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PROCLAMATION.

By His Honour WILLIAM BROWN,
Esq., Superintendent of the
Province of Auckland.

WHEREAS by an Act of the Local Legislature of the Province of Auckland, passed in the second Session thereof, intituled "An Act to amend an Ordinance for regulating the Slaughter of Cattle in certain places," it was amongst other things enacted that it should be lawful for the Superintendent, within any district to be proclaimed under the Ordinance amended by the said Act, when, and as he should see fit, from time to time, by Proclamation, to appoint that one or more Slaughter-house or Slaughter-houses should be a Public Slaughter-house or should be Public Slaughter-houses, and any such Proclamation from time to time, to alter or revoke, provided that there should be no Public Slaughter-house within the limits of the City of Auckland.

Now, therefore I, the Superintendent of the said Province, in exercise of the power so vested in me in that behalf by the said Act, do hereby proclaim, direct, and appoint, that the licensed Slaughter-house of Mr. John Hall, situate in the village of Otahuhu, in the Hundred of Otahuhu in the Province aforesaid, shall be and is hereby declared to be a Public Slaughter-house for the purposes of the said Act, and that no Cattle within the meaning of the said Ordinance shall be slaughtered

from and after the fourteenth day of the month of August, instant, for the purpose of sale, barter, shipping or exportation at any place within the said Hundred, save and except at the said Public Slaughter-house and in such licensed Slaughter-houses as may be situate in that part of the said Hundred which lies on the East of and is bounded on the West by the Public Road leading from the Otara Creek Bridge to the Great South Road.

Given under my hand at Auckland, in the Province aforesaid, this 13th day of August, one thousand eight hundred and fifty-five.

WM. BROWN,
Superintendent of the Province
of Auckland.

WASTE LAND BOARD.

Superintendent's Office, Auckland,
13th August, 1855.

THE subjoined correspondence, respecting the amount of land sold by the Board, is published for general information.

WM. BROWN,
Superintendent.

Superintendent's Office, Auckland,
8th August, 1855.

SIR,—I have the honor to request that you will be good enough to furnish me with whatever information you may possess concerning the operations of the Waste Land

Board, with especial reference to the amount of land that has been sold by the Board, and the quantity of good and available land still on hand, and that you will further oblige me by enumerating the chief obstacles (if any) which you have found to operate against the carrying out of the Waste Land Regulations in bringing the land into the market.

I have, &c.,
WM. BROWN,
Superintendent.

The Chief Commissioner
of the Waste Land Board,
Auckland.

Waste Land Board Office,
Auckland, 9th Aug., 1855.

SIR,—I have the honor to acknowledge the receipt of your letter, dated 8th inst., No. 11, requesting certain information, and to report as follows:—

The quantity of land handed over to the Waste Land Board which could be immediately dealt with was 201,160 acres; out of this, 69,760 acres has been set apart as special occupation land in the several districts; the remainder was proclaimed as general country land, and of this but 8500 acres have been sold.

The land thrown open for sale consists, with the exception of a block called Wainui, of the unselected portion of the blocks which had been already for sale under Sir George Grey's Regulations. Judging by the small quantity sold, and the almost total discontinuance of applications, I should suppose but little now remains of even average quality.

The only other land of which the Board received notice, is the Waiuku block, and a tract estimated at 10,000 acres at Wangarie. The General Government intimated that the plan of the Waiuku would be ready at the end of last month, and the Board only await its receipt to take the necessary steps to bring it as speedily as possible into the market. It is supposed to contain 45,000 acres, and of this Mr. Commissioner May reports that he estimates that fully one-third will turn out to be swamp and bad ground; the rest is of a highly fertile description, and, from its position in regard to water carriage, and the advantages to be derived from the proposed tramway, there can be little doubt all that is available will be rapidly sold.

Of the land at Wangarie, I am unable to afford any information. A surveyor has been deputed by the General Government to survey the boundaries.

I would also state that the Crown owns numerous small portions of land in different parts of the Province, some of these being exchange land claims, but none have been handed over to the Waste Land Board, though applied for.

With reference to the 69,760 acres set apart as special occupation land, I have the honor to state 1,920 acres in the

Karaka district, having been surveyed, has been proclaimed and selected.

All the other blocks set apart, are as yet merely so on paper, from the Board not having the means at their disposal to pay for surveys, but arrangements have been lately entered into for the survey of the boundaries of the two most eligible blocks at Hunua and the Wainui at contract prices, on the faith of the Provincial Council appropriating the necessary funds, and the Board, I trust, will soon be in a position to recommend their being proclaimed.

