



# AUCKLAND PROVINCIAL GOVERNMENT GAZETTE.

Published by Authority.

Vol. 3. | AUCKLAND, FRIDAY, NOV. 9, 1855. [No. 32.]

## DEBENTURES.

Superintendent's Office, Auckland,  
20th October, 1855.

THE following tenders for Auckland Provincial Government Debentures have been accepted.

Persons tendering.	Amount tendered for.	Rate per £100
	£	£
F. E. Stewart, for Auckland Savings Bank ..	1,000	101
Henderson and Macfarlane ..	4,500	101
Christopher Greenway ..	4,500	100
	10,000	

Superintendent.

## POURER CLOTHING.

Superintendent's Office, Auckland,  
23rd October, 1855.

THE following tenders for clothing for the Police have been accepted.

From Messrs. Brown and Co. for 100 heavy coats, 100 blue cloth trousers, and 100 fine blue cloth shirts at 3s. 14d. per set.

BROWN,  
Superintendent.

Superintendent's Office, Auckland,  
5th November, 1855.

THE following Tenders have been received for the performance of Public Works, and are published for general information.

W. M. BROWN,  
Superintendent.

## HOWICK ROAD.

ACCEPTED TENDER.

	Forming per chain.	Metalling per chain.
Searles & Andrews	£2 10 0	£7 10 0

TENDERS NOT ACCEPTED.

D. Eggar	4 19 0	14 8 0
G. Lynd	5 12 0	14 8 0

## HOWICK PIER.

TENDER FOR TIMBER ACCEPTED.

Henderson and Macfarlane, £1 9s. 6d. per hundred feet.

TENDER NOT ACCEPTED.

Wm. Edwards, £1 3s. 0d. ditto.

TENDER FOR LABOUR NOT ACCEPTED.

Jerome Colson, £3 per yard.

## HOWICK BEACH.

TENDER FOR LABOUR ACCEPTED.

Jerome Colson, £3 per yard.

TENDER NOT ACCEPTED.

Jerome Colson, £3 per yard.

J. & R. Adams,  
C. Watson, and J. & R. Adams, with advertisement.

## ONEHUNGA ROAD.

## ACCEPTED TENDERS.

P. Kelly and others for metalling per yard, 4s. 6d.  
 T. Hennessy, for forming ditto, 1s.  
 Clayton & Green, for cutting ditto, 2s & 1s 9d

## TENDERS NOT ACCEPTED.

D. Egan, for cutting, per yard, 2s. 7d. and 9d.  
 J. Forbes, for metalling, per yard, 5s.  
 W. Rich, for metalling per yard, 6s.  
 T. Hennessy, for cutting, per yard, 2s. 10d.—Norman's Hill  
 Ditto, for cutting, per yard, 2s. 5d.—Queen-street  
 J. Landon, for metalling, 4s. 9d.—Both roads  
 Martin May and others, for cutting, per yard, 1s. 11d.—Norman's Hill  
 Clayton & Green, for forming, per chain, 34s.—Queen Street  
 Ditto, for forming, per chain, 34s.; for metalling, 1s. 9d.—Norman's Hill  
 A. Rooney and others, for forming, per chain, 40s.; cutting, 2s. 7d.—Both roads  
 F. D. Rich, for forming and metalling, per chain, £7 10s.; for cutting, 2s. 9d.—Queen-street  
 Ditto, for forming and metalling, per chain, £8 16s., for cutting, 2s. 9d.—Norman's Hill  
 No name, for metalling, 5s. 9d.

## SUPPLY OF TIMBER.

## 1 TENDER—ACCEPTED.

Henderson & Macfarlane, 21s. per 100 feet.

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

**T**HE following Correspondence and Legal Opinion, with reference to the receipt of New Zealand Company's Government Scrip, in payment for lands sold in the Province of Auckland, is published for general information.

WM. BROWN,  
 Superintendent.

No. 66.

Waste Land Board Office, Auckland,  
 31st October, 1855.

SIR,—New Zealand Company's Government Scrip having been tendered in payment for land outside Hundreds purchased at yesterday's sale, I have the honor to request that you will obtain the opinion of the Law Officer as to whether it is competent for the Board to receive the same, seeing that no mention whatever is made in the regulations.

I have the honor to be, Sir,

Your most obedient servant,

CHARLES J. TAYLOR,  
 Chief Commissioner.

His Honor,  
 The Superintendent.

Waste Land Board Office, Auckland,  
 5th November, 1855.

SIR,—I have the honor to transmit to your Honor's information, copy of proceedings of a meeting of the Waste Land Board held this day.

I have the honor to be, Sir,

Your obedient servant,

CHARLES J. TAYLOR,  
 Chief Commissioner

His Honor  
 The Superintendent.

