



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, FRIDAY, DECEMBER 16, 1870.

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS by "The Militia Act, 1870," it is enacted that the Governor shall cause the whole of the Militia, or such part thereof as he may think proper, to be trained as a military force, and for this purpose shall, by Proclamation in the *New Zealand Gazette*, cause notice of fourteen days to be given of the times and places for the first muster; and that such notice shall be published in some local newspaper circulating in the Province in which the district is situate, or be posted in some conspicuous place within the district: And by the said Act it is provided that any Militiaman called out at the time of the passing of the said Act shall be deemed to have been called out thereunder:

Now therefore, I, Sir George Ferguson Bowen, K.G.C.M.G., Governor of New Zealand, in exercise and pursuance of all powers and authorities enabling me in this behalf, do hereby order that such part of the Militia of the several Militia Districts named in the Schedule hereto as is specified in such Schedule, and opposite to the name of which district the specification of such part is set, shall be trained as a military force; and I do hereby proclaim that the time and place mentioned in the said Schedule shall be the time and place for the first muster of the Militia of the Militia District opposite to the name of which such time and place is in the said Schedule set.

SCHEDULE.

Name of District.	Part of Militia to be Trained	Place of First Muster.	Time for First Muster.
Rangitikei	Whole	No. 1 Company, at Turakina	1st February, 1871, at noon
		No. 2 Company, at Marton	3rd February, 1871, at noon
		No. 3 Company, at the Court House, Rangitikei	6th February, 1871, at noon
		No. 4 Company, at Bevan's Hotel, Lower Rangitikei	7th February, 1871, at noon
		No. 5 Company, at Manawatu, at Foxton	8th February, 1871, at noon

SCHEDULE—continued.

Name of District.	Part of Militia to be Trained	Place of First Muster.	Time for First Muster.
Wellington	Whole	No. 6 Company, at Manawatu, at Foxton	9th February, 1871, at noon
		Johnsonville Company, at Johnsonville	First Saturday in March, 1871
		Kaiwarra Company, at Kaiwarra	Third Tuesday in March, 1871
		Karori Company, at Karori	Third Wednesday in March, 1871
		Ohariu Company, at Ohariu	Third Thursday in March, 1871
		Porirua Ferry Company, at Porirua Ferry	Third Saturday in March, 1871
		Pauatahanui Company, at Pauatahanui	Fourth Saturday in March, 1871
		Upper Hutt Company, at Upper Hutt	First Tuesday in March, 1871
		No. 1 Company, at Lower Hutt	First Thursday in March, 1871
		No. 2 Company, at Lower Hutt	First Friday in March, 1871
Greytown	Whole	No. 3 Company, at Taita	Third Friday in March, 1871
		No. 1 Company, at Featherston	3rd February, 1871
		No. 2 Company, at Greytown	16th February, 1871
Masterton	Whole	No. 3 Company, at Huangarua	10th February, 1871
		No. 1 Company, at Masterton	18th February, 1871
		No. 2 Company, at Carterton	17th February, 1871
		No. 3 Company, at Vallance's	7th February, 1871
		Beetham's	8th February, 1871
		Tupurupuru	9th February, 1871
		No. 4 Company, at Alfredton	21st February, 1871

SCHEDULE—continued.

Name of District.	Part of Militia to be Trained	Place of First Muster.	Time of First Muster.		
North Napier	Whole	Tiremia ...	22nd February, 1871		
		Nicholls' ...	23rd February, 1871		
		Castle Point ...	24th February, 1871		
		Cripps' ...	25th February, 1871		
		Nos. 1, 2, 3, and 4 Companies, at Napier	23rd February, 1871		
		No. 5 Company: Right Sub-division, at Puketapu	23rd February, 1871		
		3rd Section, at Ressington	23rd February, 1871		
		4th Section, at Petane	23rd February, 1871		
		No. 6 Company, at Meanee	23rd February, 1871		
		No. 7 Company, at Clive	23rd February, 1871		
South Napier.	Whole	No. 8 Company, at Havelock	23rd February, 1871		
		A Company: Right Sub-division, at Hampden	23rd February, 1871		
		Left Sub-division, at Kereru, and Glenny's station, Ruataniwha.	23rd February, 1871		
		B Company: Right Sub-division, at Waipawa	23rd February, 1871		
		3rd Section, at Patangata	23rd February, 1871		
		4th Section, at Te Aute	23rd February, 1871		
		C Company, at Wai-pukarau	23rd February, 1871		
		D Company, at Porongahau, Wallingford, and Wainui	23rd February, 1871		
		Wairoa	Whole	At Clyde ...	23rd February, 1871

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the said Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this fifth day of December, in the year of our Lord one thousand eight hundred and seventy.

DONALD McLEAN.

GOD SAVE THE QUEEN!

G. F. BOWEN, Governor.

WHEREAS by "The Militia Act, 1870," it is enacted that the Governor shall cause the whole of the Militia, or such part thereof as he may think proper, to be trained as a military force, and for this purpose shall by Proclamation in the *New Zealand Gazette* cause notice of fourteen days to be given of the times and places for the first muster; and such notice shall be published in some local newspaper circulating in the Province in which the district is situate, or be posted in some conspicuous place within the district. The particular times and places for subsequent meetings shall be fixed in every Militia District by the Officer Commanding in such district: Provided that it shall be lawful for every officer in command, at any first muster or subsequent meeting, by order on parade, and without further notice, to give notice of and appoint other times and

places for such meetings. Such notice as aforesaid shall be deemed sufficient notice to every Militiaman of the time and place of every meeting: Provided always that no Militiaman shall be compelled to attend for training and exercise more than one hundred and sixty-eight hours in any one year; and provided also that any Militiaman called out at the time of the passing of this Act shall be deemed to have been called out under this Act. And whereas at the time of the passing of the said "Militia Act, 1870," the Militia for the District of Auckland, being the same Militia District as is constituted for the District of Auckland under the said Act, and as set forth in the Schedule thereto, were called out:

Now therefore, I, Sir George Ferguson Bowen, the Governor of New Zealand, in exercise and pursuance of all powers and authorities enabling me in this behalf, do hereby order that all Militiamen of the Auckland Militia District shall cease to be called out under the said "Militia Act, 1870," from the day of the date hereof.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued at Wellington, this fifth day of December, in the year of our Lord one thousand eight hundred and seventy.

DONALD McLEAN.

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS by "The Resident Magistrates Act, 1861," it is enacted that it shall be lawful for the Governor, by Proclamation in the *New Zealand Gazette*, at any time to abolish the extended jurisdiction which he is by the said Act authorized to confer upon any Resident Magistrate's Court: And whereas by a Proclamation bearing date the twentieth day of January, one thousand eight hundred and sixty-eight, the limit of jurisdiction of the Resident Magistrate's Court hereinafter mentioned was extended to one hundred pounds: And whereas it is expedient to abolish the extended jurisdiction given to the said Court by the said Proclamation:

Now therefore, I, Sir George Ferguson Bowen, the Governor of New Zealand, do hereby, in pursuance of the power and authority vested in me by the said Act, proclaim and declare that, on and after the thirty-first day of December instant, the extended jurisdiction so given as aforesaid to the Resident Magistrate's Court for the Resident Magistrate's District of Timaru shall be abolished.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy.

W. GISBORNE.

GOD SAVE THE QUEEN!

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS by "The District Courts Act, 1858," it is enacted that there shall be within the Colony of New Zealand Courts of Record, possessing Civil and Criminal jurisdiction, to be called District Courts, and the Governor is empowered from time to time, as he shall think fit, by Proclamation in the *New Zealand Gazette*, to constitute throughout the Colony, or in any part thereof, districts within which such Courts shall be respectively held, and such districts to abolish, and the boundaries thereof to define or alter, and also to declare by what local name such Courts shall be designated:

Now therefore, I, Sir George Ferguson Bowen, the Governor of the said Colony, in pursuance and exercise of the aforesaid power and authority, do hereby constitute and proclaim the district of the said Colony hereinafter described or referred to, to be a district within which a District Court shall be held under the said Act and under "The District Courts Act Amendment Act, 1865."

And in further pursuance and exercise of the authority aforesaid, I do hereby declare that the said Court shall be designated by the name which is hereunder specified and set above the description of such district, that is to say—

Designation of Court:

District Court of Timaru.

Description of District:

The Timaru District shall comprise all that area bounded towards the North-east 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; towards the East by the sea; towards the South by the southern boundary of the Province of Canterbury, from the mouth of the Waitaki River to Mount Aspiring; and thence towards the North-west by the summit of the main range of the Southern Alps, to the commencing point.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy.

W. GISBORNE.

GOD SAVE THE QUEEN!

