"Judge" shall mean the person lawfully appointed by the Admiralty to be Judge of any Vice-Admiralty Court, or, in default of such appointment, the Chief Justice or principal Judicial Officer, or the person for the time being lawfully authorized to act as the Chief Justice or principal Judicial Officer in the British Possession in which such Court is established:

"Judicial powers" shall mean all powers and authorities which may be lawfully exercised by, and all duties by law imposed upon, any such Judge in the trial, hearing, or progress of any cause:

"Ministerial powers" shall mean all powers and authorities which may be lawfully exercised by, and all duties by law imposed upon, any such Judge, not included under the term "judicial powers":

"Sit" or "Sitting" shall mean sit or sitting for the exercise of judicial powers, whether in Court or in Chambers.

Tenure of office of Vice-Admiral.

4. On the Governor of any British Possession, who is also Vice-Admiral thereof, vacating the office of Governor of such Possession, the office of Vice-Admiral of the same Possession shall thereupon be deemed to be also vacant within the meaning of the third section of "The Vice-Admiralty Courts Act, 1863."

Judge may appoint Deputy Judges.

5. The Judge of any Vice-Admiralty Court may from time to time, with the approval in writing of the Governor of the British Possession in which the Court is established, appoint one or more Deputy Judge or Judges to assist or represent him in the execution of his judicial powers.

Judicial powers of Deputy Judges.

6. It shall be lawful for any such Deputy Judge to exercise all the judicial powers of the Judge; and all acts done by such Deputy Judge shall be as valid and effectual, to all intents and purposes, as if they had been done by the Judge; and all orders or decrees made by such Deputy Judge shall be subject to the same right of appeal in all respects as if they had been made by the Judge.

Deputy Judges may sit separately.

7. Any Deputy Judge may sit at the principal seat of Government or elsewhere in the Possession at the same time that the Judge or any other Deputy Judge is sitting, and either at the same or at any other place in such Possession, and whether the Judge is or is not at that time within the Possession.

Judge may sit with Deputy Judges.

8. The Judge may, if he thinks fit, require any such Deputy Judge or Judges to sit with him in the same Court, and in such case the decision of the majority, or, if they are equally divided in opinion, the decision of the Judge, shall be the decision of the Court; and such decision shall be subject to the same right of appeal in all respects as if it had been made by the Judge alone.

Judge to regulate the proceedings.

9. The Judge may direct at what place and time any such Deputy Judge shall sit, and what causes shall be heard before him, and generally make such arrangements as to him shall seem proper as to the division and despatch of the business of the Court.

Tenure of office of Deputy Judges.

10. The Judge may, if he thinks fit, with the approval in writing of the Governor, at any time revoke the appointment of any such Deputy Judge or Judges, but the appointment shall not be determined by the occurrence of a vacancy in the office of the Judge.

Judge may delegate Ministerial powers.

11. The Judge may, if he thinks fit, from time to time delegate all or any of his ministerial powers to any such Deputy Judge or Judges.

Judge may appoint Deputy Registrars and Marshals.

12. The Judge may from time to time, if he thinks fit, appoint any competent persons to act respectively as Deputy Registrars and Deputy Marshals of the Court, and may, if he thinks fit, at any time revoke any such appointment, but the appointment shall not be determined by the occurrence of a vacancy in the office of the Judge.

Admiralty may revoke appointments.

13. Notwithstanding anything contained in this Act, it shall be lawful for the Admiralty, if they think fit, at any time to revoke the appointment of any Deputy Judge, Deputy Registrar, or Deputy Marshal appointed under this Act.

Deputies to receive fees.

14. Any Deputy Judge, Deputy Registrar, or Deputy Marshal appointed under this Act, shall be entitled to the same fees, in respect of any duty performed by him, as would be lawfully payable to the Judge, Registrar, or Marshal respectively for the performance of the same duty.

Barristers and Solicitors entitled to practise in Vice-Admiralty Courts.