Waste Land Board Office, Auckland,  
 November 5th, 1855.

(Extract from the Minutes.)

PRESENT—MESSRS. TAYLOR, MAY & WOOD.

The Chief Commissioner submitted his letter No. 66, dated 30th ult., to His Honor the Superintendent and moved that the following Resolution be adopted.

"That until the receipt of the Law Officer's opinion in reference to New Zealand Company's Scrip, the Treasurer to the Board do not receive Scrip in payment for lands sold at the late Auction."

Mr. May agreed with the Chief Commissioner.

Mr. Wood dissented and put in the ann minute. Received and entered."

True Copy.

CHARLES J. TAYLOR,  
 Chief Commissioner.

It is out of my power to comply with the terms of the resolution submitted this day by Mr. Taylor, as I have been instructed by the Colonial Secretary to receive this Scrip as per copy of letter from Colonial Secretary annexed.

(Signed) READER WOOD.

November 5th, 1855.

Colonial Secretary's Office, Auckland,  
 1st November, 1855.

SIR,—In reply to your letter of the 31st ult., respecting the receipt of New Zealand Company's Scrip in payment for land, I have the honor to inform you that it is the opinion of the Law Officer of the Crown,—

"That the Scrip is entitled to be received under the 23rd Section of the New Zealand Company's Land Claimants Ordinance" and therefore you are authorized to receive the same.

I have, &c.,

(Signed) ANDREW SINCLAIR,  
 Colonial Secretary.

READER WOOD, Esq.  
 Treasurer, &c.

True Copy.

CHARLES J. TAYLOR.

Superintendent's Office, Auckland,  
 5th November, 1855.

SIR,—I have the honour to acknowledge receipt of your letter of this day's date, transmitting for my information a copy of the proceedings of a meeting of the Waste Land Board held this day, to consider the advisability of receiving New Zealand Company's Scrip on payment for lands sold under the Waste Land Regulations.

In reply I would observe, that in my opinion the majority of the Board have come to a sound conclusion in determining not to receive such Scrip, until they shall have received the

Provincial Law Officer's opinion, seeing that the question at issue is purely one of law, and which may or may not be viewed in the same light by the Law Officers of the Crown and the Province. With reference to Mr Wood's dissent from the Resolution of the majority of the Board, I would observe that I am not aware of the Colonial Secretary's possessing any power to authorise the Treasurer of the Waste Land Board to act in opposition to the majority of its members, and to the meaning of the Waste Land Regulations, and that it is my opinion that whatever New Zealand Company's Government Scrip Mr. Wood may receive in payment for land, he will receive at his own risk and on his own responsibility.

I have, &c.,

Wm. Brown,  
Superintendent.

The Chief Commissioner,  
Waste Land Board.

Superintendent's Office, Auckland,  
7th November, 1855.

SIR,—I have the honour to transmit herewith a copy of the Provincial Law Officers opinion on the competency of receiving Scrip in payment for Land outside Hundreds referred to in your letter of 31st ultimo, No. 66.

Wm. Brown,  
Superintendent.

The Chief Commissioner,  
Waste Land Board.

Princes-street, Auckland,  
November 6th, 1855.

SIR,—I have the honor to transmit the following Report on the question referred to me for opinion by the Waste Land Board, through your Honor; namely, whether the Commissioners of that body are authorized to receive Scrip as payment in the sale of Crown Lands situate in this Province.

According to Sections 54 and 71 of the "Land Regulations" that body has the management of the sales of such lands within this Province; and the terms thereof, when effected by auction, are, 1, that one-tenth of the purchase money shall be paid on concluding the contract; 2, That the remainder shall be paid within one month thereafter. These directions are clear and explicit; and in the case under consideration, the sales were effected by auction.

*Scrip* is not money; but merely a certificate evidencing that the holder is possessed of or entitled to some property. It is, in law, *a chose in action*.

I am of opinion that the Commissioners have no power to receive Scrip of any description as payment in the sales of such lands, and that the amount for which they may receive the same can be recovered from them, as would happen in the case of any other agents, under similar circumstances.

In July, 1850, all the lands of the New Zealand

Company, in pursuance of the provisions in that behalf contained in the 19th section of the 10 and 11 Vict. C. 112., reverted to and vested in the Crown subject to any contracts then subsisting in regard to *such lands*, and to the liabilities of the Company to the Nelson settlers, and to the liabilities contracted by such Company with the consent of its special Commissioner during the suspension of certain Royal Instructions mentioned in that Act.

The Land Scrip issued by the Company may be regarded as the evidence of such contracts; and can only relate to lands situate in the several settlements lately under its management and direction.