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The District Courts Criminal Jurisdiction Extension Act, 1870," it is enacted that the Governor may, by Proclamation, from time to time declare that any District Court shall have cognizance of all felonies and indictable misdemeanours, as specified in the fourth section of the said Act:

Now therefore, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, in pursuance and exercise of the power vested in me by the said Act, do hereby proclaim and declare that the District Court of Timaru shall henceforth have cognizance of all felonies and indictable misde-

meanours committed before or after the passing of the said Act within the district over which its jurisdiction extends, saving only the felonies specially excepted in and by the fourth clause of the said Act.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this fifteenth day of December, in the year of our Lord one thousand eight hundred and seventy.

W. GISBORNE.

GOD SAVE THE QUEEN!

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The District Courts Jurisdiction Extension Act, 1866," it is enacted that it shall be lawful for the Governor, by Proclamation published in the *New Zealand Gazette*, to bring into operation with respect to any District Court, from and after a day to be named in such Proclamation, either the whole of the said Act or such sections thereof as to him may seem fit:

Now therefore, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, in pursuance and exercise of the said power and authority vested in me for this purpose, do hereby proclaim and declare that, on the thirty-first day of December instant, the said "District Courts Jurisdiction Extension Act, 1866," shall come into operation with respect to the District Court of Timaru.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this fifteenth day of December, in the year of our Lord one thousand eight hundred and seventy.

W. GISBORNE.

GOD SAVE THE QUEEN!

G. F. BOWEN, Governor.

IN pursuance and exercise of the power in that behalf enabling me, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, do hereby fix and appoint that sittings of the District Court of the Timaru District shall be held as follows:—

In the Resident Magistrate's Court House at Timaru, for the despatch of Civil and Criminal Business, on the tenth day of the months of January, March, May, July, September, and November, respectively.

Provided that in case any of the days so fixed as aforesaid shall happen to be a Sunday or holiday, then the Court appointed for that day shall be holden on the first day thereafter, not being a holiday.

As witness the hand of His Excellency the Governor, this fifteenth day of December, one thousand eight hundred and seventy.

W. GISBORNE.

G. F. BOWEN, Governor.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor in Council, under his hand and the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province, or such other person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the Act now in recital, except the powers conferred by sections twenty-two, forty, forty-eight, sixty, ninety-six, and one hundred and seven of the said Act, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers:

And whereas by "The Gold Fields Act Amendment Act, 1867," it is enacted that, within any Province in which by any Act or Ordinance it is provided that the Superintendent shall, in the administration of the Government thereof, act by and with the advice and consent of an Executive Council, it shall be lawful for the Governor in Council to delegate under his hand and the Public Seal of the Colony, from time to time as occasion may require, to the Executive Government for the time being of such Province, subject or not to any limitations or restrictions as he may think fit, all or any of such powers vested in the Governor or the Governor in Council by "The Gold Fields Act, 1866," as under or by virtue of the one hundred and ninth section of the said Act (being the section herein first recited) may be delegated by the Governor in Council:

And whereas by an Ordinance of the Superintendent and Provincial Council of the Province hereinafter named, intituled "The Executive Council Ordinance, 1861," it is provided that the Superintendent of the said Province shall, in the administration of the Government thereof, act by and with the advice and consent of an Executive Council:

Now therefore, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for this purpose in me vested, do hereby delegate unto the Executive Government, for the time being, of the Province of Otago, all such powers vested in the Governor or the Governor in Council by "The Gold Fields Act, 1866," and "The Gold Fields Act Amendment Act, 1869," as under or by virtue of the one hundred and ninth section of "The Gold Fields Act, 1866," may be delegated by the Governor in Council, to have, hold, and exercise within the said Province the said powers hereby given: Provided always that copies of all rules and regulations made under the said delegation shall be forthwith transmitted to the Colonial Secretary, in order that the same may be laid before the General Assembly, in accordance with the provisions of the one hundred and tenth clause of "The Gold Fields Act, 1866."

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this fourteenth day of December,

in the year of our Lord one thousand eight hundred and seventy.

DONALD MCLEAN,
Presiding.

Approved in Council.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

WHEREAS by "The Diseased Cattle Act, 1861," it is enacted that the Governor in Council may, by Warrant under his hand, from time to time delegate to the Superintendent of any Province within the Colony all or any of the powers vested in the Governor or the Governor in Council by the said Act, subject to such regulations as he may think fit: And whereas by the fourth section of "The Diseased Cattle Act Amendment Act, 1865," it is enacted that the Governor may, by any Order in Council, from time to time annul, make void, or alter or vary and make anew, any Orders in Council, regulations, appointments, or prohibitory or other declarations, made and published by the Governor under the authority of "The Diseased Cattle Act, 1861," or of "The Diseased Cattle Act Amendment Act, 1865," or by the Superintendent of any Province under or in pursuance of any powers delegated under the powers of delegation contained in "The Diseased Cattle Act, 1861," or "The Diseased Cattle Act Amendment Act, 1865:" And whereas by the fifth section of "The Diseased Cattle Act Amendment Act, 1865," it is enacted that the power of annulling, making void, or allowing or varying and making anew, any such regulations, appointments, or prohibitory or other declarations vested in the Governor by "The Diseased Cattle Act Amendment Act, 1865," may from time to time be delegated by the Governor in Council, by Warrant under his hand, to the Superintendent of any Province:

Now therefore, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said Colony, do hereby delegate to

JAMES MACANDREW, Esquire,

the Superintendent of the Province of Otago, within the said Province, so long as he shall remain Superintendent of the Province, the several powers vested in the Governor or the Governor in Council by the second, fourth, fifth, seventh, ninth, and tenth sections of "The Diseased Cattle Act, 1861," aforesaid, and all the powers which by the fifth section of "The Diseased Cattle Act Amendment Act, 1865," the Governor in Council is authorized so to delegate, subject to be rescinded as in the said Acts provided, and subject to the regulations contained in an Order in Council dated the twenty-first day of February, one thousand eight hundred and seventy.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, and issued at Wellington, this fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy.

DONALD MCLEAN,
Presiding.

Approved in Council.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this
fourteenth day of December, 1870.

Present:

THE HONORABLE DONALD MCLEAN, NATIVE AND
DEFENCE MINISTER, PRESIDING, AND MEMBERS
OF THE EXECUTIVE COUNCIL.

WHEREAS by "The Lunatics Act, 1868," it
is enacted that it shall be lawful for the
Governor in Council, from time to time, to order and
direct that all or any of the powers, functions, duties,
and authorities vested in or required to be performed
by the Governor, or the Governor in Council, or the
Colonial Secretary, by the said Act, within any
Province or other district of the Colony, shall be
exercised or performed by the Superintendent of any
such Province, or by any other person the Governor
may think fit; and thereupon such functions, powers,
duties, and authorities may, by such Superintendent
or other person, be exercised or performed within the
Province or other district of the Colony specified:

Now therefore, His Excellency Sir George Fergu-
son Bowen, the Governor of New Zealand, with the
advice and consent of the Executive Council of the
said Colony, in pursuance and in exercise of the
power and authority for that purpose vested in him,
doth hereby order and direct that all the powers,
functions, duties, and authorities vested in or
required to be performed by the Governor, or the
Governor in Council, or the Colonial Secretary, by
"The Lunatics Act, 1868," within the Province of
Otago, shall be exercised by the Superintendent of
such Province.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this
fourteenth day of December, 1870.

Present:

THE HONORABLE DONALD MCLEAN, NATIVE AND
DEFENCE MINISTER, PRESIDING, AND MEMBERS
OF THE EXECUTIVE COUNCIL.

WHEREAS by "The Protection of Animals Act
1867," it is enacted that the Governor may,
by Order in Council published in the *New Zealand
Gazette*, delegate to the Superintendent of any Pro-
vince all or any of the powers by the said Act vested
in the Governor or the Governor in Council, subject
to such regulations as he may think fit, and may from
time to time rescind such delegation:

Now therefore, His Excellency the Governor, by
and with the advice and consent of the Executive
Council, doth hereby delegate unto

JAMES MACANDREW, Esquire,

Superintendent of the Province of Otago, so long
as he shall continue and remain Superintendent
of the said Province, all the powers vested by the
said Act in the Governor or the Governor in Council,
to be exercised only in respect of the said Province.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

IN pursuance and exercise of the power and
authority in that behalf enabling me, I, Sir
George Ferguson Bowen, the Governor of the Colony
of New Zealand, do hereby fix and appoint that
sittings of the District Court of the Westland North

District, in lieu of those heretofore appointed, shall
be held as follows:—

In the Resident Magistrate's Court House at
Charleston, for the despatch of Civil and
Criminal Business, on the twentieth day of
the months of February, April, June, August,
October, and December, respectively.