15. All persons entitled to practise as advocates, barristers-at-law, proctors, attorneys-at-law, or solicitors in the Superior Courts of a British Possession, shall be entitled to practise in the same respective capacities in the Vice-Admiralty Court or Courts of such Possession, and shall have therein all the rights and privileges respectively belonging to advocates, barristers-at-law, proctors, attorneys-at-law, and solicitors, and shall in like manner be subject to the authority of the person for the time being lawfully exercising the office of Judge of such Court.

Her Majesty may establish a Vice-Admiralty Court in a Possession having Legislative powers.

16. It shall be lawful for Her Majesty to empower the Admiralty, by Commission under the Great Seal, to establish one or more Vice-Admiralty Courts in any British Possession, notwithstanding that such Possession may have previously acquired independent legislative powers; and the jurisdiction and authority of all the existing Vice-Admiralty Courts are hereby declared to be confirmed, to all intents and purposes, notwithstanding that the Possession in which any such Court has been established may at the time of its establishment have been in possession of legislative powers.

Extended to the Straits Settlements.

17. "The Vice-Admiralty Courts Act, 1863," shall, together with this Act, apply to any Vice-Admiralty Court now established or hereafter to be established in the Straits Settlements.

26 and 27 Vict., c. 24, sec. 23, extended to Appeals from Vice-Admiralty Courts in Indian Possessions.

18. The limitation of the time allowed for appeals contained in the twenty-third section of "The Vice-

Admiralty Courts Act, 1863," shall be held to apply to all decrees or orders pronounced in any Vice-Admiralty Court now established or hereafter to be established in any of Her Majesty's Possessions in India.

Colonial Secretary's Office,
Wellington, 14th December, 1867.

COMPENSATION CLAIMS.—Notice is hereby given that no claims for compensation for losses arising in the Whanganui District out of the Native War will be investigated by the Commissioner, Major Edwards, unless such claim shall have been formally made on or before the 1st March, 1868. All claims should be forwarded to the Colonial Secretary (Native Branch), without delay.

E. W. STAFFORD.

Colonial Secretary's Office,
(Judicial Branch),
Wellington, 19th December, 1867.

HIS Excellency the Governor has been pleased to appoint the undermentioned gentlemen to be Resident Magistrates, under "The Resident Magistrates' Act, 1867," for the districts set opposite their names, as the same are defined in the proclamation dated the 29th day of November last:—

Thomas Beckham, Esq., Auckland District.
John Jermyn Symonds, Esq., Onehunga District.
Charles Mellsop, Esq., Papakura District.
James Speedy, Esq., Waiuku District.
Harcourt Richard Aubrey, Esq., Whangarei District.
James Mackay, Esq., jun., Thames District.
Edward Marsh Williams, Esq., Bay of Islands District.
William Kerr Nesbitt, Esq., Maketu District.
William Gilbert Mair, Esq., Opotiki District.
John Rogan, Esq., Kaipara District.
Robert Clapham Barstow, Esq., Bay of Islands District.
William Bertram White, Esq., Mongonui District.
Henry Charles Lawlor, Esq., Coromandel District.
William Nicholas Searancke, Esq., Waikato District.
Robert Oliphant Stewart, Esq., Raglan District.
Henry Tacy Clarke, Esq., Tauranga District.
Josiah Flight, Esq., New Plymouth District.
James Hunter Campbell, Esq., Waipapu District.
John Curling, Esq., Napier and Waipukurau District.
George Sisson Cooper, Esq., Napier and Waipukurau District.
Samuel Deighton, Esq., Wairoa District.
James Coutts Crawford, Esq., Wellington District.
James Townsend Edwards, Esq., Otaki District.
Herbert Samuel Wardell, Esq., Wairarapa District.
David Stark Durie, Esq., Wanganui District.
James Booth, Esq., Upper Wanganui District.
John Poynter, Esq., Nelson District.
Henry Widowson Turnell, Esq., Collingwood District.
Thomas Alfred Sneyd Kynnersley, Esq., Nelson South-west Gold Fields District.
Charles Broad, Esq., Nelson South-west Gold Fields District.
James Roger Dutton, Esq., Nelson South-west Gold Fields District.
Joseph Giles, Esq., Nelson South-west Gold Fields District.
Stephen Lunn Müller, Esq., Marlborough District.