An Ordinance was passed by the Local Legislature of the Colony, in August, 1851, for the alleged purpose of ascertaining the contracts and engagements of the Company; and under its provisions, certain persons who had claims against that body, obtained Government Scrip as a consideration for the relinquishment of the same. This Scrip, according to a provision contained in the twenty-third section of that Ordinance (sess. xi, No. 15), was to be received as cash, in the purchase of Crown Lands, by the respective treasurers of New Ulster and New Munster; but as those two Provinces no longer exist, (having been extinguished by the Constitution Act), this provision cannot be acted on, but is wholly inoperative.

I have the honor to remain,  
Sir,

Your honor's obedient servant,  
SINGLETON ROCHFORD,  
Law Officer for the Province of Auckland.

His Honor Wm. Brown, Esq.,  
Superintendent of the Province  
of Auckland.

#### REMOVAL OF THE REGISTRY OF DEEDS OFFICE.

Auckland, 6th November, 1855.

THE Registry of Deeds Office has been removed from the Court House to the Brick Building, belonging to Mr. Guilding, near the Scotch Church, and now occupied as the Superintendent's Office.

ROBT. KELLY,  
Registrar.

Superintendent's Office, Auckland,  
11th November, 1855.

I HEREBY notify that I have appointed Mr. William Charles Short Lewis, to be Harbour Master for Manukau Harbour. The appointment to date from the 19th October last.

Wm. Brown,  
Superintendent.

Superintendent's Office, Auckland,  
23rd October, 1855.

In answer to an application dated 23rd inst. last, to be furnished by the General Government with a Return showing the Lands reserved on account of the Maories, the following Return has been received and is now published for general information.

W.M BROWN,  
Superintendent.

RETURN of RESERVES made on account of the Maories by the General Government, in the Province of Auckland, and of Reserves which the Natives have themselves made when they sold the Land adjoining.

Situations	Extent.	Special purpose or General object.	Title.	Trustees.	Present use, and whether yielding rent or not.
* City of Auckland	2 0 14	Native Hostelry	Crown Grant	} A. Sinclair, W. Swainson, and A. Shepherd	} Occupied by Natives, no rent } Rent £3 per annum
* Suburbs do.	4 1 4	Ditto	Ditto		
* Mangarei Village	475 0 0	Native Village	Ditto, in favour of Te Whero	None	Occupied by Natives, no rent Ditto
* Onehunga	2 0 9	Native Hostelry	Not Granted [Whero		
* Village of Waiuku	1 3 0	Ditto	Ditto	Ditto	
Parish of Pakuranga, being Lots Nos. 32 and 33	260 0 0	Native purposes only	Native	Ditto	Occupied by Natives, no rent
Papakura, Old Pah, and Land around it	1800 0 0	Ditto	Ditto	Ditto	In possession of Natives, no rent
Maraetai	6500 0 0	Ditto	Ditto	Ditto	Ditto
Native Chief, Isaac's Settlement		Ditto	Ditto	Ditto	Ditto
Tuhinga	640 0 0	Ditto	Ditto	Ditto	Ditto
Karakara	600 0 0	Ditto	Ditto	Ditto	Ditto
Maukaka, North side	80 0 0	Ditto	Ditto	Ditto	Ditto
West Coast Waitakere	1000 0 0	Ditto	Ditto	Ditto	Ditto
Ditto Piha	600 0 0	Ditto	Ditto	Ditto	Ditto
Waiuku Block, Puhetahi	100 0 0	Ditto	Ditto	Ditto	Ditto
Ditto Patumahoe	700 0 0	Ditto	Ditto	Ditto	Ditto
Ditto Awanga Furupuru	1000 0 0	Ditto	Ditto	Ditto	Ditto
Ditto Parupuru	2 1 5	Ditto	Ditto	Ditto	Ditto
Ditto Akaaka	300 0 0	Ditto	Ditto	Ditto	Ditto
Ditto Codlin's reserve	283 1 14	Ditto	Ditto	Ditto	Ditto
Wangarei	500 0 0	Ditto	Ditto	Ditto	Ditto
Waiuku Block	100 0 0	Ditto	Ditto	Ditto	Ditto

\* The pieces of Land marked thus\* are the only ones which can properly be called reserves. The other pieces were kept back by Natives when they sold the adjoining Land to the Crown.

CHARLES W. LIGAR,  
Surveyor-General.

RETURN showing the Number of CANOES that have arrived in AUCKLAND from the 1st day of July, to the 30th day of September, 1855, together with their CREWS, and the QUANTITY and SPECIES of PRODUCE, as nearly as can be ascertained.