In the Resident Magistrate's Court House at
Westport, for the despatch of Civil and Criminal
Business, on the twenty-fourth day of the
months of February, April, June, August, and
October, respectively, and on the twenty-
second day of December.

Provided that in case any of the days so fixed as
aforesaid shall happen to be a Sunday or holiday,
then the Court appointed for that day shall be
holden on the first day thereafter, not being a
holiday.

Issued this fifteenth day of December, one
thousand eight hundred and seventy.

W. GISBORNE.

G. F. BOWEN, Governor.

IN pursuance and exercise of the power and
authority in this behalf enabling me, I, Sir
George Ferguson Bowen, the Governor of the Colony
of New Zealand, do hereby fix and appoint that
sittings of the District Court of the County of
Westland, in lieu of those heretofore appointed, shall
be held as follows:—

In the Supreme Court House at Hokitika, for
the despatch of Civil and Criminal Business, on
the fourth day of the months of February,
April, June, August, October, and December,
respectively.

In the Resident Magistrate's Court House at
Greymouth, for the despatch of Civil and
Criminal Business, on the twelfth day of the
months of February, April, June, August,
October, and December, respectively.

Provided that in case any of the days so fixed
as aforesaid shall happen to be a Sunday or a
holiday, then the Court appointed for that day shall
be holden on the first day thereafter, not being a
holiday.

Issued this fifteenth day of December, one
thousand eight hundred and seventy.

W. GISBORNE.

Colonial Secretary's Office,
Wellington, 14th December, 1870.

THE following Despatch, with Enclosure, from the
Secretary of State for the Colonies, is published
for general information.

W. GISBORNE.

[CIRCULAR.]

Downing Street, 12th September, 1870.

SIR,—I transmit to you copies of an important judg-
ment recently delivered by the Judicial Committee
of the Privy Council in the case of "The Queen v.
Carlin (ship Salvador)," in which their Lordships,
reversing the decision of the Vice-Admiralty Court
at Nassau, held that, whether or not it could be
stated, with reference to the Insurrection in Cuba,
that there were persons exercising or assuming to
exercise the powers of Government in Cuba, in
opposition to the Spanish authorities, there was
clearly no doubt that the insurgents formed "part of
the Province or People" of Cuba within the meaning
of the 7th section of the Act 59 George III., cap.
69, and that consequently the "Salvador" was for-
feited to the Crown, as a transport in their service
which had increased its force within British waters.

Though this decision turns upon the 7th section of the Act 59 George III., cap. 69, which is now repealed, it seems equally to illustrate the 30th section of the new Act 33 and 34 Vict., cap. 90, which I transmitted to you in my Circular Despatch of the 10th of August.

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

I have, &c.,
KIMBERLEY.

The Officer Administering
the Government of New Zealand.

Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Our Sovereign Lady the Queen v. James Carlin (ship "Salvador"), from the Vice-Admiralty Court of the Bahamas; delivered 28th June, 1870.

Present:

LORD CAIRNS.
SIR JAMES W. COLVILLE.
THE JUDGE OF THE HIGH COURT OF ADMIRALTY.
SIR JOSEPH NAPIER.

THIS is an appeal from the decision of the Vice-Admiralty Court of the Bahamas, upon an information filed on behalf of the Crown before that Court under the Foreign Enlistment Act, with regard to the ship "Salvador," and seeking her confiscation.

The clause in the Foreign Enlistment Act which has to be considered is the seventh. It has frequently been remarked that the interpretation of that clause is attended with some difficulty, mainly owing to the great quantity of words which are used in the clause; but endeavouring for the moment to set aside the verbiage of the clause, it is obvious that, in order to constitute an offence under it, five propositions must be established. In the first place, the ship, which in other respects is found to be acting within the meaning of the clause, must be acting without the leave and license of the Sovereign of this country. That is the first element of the charge under the clause. The second is this, the ship must be equipped, furnished, fitted out or armed, or there must be a procuring or an attempt or endeavour to equip, furnish, fit out, or arm the ship. The third is, that the equipping, furnishing, fitting out, or arming of the ship must be done with the intent or in order that the ship or vessel shall be employed in the service of some "foreign prince, state, or potentate, or some foreign colony, province, or part of any province or people, or of any person or persons exercising or assuming to exercise any powers of Government in or over any foreign state, colony, province, or part of any province or people."

Then the fourth element in the charge is this, there must be an intent to employ the ship in one of two capacities, either "as a transport or store-ship against any prince, state, or potentate;" or "with intent to cruise or commit hostilities against any prince, state, or potentate." I pause for the purpose of observing that the words are not very happily chosen which represent her as being employed "as a transport or store-ship against any prince, state, or potentate;" but it is clear, open as the words may be to criticism, that the intent is that the ship should be employed in one of the two capacities I have mentioned, and not only so, but employed "against," that is, in the way of aggression against, some foreign prince, potentate, or state. This should be done, as I have already said, against some prince, state, or potentate, "or against the subjects or citizens of any prince, state, or potentate, or against the persons exercising or

assuming to exercise the powers of government in any colony, province, or part of any province or country, or against the inhabitants of any foreign colony, province, or part of any province or country." And the fifth element is, that this foreign state or potentate, and so on, should be one with whom the Sovereign of this country should not then be at war.

Those are the five elements which go to make up the whole charge under the seventh clause.

Now, with regard to the first which I have mentioned, the absence of leave and licence on the part of Her Majesty, no question arises.

With regard to the second, namely, that there must be an equipping, furnishing, fitting up, or arming, or a procuring, or an attempt to do so, no question can arise in this case when we read the evidence of Mr. Dumaresq, the Receiver-General and Treasurer of the Island, who states the condition in which he found the ship, and the preparations made on board of her, which seem to their Lordships to amount to a fitting-out or arming, or an attempt to do so, within the meaning of this clause. The learned Judge of the Vice-Admiralty Court seems to have entertained no doubt himself upon this part of the case.

I pass over the third element which I mentioned, for the moment, in order to say that upon the fourth and fifth heads to which I have referred there can also be no doubt entertained, as it seems to their Lordships; and here, again, no doubt was entertained by the learned Judge of the Court below. It is quite clear that the ship was intended to be used as a transport or store-ship against a prince, state, or potentate with whom Her Majesty is not now at war. She was to be used obviously as a transport or store-ship for the purpose of conveying to Cuba men and materials; and in that way to do the duty of a transport ship, and so to inflict injury upon the Spanish Government, who at that time were, and are now, the lawful authority having the dominion over Cuba. Here, again, no doubt was entertained by the learned Judge in the Court below, and no doubt could be entertained by any one who looks at the evidence of Mr. Dumaresq, to which I have already adverted, and also the evidence of Mr. Butler, at page 24, both of whom state what the report was which was made to themselves by Carlin, the master of this vessel, as to her conduct when she went to the Coast of Cuba,—how she landed all the men she had on board, plainly for the purpose of taking part in the insurrection which was going on in Cuba,—how they abandoned the ship when they saw a Spanish ship of war in sight,—how they were prepared to set fire to their ship if the Spanish ship approached them,—and how afterwards, when they found that they were unnoticed, they took possession of the "Salvador" again, and brought her back to Nassau.

That leaves uncovered only the third element of charge in this clause, and it is upon that alone that the learned Judge of the Vice-Admiralty Court entertained any doubt.

The third element is, that the ship must be employed in this way in the service of some "foreign prince, state, or potentate, or of any foreign colony, province, or part of any province or people, or of any person or persons exercising or assuming to exercise any powers of government in or over any foreign state, colony, province, or part of any province or people. It is to be observed that this part of the section is in the alternative. The ship may be employed in the service of a foreign prince, state, or potentate, or foreign state, colony, province, or part of any province or people; that is to say, if you find any consolidated body in the foreign state, whether

it be the potentate who has the absolute dominion, or the Government, or a part of the province or of the people, or the whole of the province or the people acting for themselves, that is sufficient. But by way of alternative, it is suggested that there may be a case where, although you cannot say that the province or the people, or a part of the province or people are employing the ship, there yet may be some person or persons who may be exercising or assuming to exercise powers of government in the foreign colony or state, drawing the whole of the material aid for the hostile proceedings from abroad; and therefore, by way of alternative, it is stated to be sufficient if you find the ship prepared or acting in the service of "any person or persons exercising or assuming to exercise any powers of government in or over any foreign state, colony, province, or part of any province or people;" but that alternative need not be resorted to if you find the ship is fitted out and armed for the purpose of being employed in the service of any foreign state or people, or part of any province or people.