George Lilly Mellish, Esq., Marlborough District.
 Charles Christopher Bowen, Esq., Christchurch District.
 William Donald, Esq., Lyttelton District.
 William Berjew Pauli, Esq., Kaiapoi District.
 John Watson, Esq., Akaroa District.
 Belfield Woolcombe, Esq., Timaru District.
 Justin Aylmer, Esq., Hokitika District.
 Gerard George Fitzgerald, Esq., Hokitika District.
 William Horton Revell, Esq., Greymouth District.
 Matthew Price, Esq., Okarito District.
 Alfred Rowland Chetham Strode, Esq., Dunedin District.
 James Fulton, Esq., Dunedin District.
 Thomas Windle Parker, Esq., Oamaru District.
 Wilson Gray, Esq., Oamaru District.
 John Wallace Murdoch, Esq., Oamaru District.
 James Pillans Maitland, Esq., Clutha District.
 Wilson Gray, Esq., Clutha District.
 Edward Croker, Esq., Otago Gold Fields District.
 John Nugent Wood, Esq., Otago Gold Fields District.
 William Lawrence Simpson, Esq., Otago Gold Fields District.
 Henry Wirgman Robinson, Esq., Otago Gold Fields District.
 Richmond Beetham, Esq., Otago Gold Fields District.
 Lowther Broad, Esq., Otago Gold Fields District.
 John Smith Hickson, Esq., Otago Gold Fields District.
 Henry Aldborough Stratford, Esq., Otago Gold Fields District.
 Henry McCulloch, Esq., Southland District.
 Daniel Shea Lawlor, Esq., Southland District.
 Isaac Newton Watt, Esq., Southland District.
 Henry Rogers, Esq., Southland District.
 William Esdaile Thomas, Esq., Chatham Islands District.

Colonial Secretary's Office,
 (Judicial Branch),
 Wellington, 19th December, 1867.

IT is intended that a proclamation shall be issued, as soon as possible after the 1st January next, extending the jurisdiction of the districts hereinafter mentioned to the limit set opposite to the name of each of such districts:—

	£
Tauranga District	100
New Plymouth District	100
Wairarapa District	100
Nelson District	100
Nelson South-west Gold Fields District	100
Christchurch District	100
Lyttelton District	100
Kaipoi District	100
Hokitika District	100
Greymouth District	100
Oamaru District	100
Dunedin District	100
Clutha District	100
Southland District	100
Bay of Islands District	50
Mongonui District	50
Onehunga District	50
Wangarei District	50
Thames District	50
Opotiki District	50
Kaipara District	50
Marlborough District	50

	£
Okarito District	50
Chatham Islands	50
Napier and Waipukurau District	50
Timaru District	50

E. W. STAFFORD.

Colonial Secretary's Office,
 (Judicial Branch),
 Wellington, 19th December, 1867.

HIS Excellency the Governor has been pleased to appoint
 WILLIAM SMITH ATKINSON,
 ALFRED ROWLAND CHETHAM STRODE, and
 FREDERICK NUTTER,
 Esquires, to be Curators of Intestate Estates in the respective Provinces and Districts of Taranaki, Otago, and Southland.

These appointments to date from the 1st January, 1868.

E. W. STAFFORD.

Colonial Secretary's Office,
 (Judicial Branch),

Wellington, 19th December, 1867.

HIS Excellency the Governor has been pleased to appoint
 ALEXANDER SUTHERLAND ALLAN, Esq.,
 to be Registrar at Wellington of the Supreme Court of New Zealand. The appointment to date from the 1st January, 1868.

E. W. STAFFORD.

Colonial Secretary's Office,
 (Judicial Branch),

Wellington, 19th December, 1867.