The other blocks set apart for special occupation land are of such a character, from the impenetrable nature of the country, barrenness of soil, &c., as to render it a grave question whether at present the Board would be justified in having the necessary surveys made, seeing that but little, if any, would be selected.

Your Honor will perceive from the foregoing statement, that the operations of the Board have been confined to only such land as had been handed over to it, and that, beyond the Waiuku block, the land at Wangarie, and other small portions in various parts of the Province to be handed over, there is no other land, unless further purchases from the Natives have been made.

With reference to the enquiry contained in the concluding part of your Honor's letter, I would state that the chief obstacle which has operated against the Board in bringing into the market such land as has been transferred to it, has been the want of the necessary means being placed at its disposal to make such surveys.

I have the honor to be,
Sir,

Your most obedient servant,
CHARLES J. TAYLOR,
Chief Commissioner.

His Honor
The Superintendent,
&c., &c., &c.
Auckland.

Superintendent's Office, Auckland,
August 13. 1855.

THE subjoined Correspondence, supplementary to that which was published in the "Provincial Government Gazette," No. 24, (p. p. 144—149) is published for general information.

WM. BROWN,
Superintendent.

Waste Land Board Office, Auckland,
7th August, 1855.

Sir,—To complete the correspondence now in your Honor's office on the subject of Mr. Farmer's case, I have the honor to forward copies of the Colonial Secretary's letter, No. 211, dated 30th ult., and the Minutes of the

members of the Waste Land Board in reply thereto.

I have the honor to be,
Sir,
Your obedient servant,
CHARLES J. TAYLOR,
Chief Commissioner.

His Honor
The Superintendent
&c., &c., &c.,
Auckland.

Colonial Secretary's Office, Auckland
30th July, 1855.

Gentlemen,—

In reply to a letter dated the 27th inst., from the Chief Commissioner of your Board, referring me for a reply to my letter to you of the 24th instant, to Resolution No. 37, forwarded to me by the Board through the Superintendent, I am directed by his Excellency the Officer administering the Government to state that you were asked in my letter whether you will, or not, adjudicate upon a disputed land claim, as now before you, and that the Resolution to which you allude contains no distinct reply to this inquiry, but concludes in general terms, — by stating that the Board does not decline "to undertake any other duties which his Excellency the Officer administering the Government or his Honor the Superintendent may deem it to the advantage of the Public service that it should perform, provided the duties required are distinctly stated, and the necessary means placed at its disposal to carry them out."

In the case now in question, his Excellency has declined to communicate to the Board the opinion of the Law Adviser of the Crown, given for the information of the General Government, which opinion the Board desired to obtain, and his Excellency now wishes clearly to understand from the Board whether or not, under these circumstances, it declines to adjudicate regarding the land in dispute.

I have the honor to be,
Gentlemen,
Your most obedient
humble Servant,
ANDREW SINCLAIR,
Colonial Secretary.

The Commissioners
of the Waste Land Board,
Auckland.

No. 35.

Waste Land Board Office,
Auckland, 6th August, 1855.

Sir.—I have the honor to acknowledge receipt of your letter, No. 211, of 30th ultimo, addressed to the Commissioners of the Waste Land Board, and to observe that the Board is divided in opinion on the subject therein referred to.

No provision being made to regulate its proceedings under such circumstances in the

Land Regulations, I beg to forward for your information copies of the Minutes.

I have the honor to be,
Sir,
Your most obedient servant,
CHARLES J. TAYLOR,
Chief Commissioner.

The Honorable
The Colonial Secretary.
&c. &c.
Auckland.

Waste Land Board Office,
Auckland, 4th August, 1855.

MINUTE.

With reference to the Colonial Secretary's letter of 30th July, No. 211, and the inquiry therein made, I have to state that, under the circumstances, I decline to adjudicate in the case of Mr. Farmer v. the Surveyor General.

In support of my decision in the matter, and that there may be no misunderstanding as to the precise grounds upon which, as a member of the Board, I arrive at that conclusion, I will recapitulate the various points having reference thereto.

1. In terms contained in Resolution No. 37, the Board decided that, under the provisions of clause 75—"the jurisdiction of the Board extended over disputes and differences arising under the existing regulations only."

2. That this case is one "under Sir George Grey's Regulations, and the Board is not constituted a tribunal to decide questions originating therewith."