Upon that the observation of the learned Judge was this:—"We have no evidence of the object of the insurrection, who are the leaders, what portion of Cuba they have possession of, in what manner this insurrection is controlled or supported, or in what manner they govern themselves. How, therefore, can I say that they are assuming the powers of Government in or over any part of the Island of Cuba?"

Now, it appears to their Lordships that the error into which the learned Judge below fell, was in confining his attention to what I have termed the second alternative of this part of the clause, and in disregarding the first part of the alternative. It may be (it is not necessary to decide whether it is so or not) that you could not state who were the person or persons, or that there were any person or persons, exercising or assuming to exercise powers of Government in Cuba, in opposition to the Spanish authorities. That may be so: their Lordships express no opinion upon that subject, but they will assume that there might be a difficulty in bringing the case within that second alternative of the clause; but their Lordships are clearly of opinion that there is no difficulty in bringing the case under the first alternative of the clause, because their Lordships find these propositions established beyond all doubt,—there was an insurrection in the Island of Cuba; there were insurgents who had formed themselves into a body of people acting together, undertaking and conducting hostilities; these insurgents, beyond all doubt, formed part of the province or people of Cuba; and beyond all doubt the ship in question was to be employed, and was employed, in connection with and in the service of this body of insurgents.

Those propositions being established, as their Lordships think they clearly are established, both by the evidence of Mr. Dumaresq and Mr. Butler, to which I have already referred, and further by the evidence of the three witnesses Loinaz at page 36, Wells at page 7, and Mama at page 25, their Lordships think that the requisitions of the 7th clause in this respect are entirely fulfilled, and that the case is made out under this head, as it is upon all other heads of the clause.

Their Lordships, therefore, will humbly recommend to Her Majesty that the decision of the Vice-Admiralty Court should be reversed, and that judgment should be pronounced for the Crown according to the prayer of the Information.

It has been intimated to their Lordships that, on the 7th of February, there was a decree by their Lordships for the appraisal and sale of the vessel. She has been sold, and the net proceeds, £163 4s. 8d.,

paid into Her Majesty's Commissariat chest in the Bahamas. The Colonial Government, it appears, have incurred expenses to the amount of £145 5s. 10d. in keeping the vessel while she was under arrest, and they claim to be reimbursed those expenses out of the proceeds of the sale. That of course will be proper; and if it is necessary to make that part of this order, it will be done.

Colonial Secretary's Office,
Wellington, 15th December, 1870.

HIS Excellency the Governor has been pleased to appoint

JOHN FOSTER, Esq.,

to be Registrar of Marriages, and of Births, Deaths, and Marriages, for the District of Oxford, as the same is defined in Proclamation of 16th day of August, 1861, and published in *New Zealand Gazette*, No. 38, of the same date, *vice* Charles James Sale, Esq., resigned.

W. GISBORNE.

Colonial Secretary's Office,
Wellington, 15th December, 1870.

IT is hereby notified, that the Governor has delegated to His Honor the Superintendent of the Province of Otago, within that Province, His Excellency's powers under "The Prisoners' Removal Act, 1865."

W. GISBORNE.

Colonial Secretary's Office,
Wellington, 15th December, 1870.

HIS Excellency the Governor has been pleased to delegate, under "The Waste Lands Act, 1858," to the Superintendent of the Province of Otago, the powers vested in the Governor by section 14 of the said Act, subject to be rescinded as in the said Act provided.

W. GISBORNE.

Colonial Secretary's Office,
Wellington, 15th December, 1870.

HIS Excellency the Governor in Council has been pleased to make the following appointments under "The Crown Lands Act, 1869," viz.:—

JOHN THOMAS TYLEE, Esq.,

to be Deputy Commissioner of Crown Lands for the Province of Hawke's Bay;

GERARD GEORGE FITZGERALD, Esq.,

to be Deputy Commissioner of Crown Lands for the County of Westland.

W. GISBORNE.

Colonial Secretary's Office,
Wellington, 15th December, 1870.

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

Name.	Residence.	Occupation.
José Antonio Perez ...	Onehunga, Auckland	Mariner.
Jochim Friderich Christian Beutz	Christchurch	Wool Sorter.
Saverio Vernazani ...	Hokitika	Master Mariner.
Gustavus Turk ...	Ross, Westland	Draper.
Pietro Martella ...	Picton	Labourer.

W. GISBORNE.

Colonial Secretary's Office,
Wellington, 16th December, 1870.

IT is hereby notified that, in consequence of Christmas Day and New Year's Day respectively falling on Sunday, the Holidays usual on such Anniversaries will be observed at the General Government Offices on the following Mondays, viz., the 26th December instant, and the 2nd of January, 1871.

W. GISBORNE.

Colonial Secretary's Office,
(Judicial Branch),
Wellington, 14th December, 1870.

HIS Excellency the Governor has been pleased to appoint

CHARLES DUDLEY ROBERT WARD, Esq.,
to be District Judge for the District for Timaru.

W. GISBORNE.

Native Office,
Wellington, 10th December, 1870.

HIS Excellency the Governor has been pleased to authorize

GEORGE THOMAS WILKINSON,
of Shortland, to act as Interpreter under "The Native Lands Act, 1865," and "The Native Lands Act, 1867;" his certificate to bear date the 1st day of August, 1870.

DONALD McLEAN.

Native Office,
Wellington, 14th December, 1870.

HIS Excellency the Governor has been pleased to authorize

WILLIAM A. GRAHAM, of Auckland,
GEORGE H. DAVIES, of Bay of Islands,
WILLIAM McDONNELL, of Whanganui,
to act as Interpreters under "The Native Lands Act, 1865," and "The Native Lands Act, 1867;" their certificates to bear date the 1st day of August, 1870.

DONALD McLEAN.

Native Office,
Wellington, 21st September, 1870.

HIS Excellency the Governor has been pleased to license

GEORGE WILTSHIRE, Esq., of Auckland,
JAMES MORAN, Esq., of Auckland,
H. F. WYLES, Esq., of Wellington,
to survey lands under "The Native Lands Act, 1865."

DONALD McLEAN.

Colonial Defence Office,
Wellington, 10th December, 1870.

HIS Excellency the Governor has been pleased to make the under-mentioned promotions and appointments, viz. :—

In the New Zealand Militia.

Ensign Edward Mortimer Edgecumbe to be Lieutenant. Date of commission, 16th November, 1870.

Ensign John Mottishead Collins to be Lieutenant. Date of commission, 18th November, 1870.

Charles George Hewson to be Assistant-Surgeon. Date of commission, 28th October, 1870.

In the Auckland Troop, Royal Cavalry Volunteers.
John May to be Cornet. Date of commission, 7th March, 1870.

In the No. 3 Company, Hauraki Rifle Volunteers.
Frederick Alexander Whitaker to be Ensign. Date of commission, 10th September, 1870.

In the Picton Sub-Division, Blenheim Rifle Volunteer Cadet Corps.

Hiram Harris to be Honorary Lieutenant. Date of commission, 4th November, 1870.

In the Christchurch Artillery Volunteers.
Second Lieutenant John Brough Stansell to be Lieutenant. Date of commission, 16th August, 1870.

In the Waikouaiti Rifle Volunteers.
Ensign William Cleaver Ancell to be Lieutenant. Date of commission, 3rd November, 1870.

DONALD McLEAN.

Colonial Defence Office,
Wellington, 10th December, 1870.

HIS Excellency the Governor has been pleased to accept the resignation of the commissions held by the under-mentioned officers, viz. :—

Captain John Cameron, New Zealand Militia.
Captain Thomas Kells, Wanganui Veteran Volunteers.

Major Charles Westrup, as Captain in the Poverty Bay Mounted Rifle Volunteers.

Lieutenant H. W. Hill, Forest Rifle Volunteers.

Ensign W. H. Skinner, Auckland Rifle Volunteers.

Ensign R. White, Wairoa Rifle Volunteers.

Ensign T. G. Sandes, No. 3 Company, Hauraki Rifle Volunteers.

Ensign T. Delamore, Royal Company, Rangitikei Rifle Volunteers.

DONALD McLEAN.

Colonial Defence Office,
Wellington, 10th December, 1870.

HIS Excellency the Governor has been pleased to accept the services of the under-mentioned corps, viz. :—

The Napier Rifle Volunteer Cadet Corps. Date of acceptance, 11th November, 1870.

The Manukau Rifle Volunteers. Date of acceptance, 14th November, 1870.

The Wakefield Rifle Volunteer Cadet Corps. Date of acceptance, 15th November, 1870.

DONALD McLEAN.

Colonial Defence Office,
Wellington, 12th December, 1870.

THE following Schedule of Militia Districts constituted under "The Militia Act, 1870," is published for general information.

DONALD McLEAN.

SCHEDULE.

MILITIA DISTRICTS, NORTH ISLAND.