COSTS to Crown Solicitors and Crown Prosecutors, and Expenses to Witnesses, in Criminal Prosecutions, will be allowed as follows, from the 1st of January, 1868:—

	£	s.	d.
Solicitor preparing case for and attending trial	3	3	0
Counsel's fee on trial, if indictment found	2	2	0
When Subpœna required, same to be issued by Solicitor and served by police.			
Attendance for each Subpœna	0	3	4
Each copy of Subpœna	0	1	0
For each Subpœna <i>duces tecum</i> , in addition to the fee for attending for Subpœna, a fee for preparing, exclusive of formal matter, for each folio	0	1	0
For each copy of Subpœna <i>duces tecum</i> , in addition to above-mentioned fee for Subpœna exclusive of formal matter, for each folio	0	0	6
For preparing any notice to produce, for each folio	0	1	0
Each copy for service, per folio	0	0	6
Instructing police as to service of Subpœna, or notice to produce	0	3	4

ALLOWANCES TO PROSECUTORS AND WITNESSES.

	£	s.	d.
Labourers, per diem	0	6	0
Journeymen, &c., per diem	0	10	0
Master tradesmen, farmers, yeomen, and auctioneers, per diem	0	15	0
Professional men, per diem	1	1	0
Female witnesses at the rate of two-thirds the allowance to male witnesses of similar rank.			

Travelling Expenses.

Witnesses residing at a distance exceeding one mile from the place of trial, expenses not exceeding 1s. 6d. per mile one way.

If there is a steamer or coach or other public conveyance, either the whole or part of the way, the actual cost of such conveyance in lieu of mileage. Where they travel by water, fore-cabin fare will be allowed to the first and second class of witnesses, and chief-cabin fare to the latter classes.

Witnesses in the pay of the General or Provincial Governments will not be paid for their time, but only for extra costs occasioned by their attendance.

E. W. STAFFORD.

IN the Supreme Court of New Zealand: Wellington District.

Under the provisions of "The Bankruptcy Act, 1867," section 8.

I do order that the *Wellington Independent* shall be the *Gazette* or Newspaper in which Notices required by the said Act to be published in the *Gazette*, shall be published in and for the Province of Wellington; and the *Hawke's Bay Herald*, shall be the *Gazette* or Newspaper in which Notices required by the said Act to be published in the *Gazette*, shall be published in and for the Province of Hawke's Bay.

Dated at Wellington this 11th day of December, 1867.

ALEXANDER J. JOHNSTON,
(The Judge to whom the Wellington District has been assigned.)

A. S. ALLAN,
Deputy Registrar.

IN the Supreme Court: Wellington District.

In the matter of "The Bankruptcy Act, 1867," and in the matter of a deed of composition made between Charles Howe, of Wellington, bootmaker, and his creditors.

NOTICE is hereby given that by Deed dated the eleventh day of December, one thousand eight hundred and sixty-seven, made between the said Charles Howe, of the first part, Archibald Paisley Stuart, of the City of Wellington, merchant, of the second part, and the several persons whose names appear at the foot of the said Deed, being all the creditors of the said Charles Howe, of the third part: The said parties thereto, of the third part, agree to accept a composition of ten shillings in the pound on their respective debts, to be paid as follows:—A Bill of Exchange, payable six months after the twelfth August, one thousand eight hundred and sixty-seven, for five shillings in the pound; one at twelve months, payable twelve months after the twelfth August, one thousand eight hundred and six-seven, for two shillings and sixpence in the pound; and one payable fifteen months after the twelfth August, one thousand eight hundred and sixty-seven, for two shillings and sixpence in the pound; such Bills to be drawn by the said Archibald Paisley Stuart in favour of each of the said creditors, and accepted by the said Charles Howe. And the said parties thereto of the third part did thereby relieve the said Charles Howe, his heirs, executors, administrators, and assigns, from all suits claims and demands in respect of their said debts. Which said deed was duly filed in the Supreme Court, at Wellington, on the sixteenth day of December, 1867.