Name of Tribe.	Number of Canoes.	Crews.			Where landed.		Quantity and Species of Produce.																	Remarks.
		Males.	Females.	Total.	Commercial Bay.	Mechanics' Bay.	Kits of Potatoes.	Kits of Onions.	Kits of Maize.	Kits of Kumaras.	Kits of Cabbage.	Kits of Peaches.	Kits of Flax.	Bundles of Grass.	Tons of Wood.	Bundles of Fish.	Pigs.	Goats.	Ducks.	Fowls.	Bags of Wheat.	Kits of Oysters.	Kits of Pumpkins.	
Ngatipoa	72	262	141	403	22	50	259	29	133	30	15	0	0	17	62	629	39	0	0	96	105	9	14	0
Ngatiwhatua	100	347	221	568	89	11	164	2	64	12	540	0	0	0	38	376	39	0	0	89	0	0	0	0
Ngatiwakane	5	14	6	20	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
Ngapuhi	25	112	65	177	23	2	23	0	13	2	53	0	0	28	6	107	2	0	0	2	0	0	0	6
Ngatitamatenā	10	41	31	72	6	4	92	0	51	7	30	0	0	0	15	24	15	0	0	3	27	0	0	0
Ngatitai	2	5	3	8	2	0	6	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ngatiwhangua	2	7	4	11	1	1	0	0	0	0	0	0	0	0	0	18	0	0	0	0	0	0	0	0
Ngatimaru	4	13	12	25	4	0	0	0	0	0	4	0	0	0	0	450	0	0	0	0	0	0	0	1
Ngatimaniopoto	16	66	33	99	15	1	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	236	897	516	1383	167	69	543	31	265	51	648	0	0	1214	124	2202	95	0	0	233	132	9	14	13

This Return does not include the produce brought Overland nor in Coasting Vessels. The average weight of a Kit of Potatoes is 75 lbs. The average weight of a Kit of Flax is 50 lbs. The estimated Value of the Produce mentioned in this Return is £1,544 16s. 0d.

Orderly Room, Armed Police, Auckland, 31st October, 1855.

JAMES NAUGHTON, Inspector of Police.

RETURN showing the Number of CANOES that have arrived in ONEHUNGA from the 1st day of July to the 30th day of September, 1855, together with their CREWS and the QUANTITY and SPECIES of PRODUCE, as nearly as can be ascertained.

Name of Tribe.	Number of Canoes.	Crews.			Where landed.	Quantity and Species of Produce.											Remarks.	
		Males.	Females.	Total.	Onehunga	Kits of Potatoes.	Kits of Onions.	Kits of Maize.	Kits of Kumera.	Kits of Cabbage.	Bundles of Grass.	Tons of Wood.	Tons of Fish.	Pigs.	Goats.	Fowls.		Bags Flour.
Waikato	106	269	72	341		161	0	13	0	0	0	272	2	46	18	30	2	4

This Return does not include the produce brought Overland or by Coasting Vessels. The estimated value of the produce mentioned in this Return is 844 13s.

Orderly Room, Armed Police, Auckland, 31st October, 1855.

JAMES NAUGHTON, Inspector of Police.

A RETURN, showing the NUMBER, TONNAGE and CREWS of COASTERS, reported Inwards and Outwards; and of the IMPORTS COASTWISE, of New Zealand Produce, at the Port of KAWHIA, for the Quarter ended 30th September, 1855.

INWARDS.			OUTWARDS.		
Vessels.	Tonnage.	Crews.	Vessels.	Tonnage.	Crews.
6	255	20	6	255	21

## IMPORTS COASTWISE.

ARTICLES.	QUANTITY.	VALUE.
		£ s. d.
Butter - - -	1 cwt., 2 qrs.	12 12 0
Flour - - -	2 cwt.	3 10 0
Seed, Clover - - -	2 sacks	5 0 0
Wheat - - -	200 bushels	100 0 0
	TOTAL.....	£121 2 0

GEORGE M. MITFORD,  
Sub-Collector.

A RETURN of EXPORTS, COASTWISE, the Produce of New Zealand, from the Port of KAWHIA, for the Quarter ended the 30th of September, 1855.

ARTICLES.	QUANTITY.	VALUE.
		£ s. d.
Bacon and Hams - - -	14 cwt.	52 5 0
Bran - - -	400 bushels	30 0 0
Butter - - -	1 cwt., 2 qrs.	12 12 0
Grain, Maize - - -	2783 bushels	785 10 0
Ditto, Wheat - - -	3789 do.	1,997 0 0
Flour - - -	5 tons, 7 cwt.	187 5 0
Lard - - -	16 cwt., 2 qrs., 24 lbs.	46 16 0
Pork, Salted - - -	12 tons, 6 cwt.	688 16 0
Potatoes - - -	19 do., 10 do.	137 0 0
Seed, Clover - - -	2 sacks	5 0 0
Shingles - - -	130 bundles	13 0 0
Timber, Sawn - - -	20,000 feet	150 0 0
	TOTAL.....	£ 4,105 0 0

GEORGE M. MITFORD,  
Sub-Collector.