Mongonui District.

Bounded on the South by the Harbour of Whangaroa and by the Pupuke River to its source; thence by a straight line to the summit of Maungataniwha; on the South-west by a straight line from Maungataniwha to the source of the Herekino River, and by that river to the sea; and on all other sides by the sea.

Bay of Islands District.

Bounded on the North-west by the Whangaroa Harbour, and by the Kaio River from its mouth to its source; on the West by a straight line from the source of the Kaio River to the western shore of the Omapere Lake, and thence by a straight line to the source of the Mangakahia River, and by that river to its junction with the Wairua River; on the South by the Wairua River and by the Whana-

naki River to the sea; and on the North-east by the sea.

Hokianga District.

Bounded on the North by the Mongonui District; on the East by the Bay of Islands District; on the South by a straight line from the confluence of the Wairua and Mangakahia Rivers to the Maunganui Bluff; and on the South-west by the sea.

Kaipara District.

Bounded on the North by the Hokianga District; on the East by the Wairoa River to the confluence of the Mongonui River, and by the Mongonui River to the north-western angle of the Mangawhai District; thence on the South-east by the Mangawhai District to the head of the Arapawa Inlet, and by the shore of Kaipara Estuary; on the South by the Kaipara Estuary; and on the South-west by the sea.

Mangawhai District.

Bounded on the North by the Ruakaka River from its mouth to its source, and thence westward by a straight line to Mongonui River of Kaipara, thence by a straight line to the northern head of the Arapawa Inlet; thence on the West by the Kaipara waters to the Hoteo River; and on the South by the Hoteo River to its source, thence by a straight line to the summit of Tamahua, and by the watershed from Tamahua to the Whakatawhenua Stream, and by that stream to the sea; and on the East by the sea.

Whangarei District.

Bounded on the South by the Mangawhai District from the Mongonui River to the mouth of the Ruakaka River; on the East by the sea; on the North by the Bay of Islands District; and on the West by the Kaipara District.

Auckland District.

Bounded on the North by the Waitemata Harbour and the Gulf of the Thames; on the East by the Wairoa Creek to the northern boundary of the Hunua purchase; on the South by the northern boundary of the Hunua purchase to the Kirikiri Confiscated Block, and by the eastern and northern boundaries of that block to the Village of Papakura, and by the Papakura Creek to Manukau Harbour; on the South-west by Manukau Harbour; and on the West by the Whau Portage and Creek, including the Islands of Pakihi, Ponui, Puketua, Tarataroa, Waiheki, Motu Ihi, Brown's Island, Motu Tapu, Rangitoto, Rakino, Wood's Island, and Week's Island.

Wairoa District.

Bounded on the North by the southern boundary of the Auckland District and by the Wairoa Creek; on the North-east and East by the Gulf of the Thames; on the South by the Whangamarino River and the Maramarua Stream, and by a straight line extending from the source of the Maramarua Stream through the Hot Springs near Pukorokoro to the Gulf of the Thames; and on the West by the Waikato, and by a line one mile westward of the Great South Road to the Pahurehure Creek and by that creek and Manukau Harbour to the Papakura Creek, and by the Papakura Creek to the Village of Papakura.

Waiuku District.

Bounded on the North by the Manukau Harbour; on the East by the Wairoa District; on the South by the Waikato River; and on the West by the sea: including the Islands in Pahurehure Creek and in the Waikato River adjacent.

Whangape District.

Bounded on the North by the Waikato River; on the East by the Waikato River; on the South by the Awa-o-te-Atua Stream and by a straight line

from the source of that stream due west to the sea; and on the West by the sea.

Rangiriri District.

Bounded on the North by the Wairoa District and by the Gulf of the Thames; on the East by the Piako River to the Waitoa River, to a point due east from the Mangawharo Portage; on the South by a straight line running west from the point last described to the Mangawharo Portage, and by that portage and the Mangawharo Stream to the Waikato River; and on the West by the Waikato River: including the Islands in the Waikato River along such western boundary.

Hamilton District.

Bounded on the North by the Rangiriri District from the Awa-o-te-Atua Stream to the Waitoa River, and thence by a straight line to the confluence of the Ohinemuri and Waihou River; on the East by the Waihou River to a point being the production eastward of the southern boundary line of the Tamahere Native Reserve; on the West by the summit of the Hakarimata Range from the Awa-o-te-Atua Creek to the source of Karakariki Stream; on the South by the Karakariki Stream to the Waipa River, and thence by a straight line to the south-western angle of the Tamahere Native Reserve; and on the South-east by the south-eastern boundary line of the Tamahere Reserve, and by a production of such line to the Waihou River.

Raglan District.

Bounded on the North by the Whangape District; on the East by the Hamilton District, the Hakarimata Range, and northern spur of the Pirongia to the summit of Pirongia; on the South by a straight line from the summit of Pirongia to the southern shore of Aotea Harbour, and by that harbour to the sea; and on the West by the sea.

Alexandra District.

Bounded on the North and West by the Raglan District, from the sea to Karakariki Creek; on the North by the Hamilton District, from the source of the Karakariki Creek to the Hamilton and Ohaupo road; on the East by the Hamilton and Ohaupo road to Ohaupo, thence by the Te Awamutu Road to Te Awamutu, thence by the Puniu Road through Orakau to the Puniu River, and thence by a straight line to the source of the Waipa River; on the South by the Waipa River, from its source, to the confluence of the Waitomo River, by the Waitomo River to its source, and thence by a straight line to Haerchaere; and on the West by the sea, and by the shores of Kawhia Harbour and Aotea Harbour to the point first described: including the Harapipi Military Settlement.

Cambridge District.

Bounded on the North by the Hamilton District from the Hamilton and Ohaupo road to the Waihou River; on the East by the Waihou River to the Whakaparu River, and by the Whakaparu River to its source; on the South by a straight line from the source of the Whakaparu River to the source of the Waipa River; and on the West by the Alexandra District.

Thames District.

Bounded on the West by the Rangiriri District; on the North-west by the Gulf of the Thames, from the mouth of the Piako River to the Tararu Stream; on the North by the Tararu Stream from its mouth to its source, and from thence by a straight line running due east to the sea; on the East by the sea; and on the South by the Hamilton District, from

the Waitoa River to the Waihou River, by the Ohinemuri River from its confluence with the Waihou River to the source of its eastern branch, and from such source by a straight line running due east to the sea.

Coromandel District.

Bounded on the South by the Thames District, and on all other sides by the sea: including the Great Barrier Island, the Mercury Islands, the Islands of Whanganui, Rangipuki, and the Islands lying off Coromandel Harbour.

North Shore District.

Bounded on the South-east by Manukau Harbour, by the Whau Portage and Creek, and by the Waitemata Harbour; on the East by the Gulf of the Thames to Cape Rodney; on the North by the Tamahua Range from Whakatawhenua to the source of the Hoteo River, by that river to the Kaipara Estuary; on the West by the Kaipara Estuary, and by the sea from Kaipara entrance to Manukau entrance: including the Islands of Kawau, Tiritirimatangi, Motuwhora, Motureka, and Motuketa.

Tauranga District.

Bounded on the North by the Thames District; on the North-east by the sea; on the East by the Kaituna River, from its mouth to its source; on the South by the shore of Lake Rotoiti, by the path from Lake Rotoiti to Lake Rotorua, by Lake Rotorua, and by a straight line from the western shore of Lake Rotorua to the confluence of the Whakaparu and Waihou Rivers; and on the West by the Waihou River: including the Islands in Tauranga Harbour.

Matata District.

Bounded on the North by the sea; on the East by the Whakatane River, from its mouth to its source; on the South by a straight line from the source of the Whakatane River to the confluence of the Haraheke and Rangitaiki Rivers, by the Haraheke River to Lake Rerewhakaiti, by the path leading from Lake Rerewhakaiti to Lake Tarawhera, by Lake Tarawhera to the path leading to Lake Rotorua, by that path and by Lake Rotorua; and on the West by Lake Rotorua and the Tauranga District to the sea.

Opotiki District.

Bounded on the North by the sea; on the North-east by the Maraenui River, from the sea to its source; thence on the East by a straight line running south for twenty-seven miles; thence on the South by a straight line to the source of the Whakatane River; and on the West by the Whakatane River to the sea.

White Cliffs District.

Bounded on the North by the Mokau River, from the sea up to Mokauiti; on the East by a straight line from Mokauiti to the source of the Urenui River.

New Plymouth District.

Bounded on the North by the Urenui River, from the sea to its source; on the West by the sea; on the South by the Hangatahua or Stoney River from the sea to its source, and by a straight line from such source to the summit of Mount Egmont, and from the summit of Mount Egmont by a straight line to the intersection of the Manganui branch of the Waitara River with the road from Waitara behind Mount Egmont towards Waingongoro; and on the East by a straight line from the last described intersection to the source of the Urenui River.