Dated sixteenth day of December, one thousand eight hundred and sixty-seven.

HART AND BUCKLEY,
Solicitors for the said Charles Howe.

IN the Supreme Court of New Zealand: Wellington District.

In the matter of "The Debtors and Creditors Act, 1862," and in the matter of "The Debtors and Creditors Act Amendment Act, 1865," and in the matter of "The Debtors and Creditors Act Amendment Act, 1866;" and in the matter of Richard Samuel Fry Parsons, a bankrupt.

On Saturday, the fourteenth day of December, one thousand eight hundred and sixty-seven.

UPON reading the minutes of proceedings of a meeting of the Creditors of R. S. F. Parsons, a bankrupt, held on the fifth day of December, 1867, and the affidavit of James Gordon Allan, Esquire, duly filed herein: And upon the motion of Mr. J. G. Allan, of Counsel for the said bankrupt, it is ordered that Constantine Edward Zohrab of Wellington, Clerk, be appointed the Trustee of the estate and effects of the said Richard Samuel Fry Parsons, bankrupt.

By the Court:

J. G. ALLAN.

Registrar-General's Office,
Wellington, 9th December, 1867.

PURSUANT to the provisions of an Act of the General Assembly of New Zealand, passed in the eighteenth year of the reign of Her Majesty Queen Victoria, and intituled "The Marriage Act, 1854," the following names of OFFICIATING MINISTERS within the meaning of the said Act, are published for general information:—

United Church of England and Ireland.

The Reverend BACHE WRIGHT HARVEY, M.A.,
The Reverend RICHARD JOSHUA THORPE, M.A.,
The Reverend CHARLES OLIVER MULES, M.A.,
The Reverend WILLIAM HARRIS EWALD, M.A.

I, JOHN B. BENNETT, Registrar-General of Births, Deaths, and Marriages, in New Zealand, do hereby certify that the foregoing NAMES of OFFICIATING MINISTERS within the meaning of "The Marriage Act, 1854," have been sent in to me, in addition to the names in Lists published in the *New Zealand Gazette*, No. 7, of the 29th of January; No. 9, of the 11th of February; No. 12, of the 28th of February; No. 23, of the 12th of April; No. 29, of the 16th of May; No. 32, of the 1st of June; No. 36, of the 27th of June; No. 43, of the 7th of August, No. 45, of the 31st of August; No. 47, of the 27th of September; No. 56, of the 28th of October; No. 58, of the 5th of November; and No. 65, of the 6th of December, in the present year.

Given under my hand at Wellington, this ninth day of December, one thousand eight hundred and sixty-seven.

JOHN B. BENNETT,
Registrar-General.

Office of Registrar of Joint Stock Companies,
Dunedin, 30th November, 1867.

I, ALFRED WILLIAM SMITH, Registrar of Joint Stock Companies, do hereby certify that I have registered a Memorandum of Association, with Articles of Association annexed, establishing a Company with limited liability of the shareholders therein, intituled

"THE DUNEDIN MASONIC HALL COMPANY, LIMITED;" the objects for which the said Company is established being the purchase of a piece of ground in the City of Dunedin, and erecting thereon a Hall or Building to be used for meetings of any lodge of free and

accepted Masons, and for such other lawful public purposes as the Directors shall think fit.

And I hereby further notify that in pursuance of "The Joint Stock Companies Act, 1860," I have issued a Certificate of Incorporation of the said Company, bearing date the thirtieth day of November, one thousand eight hundred and sixty-seven.

A. W. SMITH,
Registrar of Joint Stock Companies.

Office of Commissioner of Customs,
Wellington, 11th December, 1867.

THE undermentioned person has been duly licensed to act as Custom House Agent at the Port of Westport—

DUNCAN McNAB.

J. HACKWORTH,
For the Secretary.

CUSTOMS Notice.—The undermentioned person has been duly licensed to act as a Custom House Agent at this Port, for the year ending 15th November, 1868,—

ALBERT WALTER WARD.