3. That "clause 6 of the present Regulations is entirely of a negative character."

I consider, under the views above expressed in distinct terms, the Waste Land Board is debarred from adjudicating in the case in question.

The Board have at the request of the General Government acquiesced in a proposal to undertake certain duties now performed by the Surveyor General's Department—viz., "the fulfilment of any promise or engagement *lawfully* made by or on behalf of her Majesty" in respect of claims under Sir George Grey's Regulations of March 4th 1853, and such acquiescence refers strictly to the adjustment of all promises and engagements *lawfully* made, yet unsettled, of which a statement will require to be duly handed over with the authority.

The case between Mr. Farmer and the Surveyor-General is, whether there is *any lawful* promise or engagement, and one therefore properly appertaining to the Government to decide.

With reference to the statement contained in the last paragraph of Resolution No. 37, that the Board will not "decline to undertake any other duties which his Excellency the Officer administering the Government or his Honor the Superintendent may deem it to the advantage of the Public service that it

should perform," &c., &c., and which is adverted to in the Colonial Secretary's letter No. 211, I have to observe that, taken in connection with the rest of the Resolution, and more particularly with reference to paragraph 5 of the Colonial Secretary's letter No. 164, of 12th July, 1855, to which it is in reply, it is evident the Board means such other duties as they are lawfully competent to undertake.

CHARLES J. TAYLOR,
Chief Commissioner.

Auckland, 4th August, 1855.

I request that the subjoined opinion may be entered on the record of the proceedings of the Board, in accordance with the 78th section of the Regulations.

G. O. ORMSBY,
Com. W. L. B.

With regard to the dispute resting between Mr. Farmer and the Surveyor-General, I think that if the latter gentleman (who may be supposed to know more of the matter than the Waste Land Board) found himself under the necessity of seeking the opinion of the Law Officer of the Crown, it seems much more imperative on the Board to adopt the like course.

With all respect for the Colonial Secretary's letter of the 30th ult., which states, the Board did not give a distinct reply to the request of the General Government in stating "that the Board does not decline to undertake any other duties which his Excellency the Officer administering the Government or his Honor the Superintendent may deem it to the advantage of the Public service that it should perform, provided the duties required are distinctly stated, and the necessary means placed at its disposal to carry them out." I am still bound to express my opinion that it is a very distinct reply. I understand by it that the Board will undertake Mr. Farmer's case, and other cases, if the necessary means be placed at their disposal; among other means required, the Acting Attorney General's opinion is one, without which they cannot proceed.

But, as his Excellency declines communicating that opinion, I think that the Board have no alternative but to decline to undertake the case.

G. O. ORMSBY,
Com. W. L. B.

4th August, 1855.

We are of opinion that the Board should

decide the case between Mr. Farmer and the Surveyor-General, regarding a claim arising under Sir G. Grey's Regulations, to a piece of land at Hunua, provided the General Government will give it the necessary authority, and agree to abide by the decision.

READER WOOD,
JOSEPH MAY.

True Copies.

CHARLES J. TAYLOR,
Chief Commissioner.

PROVINCIAL COUNCIL.

NOTICE.

Superintendent's Office,

Auckland, 13th August, 1855

HIS Honour the Superintendent will meet the Provincial Council at the Hall of the Mechanics' Institute at three o'clock, p.m., on Wednesday next, the 15th instant, for the purpose of opening the fourth Session of the Council.

Public Pound, 6th August, 1855.

IMPOUNDED at the Public Pound, Hundred of Auckland, Newmarket, by Patrick Donovan, for trespassing on an enclosed paddock at Onehunga,
4 black Sow Pigs, with slit ears
2 black and white Sow Pigs, with do.
1 spotted Boar Pig, with do.
5 Barrow Pigs, with do.

If not claimed to be sold at the Public Pound at noon on Thursday, the 6th September, agreeable to the provisions of the Impounding Ordinance Vict. 11, Sess. 8, No. 6.

JOSEPH OSBORNE,
Pound-keeper.

Superintendent's Office,

Auckland, 13th Aug., 1855.

I HEREBY notify, in exercise of the powers vested in me, in that behalf, that there shall be levied, collected, and received from and after the fourteenth day of August, 1855, for the Slaughtering of Cattle at the Public Slaughter-house of Mr. John Hall at Otahuhu, the fees hereinafter mentioned, that is to say—

For every head of Great Cattle, four shillings (4s.)

For every head of Small Cattle, one shilling (1s.)

WM. BROWN,
Superintendent.