Cape Egmont District.

Bounded on the North by the New Plymouth District; on the West by the sea; on the South-east by the Waingongoro River, from its mouth to its source; and thence on the East by a straight line to the intersection of the Waitara and Waingongoro road

at the back of Mount Egmont with the Manganui branch of the River Waitara.

Patea District.

Bounded on the North-west by the Cape Egmont District; on the South-west by the sea; on the South-east by the Waitotara River, from the sea to the source; and thence on the North-east by a straight line to the source of the Waingongoro River.

Whanganui District.

Bounded on the North-west by the Waitotara River from the sea to the source; on the South-west by the sea; on the South by the Turakina River, from its mouth to its source; thence on the North-east by a straight line to Pipiriki; and on the North by a straight line from Pipiriki to the source of the Waitotara River.

Rangitikei District.

Bounded on the North by the Turakina River from the sea to the northern angle of the Rangitikei purchase, thence by the north-eastern boundary of the Rangitikei purchase to the Rangitikei River, thence by the northern boundary of the Rangitikei-Manawatu purchase to the Oroua River; on the East by the eastern boundary of the Rangitikei-Manawatu purchase to the Manawatu Gorge, by a straight line thence to the summit of Kaubanga, and by the summit of the Tararua Range to a point on the range due east from the source of the Horowhenua Stream, thence by a straight line to such source, and by the Horowhenua Stream and Lagoon to the sea; on the West by the sea.

Otaki District.

Bounded on the North by the Rangitikei District; on the West by the sea; on the South by the Wainui Stream from the sea to its source, and by a straight line from such source to the spot where the Wellington and Greytown road crosses the Rimutaka Range; on the East by a straight line from the point last described to the Arawharu summit, and by the summit of the Tararua Range to the south-eastern angle of the Rangitikei District: including the Island of Kapiti.

Wellington District.

Bounded on the North by the Wainui Stream from its mouth to its source, and thence by a straight line to the point where the Wellington and Greytown Road crosses the summit of the Rimutaka Range; thence on the East by the summit of the Rimutaka Range to the sea at Turakerai Point; on the South by Cook's Strait and Port Nicholson; and on the West by Cook's Strait: including the Islands of Port Nicholson and Mana.

Greytown District.

Bounded on the North by the Kaiwhata River from the sea to the source, and thence by a straight line to the confluence of the Waiohine River with the Ruamahanga, thence by the Waiohine Stream to its source, and thence in a straight line to the Arawharu summit of the Tararua Range; on the West by a straight line from the Arawharu summit to the point where the Wellington and Greytown road crosses the Rimutaka, and thence by the summit of the Rimutaka road to the sea at Turakirae; and on the South and East by the sea.

Masterton District.

Bounded on the East by the sea; on the South by the Greytown District; on the West by the Otaki and Rangitikei Districts to the Manawatu River; and on the North by the southern boundary of the Province of Hawke's Bay.

East Coast (Native) District.

Bounded on the North by the sea; on the North-

west by the Kawa Kawa River to its source, and by a straight line thence to the summit of Hikurangi; thence on the West by a straight line to the source of the Turanganui River; on the South by a line due east and west from the Mahia Peninsula by the Turanganui River and by Poverty Bay; and on the East by the sea.

Wairoa (Hawke's Bay) District.

Bounded on the South and East by the sea; on the North by the East Coast (Native) District, Poverty Bay, and the Turanganui River from its mouth to its source, thence by a line running westerly to Te Ariki on the Wairoa River; thence on the North-west by a straight line to the north-west angle of the boundary of the Province of Hawke's Bay; thence on the South-west by a straight line to the nearest point of the Waikare River, and by the Waikare River to the sea.

North Napier District.

Bounded on the North-east by the Wairoa District; on the East by the sea to Waimarama; on the South by a straight line from Waimarama to Pakepake Bridge, and thence by a straight line to the nearest point of the Ngaruroro River, and by the Ngaruroro River to its source; and on the North-west by the boundary line of the Province of Hawke's Bay.

South Napier District.

Bounded on the North by the North Napier District; on the East by the sea; on the South by the southern boundary line of the Province of Hawke's Bay; and on the West by the western boundary line of the Province of Hawke's Bay.

RICHARD CURRY, late a Private in the Wairoa Rifle Volunteers, deceased.

Under the provisions of "The Public Payments without Probate Act, 1869," and the Regulations made thereunder, published in the *New Zealand Gazette* of 1870, page 212, the Colonial Treasurer intends to make a payment of money due to the above-named deceased, to a person not being his legal representative. All persons objecting to such payment being made must give notice to the Colonial Treasurer, at Wellington, within one calendar month from the date of the *Gazette* containing this notice, when their objections will be considered.

HENRY SEWELL
(for Colonial Treasurer).

TENDERS are invited for the Erection of a Post Office and Telegraph Station at Naseby, in the Province of Otago.

General Conditions, Specifications, and Drawings may be seen at the Offices of the Colonial Architect, Wellington, and at the Telegraph Office in Dunedin.

Tenders will be received by the undersigned up to Noon on Monday, the 16th day of January next.

The lowest or any Tender not necessarily accepted.

W. H. CLAYTON,
Colonial Architect.
15th December, 1870.

TENDERS are invited for the Erection of a Post Office and Telegraph Station at Hampden, in the Province of Otago.

General Conditions, Specifications, and Drawings may be seen at the Post Offices of Oamaru, Waikouaiti, and Dunedin.

Tenders will be received by the undersigned up to Noon on Saturday, the 31st day of December next. The lowest or any Tender not necessarily accepted.

W. H. CLAYTON,
Colonial Architect.
7th December, 1870.

TENDERS are invited for the Erection of a Court House and Survey Office at Patea, in the Province of Wellington.

General Conditions, Specifications, and Drawings may be seen at the Offices of the Colonial Architect, Wellington, and at the Resident Magistrate's Court, Wanganui.

Tenders will be received by the undersigned up to Noon on Wednesday, the 4th day of January next.

The lowest or any Tender not necessarily accepted.

W. H. CLAYTON,
Colonial Architect.
12th December, 1870.

TENDERS are invited for the Erection of a Court House at Wanganui.

General Conditions, Specifications, and Drawings may be seen at the Offices of the Colonial Architect, Wellington, and at the Resident Magistrate's Court, Wanganui.

Tenders will be received by the undersigned up to Noon on Thursday, the 22nd day of December next. The lowest or any Tender not necessarily accepted.

W. H. CLAYTON,
Colonial Architect.
29th November, 1870.

NOTICE TO TENDERERS.

THE Time for Completing the Public Offices at Wellington is Extended to the 15th day of May, 1871, and the Penalty for non-completion increased from £50 to £100 per week.

W. H. CLAYTON,
Colonial Architect.
21st November, 1870.

Office of Registrar of Joint Stock Companies,
Dunedin, 21st November, 1870.

I, ALFRED WILLIAM SMITH, Registrar of Joint Stock Companies for the Province of Otago, 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, entitled

"The Oamaru Flax Company, Limited;" the objects for which the said Company is established being "the obtaining of a lease or leases of ground, the cutting and manufacture of the *Phormium tenax* or Native Flax, and such other purposes as shall be incidental to or connected with the above objects."

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 twenty-first day of November, one thousand eight hundred and seventy.

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

In pursuance of "The Patents Act, 1860," I, Thomas Lord, of Waltham, near Christchurch, in the Province of Canterbury, in New Zealand, hereby give notice that I have applied for a grant of Letters Patent for the sole use, benefit, and advantage in New Zealand of certain Improvements in the construction of Horizontal Windmills.

Any person who may wish to prefer any objection to the granting of such Letters Patent is required, within four calendar months after the publication of this advertisement, to send to the office or address of John Boyle Bennett, Esq., at Wellington, a statement in writing setting forth the grounds of such objection, subscribed with his proper name and address.

THOMAS LORD.
Waltham, near Christchurch,
28th November, 1870. 463

DISSOLUTION OF COPARTNERSHIP.

NOTICE is hereby given, that the Copartnership heretofore existing between James Hopcraft, William McCullough, Henry George Lyons Radford, Patrick Mullins, and Francis Hillsden, carrying on business as Newspaper Proprietors and General Printers at Willoughby Street, Shortland, under the name, style, or firm of "Hopcraft, McCullough, and Co.," has been this day dissolved by mutual consent, Patrick Mullins and Francis Hillsden having retired from the said Copartnership.