W. MILLS,
Deputy Commissioner.

Custom House, Lyttelton,
18th November, 1867.

I the undersigned THOMAS FRASER, hereby make application to register "The Manuherikia Water Race Company, Registered," under the provisions of "The Mining Companies Limited Liability Act, 1865," and I do solemnly and sincerely declare that the following statement is, to the best of my belief and knowledge, true in every particular, namely:—

1. The name and style of the Company is "The Manuherikia Water Race Company, Registered."
2. The place of operations is at Manuherikia.
3. The nominal capital of the Company is three thousand five hundred pounds in seven hundred shares of five pounds each.
4. The amount already paid up is one thousand pounds.
5. The name of the manager is Thomas Fraser.
6. The office of the Company is in Victoria Chambers, Manse Street, Dunedin.
7. The names and several residences of the shareholders and the number of shares held by each at this date are as follows:—

Name.	Residence.	No. of Shares.
Robert Miller Robertson	Dunedin	100
John Stephenson	Ditto	100
Fairfax Fenwick	England	100
Charles Stewart	Dunedin	100
William D Inverarity	Ditto	100
John Jones	Ditto	100
Thomas Fraser	Ditto	100

Dated this twenty-eighth day of November, 1867. T. FRASER, Manager.

Witness to signature—
GEO. TURNBULL, J.P.

THE Public are informed that bound copies of the Parliamentary Debates, with an Index, Title Page, and Appendix, are now ready for issue, and that orders for the same, accompanied by a remittance, should be addressed to the Government Printer, Wellington.

The prices for the bound volumes are as follows:

Half-bound calf, cloth sides ... 23s.
Cloth backs, paper sides ... 20s.

GEO. DIDSBURY,
Government Printer.

Government Printing Office,
Wellington, 20th December, 1867.

A TRUE and PERFECT SCHEDULE of all BALANCES paid into the Treasury of the Colony of New Zealand, at Otago, on the 4th day of July, 1866, on account of Deceased Persons' Estates, administered by ROBERT CHAPMAN, Esq., Registrar of the Supreme Court of New Zealand, as Official Administrator.

Names of Intestates.	Colonial Residence.	Supposed British or other Residence of Family.	Moneys received.	Payments made.	Balance in hands of Registrar.	Balance paid into Treasury.
Alexander Monteith	Oamaru	Alloa, Scotland	£ 212 4 8	£ 212 4 8
John Porter	Teviot	Ballynoger, Ireland	291 4 1	48 10 10	...	342 13 3
Susan Garvie	Died in England	Jedburgh, Scotland	419 10 0	419 10 0
Matt Scoland	Dunstan	...	43 6 5	16 10 6	...	26 15 11
Ronald McDougall	Manuherikia	...	175 11 6	35 13 8	...	139 17 10
Robert Boyd	Manuherikia	Ballasalla, Isle of Man	231 7 0	48 3 11	...	183 3 1
Josias Tear	Skipper's Creek	Launceston, Tasmania	5 0 0	1 8 6	...	3 11 6
William Pears	German Hill	...	5 7 0	1 8 6	...	3 18 6
William Vessey	Oamaru	Besthorpe, England	4 19 3	1 8 6	...	3 10 9
Robert Hagin	Oamaru	...	8 0 0	2 15 6	...	5 4 6
Charles Diss	Blue Spur	...	14 3 6	3 10 0	...	10 13 6
John Harahan	Dunstan	...	15 6 6	3 2 6	...	12 4 0
Elane McLelland	Popotunoa	New Kilpatrick, Scotland	60 12 0	11 6 2	...	49 5 8
George Gilleland	Shag Valley	...	29 0 6	20 0 6	...	9 0 0
Edward McCarthy	Mataura	...	41 14 11	41 14 11
Richard Harris	Otago Heads	Tickhill, England	400 4 6	63 19 0	...	336 5 6
			1,957 11 10	931 7 8	...	1,026 4 2