The business will from this date be carried on by James Hopcraft, William McCullough, and Henry George Lyons Radford, who will receive all accounts and discharge all liabilities of the late firm. The name, style, or designation of the firm will remain as heretofore, "Hopcraft, McCullough, and Co."

JAMES HOPCRAFT,
WILLIAM McCULLOUGH,
HENRY G. L. RADFORD,
PATRICK MULLINS,
FRANCIS HILLSDEN.

Witness—Edward March, Shortland, 30th November, 1870. 466

DISSOLUTION OF PARTNERSHIP.—Notice is hereby given, that the Copartnership carried on for some time past at Invercargill by Joseph Stock and John Blacklock, under the style or firm of "J. Stock and Co.," was this day dissolved by mutual consent.

Mr. Joseph Stock is empowered to discharge and settle all debts due to and by the said copartnership concern.

Dated this seventh day of November, 1870.

JOSEPH STOCK.
JOHN BLACKLOCK.

Witness to the signatures of the said Joseph Stock and John Blacklock—Fredk. W. Wade, Solicitor, Invercargill. 465

ACTS OF PARLIAMENT.—The following Acts, passed during the Session of the Assembly 1870, are now published, and can be procured from the Government Printer. Copies forwarded to any part of the Colony, post free, at the following prices:—

Act.	s.	d.
No. 1. Punishment of High Treason	0	6
" 2. Imprest Supply	0	6
" 3. New Zealand Post Office Act Amendment	0	6
" 4. Otago Education Reserves Abandonment	0	6
" 5. Deceased Persons Estates	0	6
" 6. Partition	0	6
" 7. Vexatious Indictments	0	6
" 8. Larceny Act Amendment	0	6
" 9. Treasury Bills	0	6
" 10. Wellington and Hawke's Bay Public Debt Apportionment Act Extension	0	6
" 11. Provincial Reserved Bills	0	6
" 12. District Courts Criminal Jurisdiction Extension	0	6
" 13. Imprest Supply (No 2)	0	6
" 14. Supreme Court Act 1860 Amendment	0	6
" 15. Representation	1	0
" 16. Qualification of Electors	0	6
" 17. Disqualification	0	6
" 18. Regulation of Elections	1	6
" 19. Sale for Non-payment of Rates	0	9
" 20. Gold Duties	0	6
" 21. Stamp Duties	0	6
" 22. Juries Act Amendment	0	6
" 23. Bankruptcy Acts Amendment	0	6
" 24. Resident Magistrates Evidence	0	6
" 25. Provincial Acts Validation Act Continuance	0	6
" 26. Limited Liability Companies Winding-up	0	6

Act.	s.	d.
No. 27. Mining Companies Limited Liability Act Amendment	0	6
" 28. Deputy Superintendent of Wellington	0	6
" 29. Neglected and Criminal Children Act 1867 Amendment	0	6
" 30. Sales by Mortgagees	0	6
" 31. Escheat Act Amendment	0	6
" 32. Intestate Estates Amendment	0	6
" 33. Fire Inspectors	0	6
" 34. Dangerous Goods Act Amendment	0	6
" 35. Unincorporated Boards Suits	0	6
" 36. Court of Appeal Act Amendment	0	6
" 37. Married Women's Property Protection	0	6
" 38. Government Summary Prosecutions	0	6
" 39. Outlying Districts Sale of Spirits	0	6
" 40. Aliens	0	6
" 41. Harbour Boards	0	9
" 42. Marine Act Amendment	0	6
" 43. Merchant Ships Officers Examination	0	6
" 44. New Zealand Post Office Act Amendment (No. 2)	0	6
" 45. Gold Fields Act Amendment	0	6
" 46. Agricultural Produce Lien	0	6
" 47. Census Acts Amendment	0	6
" 48. Walsh and Others Pension Act Amendment	0	6
" 49. Meredith and Others Pension	0	6
" 50. County of Westland Act Amendment	0	6
" 51. Land Transfer	3	6
" 52. Auckland Waste Lands	0	9
" 53. Wellington Waste Lands	0	6
" 54. Nelson Waste Lands Act Amendment	0	6
" 55. Nelson Crown Lands Leasing Act Amendment	0	6
" 56. Westland Waste Lands	1	9
" 57. Otago Hundreds Regulation Act 1869 Amendment	0	6
" 58. Hawke's Bay Crown Lands Sale	0	6
" 59. Hawke's Bay Renewal of Licenses	0	6
" 60. Mohaka and Waikare District	0	6
" 61. Gisborne Land	0	6
" 62. Richmond Land Sales	0	9
" 63. Bay of Islands Settlement	0	6
" 64. Wairarapa Town Lands Management	0	6
" 65. Marlborough Sale of Reserves	0	6
" 66. Wairau Valley Road	0	6
" 67. Hawke's Bay and Marlborough Rivers Act 1868 Amendment	0	6
" 68. Canterbury Rivers	1	6
" 69. Kaiapoi Native Industrial School Grant	0	6
" 70. Turner's Land Grant	0	6
" 71. Johnston Land Grant	0	6
" 72. Green's Land Claims Settlement	0	6
" 73. Green and Spencer Amendment	0	6
" 74. Native Lands Acts Amendment	0	6
" 75. Native Lands Frauds Prevention	0	6
" 76. Crown Grants Amendment	0	6
" 77. Immigration and Public Works	1	9
" 78. Railways	0	9
" 79. Canterbury Gauge	0	6
" 80. Immigration and Public Works Loan	0	6
" 81. Defence and other Purposes Loan	0	6
" 82. Payments to Provinces	0	9
" 83. South Sea Islands Drawbacks	0	9
" 84. New Zealand and Australian Submarine Telegraph	0	6
" 85. Government Officers Guarantee	0	6
" 86. New Zealand Government Insurance and Annuities	0	6
" 87. Militia	1	3
" 88. Volunteer Act Amendment	0	6
" 89. Patents	1	3
" 90. New Zealand University	0	9
" 91. Nelson College	0	6
" 92. Timaru and Gladstone Board of Works Act Amendment	0	6
" 93. Otago and Southland Union	0	9
" 94. Public Revenues	0	6
" 95. Temporary Loan	0	6
" 96. Treasury Bills Extended Currency	0	6
" 97. Appropriation	3	6
" 98. Appropriation (No. 2) Colonial Reciprocity	0	6

Local and Personal.

" 1. Canterbury Great Northern Railway	0	9
" 2. Canterbury Gas	1	
" 3. Wellington Gas Company	0	9

GEO. DIDSBUY,
Government Printer.

Wellington, 22nd October, 1870.

PARTICULARS of the Estates of Deceased Persons which have been placed under the charge of **ROBERT POLLOCK, Esq.,** Curator of the Estates of Deceased Persons, during the Month of November 1870.

No.	Name of Deceased.	Colonial Residence.	Supposed British or Foreign Residence.	Date of Rule or Order.	Value or Estimated Value of Personal Estate.	Time of Deceased's Death.	Remarks.
53	Thomas Rourke ...	Nelson ...	Ireland ...	...	£ s. d. 6 15 0	3rd Jan., 1870.	...

Dated the 2nd day of December, 1870.

ROBERT POLLOCK,
Curator.

PARTICULARS of the Estates of Deceased Persons which have been placed under the charge of **WILLIAM MORGAN CROMPTON, Esq.,** Curator of the Estates of Deceased Persons during the Months of October and November, 1870.

No.	Name of Deceased.	Colonial Residence.	Supposed British or Foreign Residence.	Date of Rule or Order.	Value or Estimated Value of Personal Estate.	Time of Deceased's Death.	Remarks.
...	October— Nil.	...	...	...	£ s. d.	...	...
...	November— David McKibbon...	Patea ...	Ireland ...	None required ...	5 0 0	2nd Oct., 1870	...

Dated the 30th day of November, 1870.

W. M. CROMPTON,
Curator.

PARTICULARS of the Estates of Deceased Persons which have been placed under the charge of **ROBERT ABBOTT, Esq.,** Curator of the Estates of Deceased Persons, during the Month of November, 1870.

No.	Name of Deceased.	Colonial Residence.	Supposed British or Foreign Residence.	Date of Rule or Order.	Value or Estimated Value of Personal Estate.	Time of Deceased's Death.	Remarks.
18	Bullen, Edward Hartnett	Clerk, Ahaura	Ireland ...	...	Not yet learned	16 Oct., 1870	...
19	Boyd, William ...	Miner, Hokitika	Scotland ...	...	Under £50	1 Nov., 1870	Died in Lunatic Asylum.
13	Sheppard, George William	Commission Agent, Hokitika	England, Melbourne, and Otago	...	Under £20	27 Oct., 1870	Died in Hokitika Hospital.

Dated the 3rd day of December, 1870.

ROBERT ABBOTT,
Curator.

PARTICULARS of the Estates of Deceased Persons which have been placed under the charge of **ALFRED CHETHAM-STRODE, Esq.,** Curator of the Estates of Deceased Persons, during the Month of November, 1870.

No.	Name of Deceased.	Colonial Residence.	Supposed British or Foreign Residence.	Date of Rule or Order.	Value or Estimated Value of Personal Estate.	Time of Deceased's Death.	Remarks.
1	Joseph McIlroy ...	Maori Point, Otago	Ballymana, Antrim, Ireland	None required ...	Under £1	17 June, 1870	Death caused by falling over a precipice.
2	Henry Lawrence ...	Dunedin ...	Victoria, Australia	...	Under £1	14 Aug., 1870	...
3	Richard Covell ...	Dunedin ...	Kent, England	...	Under £2	16 Aug., 1870	...
4	Sarah Jamieson ...	Switzers, Otago	England; county not known	...	Under £20	25 Aug., 1869	...
5	Louis Vimont ...	Dunedin ...	Normandy	...	Under £1	18 Aug., 1870	...
6	John Cook ...	Shag Point, Otago	Victoria ...	25 Nov., 1870 ...	Under £100	9 July, 1870	Accidentally drowned.
7	Francis Malloch ...	Dunedin ...	Not known	None required ...	Under £5	28 Aug., 1870	...
8	William Aitken ...	Dunedin ...	...	...	Under £2	31 Aug., 1870	...
9	John Ferguson ...	Dunedin ...	West Indies	...	Under £2	31 Aug., 1870	...

Dated at Dunedin, the 1st day of December, 1870.

A. CHETHAM-STRODE,
Curator.

STATEMENT in Explanation of the SUMS PAYABLE to the PROVINCES in the Month of JULY for the Month of JUNE, 1869-70.

PROVINCES.	1			2			3			4			
	Moiety of Receipts into Consolidated Fund.			Payments on Account of Services Provincially Charged.			Interest and Sinking Fund on Portions of Loans Charged against Provinces.			Payable to Provinces for Appropriation—Column 1, less Columns 2 and 3.			
	£	s.	d.	£	s.	d.	£	s.	d.	Dr.	£	s.	d.
AUCKLAND	8,722	14	6	10,586	6	7	1,427	17	0	Dr.	3,291	9	1
TARANAKI	418	7	8	859	12	1	649	8	9	"	1,090	13	2
WELLINGTON	4,062	10	2	6,299	5	1	2,269	13	11	"	4,506	8	10
HAWKE'S BAY	1,178	18	1	1,309	9	0	1,510	7	3	"	1,640	18	2
NELSON	2,887	6	2	2,630	19	8	1,460	10	10	"	1,204	4	4
MARLBOROUGH	373	14	4	809	18	0	7	17	0	"	444	0	8
CANTERBURY	5,192	19	7	6,818	19	2	8,951	13	9	"	10,577	13	4
WESTLAND	3,567	14	8	2,836	4	11	5,895	13	6	"	5,164	3	9
OTAGO	9,272	2	7	8,440	16	2	8,441	14	5	"	7,610	8	0
SOUTHLAND	1,414	15	10	1,373	7	11	1,893	5	11	"	1,851	18	0
TOTALS	37,091	3	7	41,964	18	7	32,508	2	4	Dr.	37,381	17	4

Treasury,
Wellington, 1st November, 1870.

C. T. BATKIN,
Paymaster-General and Accountant.

SUMMARY of RECEIPTS and EXPENDITURE of the PUBLIC ACCOUNT of NEW ZEALAND for the Quarter ended the 30th day of SEPTEMBER, 1870.

	RECEIPTS.				EXPENDITURE.			
	Balances in hand on first day of Quarter	Receipts during Quarter.	Imprests unaccounted for last Quarter.	Totals.	Balances in hand on last day of Quarter.	Expenditure during Quarter.	Imprests unaccounted for. (See Statement beneath.)	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Consolidated Fund ...	41,222 7 6	516,751 14 8	14,498 9 9	572,472 11 11	29,695 10 11	443,866 5 0	98,910 16 0	572,472 11 11
Special Fund ...	34,131 15 10	80,632 10 9	44,587 1 6	159,351 8 1	2,698 14 11	96,437 15 5	60,214 17 9	159,351 8 1
Land Fund ...	5,078 14 3	50,265 3 1	Dr. 3,664 1 10	51,679 15 6	1,764 5 9	47,177 1 8	2,738 8 1	51,679 15 6
Trust Fund ...	95,166 2 10	232,421 19 3	35 14 4	327,623 16 5	15,206 0 3	309,525 17 4	2,891 18 10	327,623 16 5
Totals ...	175,599 0 5	880,071 7 9	55,457 3 9	1,111,127 11 11	49,364 11 10	897,006 19 5	164,756 0 8	1,111,127 11 11
Advances—Imperial Government	...	...	...	...	...	£205 17 11	...	...
„ to Provinces in Separate Account	...	...	...	...	...	1,256 16 1	...	...
„ to Provinces under Loan Allocation Repeal Act	...	...	...	...	...	35,046 5 8	...	...
„ under Bay of Islands Settlements Act	...	...	...	...	...	7,439 12 10	...	...
„ under Auckland Reserves Act	...	...	...	...	...	2,101 3 0	...	...
„ Miscellaneous	...	...	...	...	...	70,203 0 0	...	...
„ Paymaster-General	...	...	...	...	...	48,503 5 2	...	...
						£164,756 0 8		

Treasury,
Wellington, 8th November, 1870.

C. T. BATKIN,
Paymaster-General and Accountant.

STATEMENT in Explanation of the SUMS PAYABLE and PAID to the PROVINCES under "The Payments to Provinces Act, 1870," on account of CAPITATION MONEY, &c., during the Quarter ended the 30th day of SEPTEMBER, 1870.

PROVINCES.	CAPITATION MONEY, &c.				CHARGES.			Balances Payable to Provinces for Appropriation.	Paid to Provinces from 1 July to 30 Sept., 1870.
	Capitation Money. Two-twelfths of Annual Grant.	Special Allowance. Two-twelfths of Annual Grant.	Transfers to Consolidated Fund from 1 July to 30 Sept.	Total.	The twelfth-parts of Interest and Sinking Fund on portion of Loans charged against Provinces in July and August, 1870.	Payments on account of Services Provincially charged from 1 July to 31 August, 1870.	Total.		
AUCKLAND	£ s. d. 20,666 13 4	£ s. d. 500 0 0	£ s. d. ...	£ s. d. 21,166 13 4	£ s. d. 6,332 18 8	£ s. d. 3,528 10 10	£ s. d. 9,861 9 6	£ s. d. 11,305 3 10	£ s. d. 103 15 9
TARANAKI	1,600 0 0	83 6 8	...	1,683 6 8	270 0 0	279 1 0	549 1 0	1,134 5 8	...
WELLINGTON	8,333 6 8	250 0 0	...	8,583 6 8	2,063 0 0	2,323 17 9	4,886 17 9	3,696 8 11	...
HAWKE'S BAY	2,000 0 0	500 0 0	...	2,500 0 0	870 0 0	504 1 7	1,374 1 7	1,125 18 5	13 6 8
NELSON	8,000 0 0	...	...	8,000 0 0	797 0 0	1,069 2 11	1,866 2 11	6,133 17 1	2,281 3 9
MARLBOROUGH	1,566 13 4	...	...	1,566 13 4	...	411 17 5	411 17 5	1,154 15 11	13 5 4
CANTERBURY	13,333 6 8	...	...	13,333 6 8	6,106 19 2	2,547 14 5	8,654 13 7	4,678 13 1	...
WESTLAND	4,500 0 0	562 10 0	...	5,062 10 0	1,691 10 8	1,202 7 6	2,893 18 2	2,168 11 10	...
OTAGO	20,416 13 4	...	...	20,416 13 4	5,190 0 0	3,634 12 0	8,824 12 0	11,592 1 4	5,000 0 0
SOUTHLAND	2,916 13 4	...	...	2,916 13 4	4,492 10 0	750 19 10	5,243 9 10	Dr. 2,326 16 6	...
TOTALS	83,333 6 8	1,895 16 8	...	85,229 3 4	27,813 18 6	16,752 5 3	44,566 3 9	40,662 19 7	7,411 11 6

NOTE.—The sums payable to the several Provinces under "The Payments to Provinces Act, 1870," are dependent on the services charged provincially in the Annual Appropriation Act. That Act not having been passed till 13th September, the sums so payable could not be ascertained within the Quarter. The required payments were made during October.

Treasury,
Wellington, 8th November, 1870.

C. T. BATKIN,
Paymaster-General and Accountant.