



AUCKLAND

PROVINCIAL GOVERNMENT GAZETTE

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No. 3.

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 :

Now therefore I, Sir George Ferguson Bowen, the Governor as aforesaid of the said Colony, with the advice and consent of the Executive Council thereof, and in the exercise of the power and authority for this purpose in me vested, do hereby delegate unto

THOMAS BANNATYNE GILLIES, Esquire,

as Superintendent of the Province of Auckland, all the powers vested in me under or by virtue of the said "Gold Fields Act, 1866," except the powers conferred by sections twenty-two, forty, forty-eight, sixty, ninety-six, and one hundred and seven, to have, hold, and exercise within the Province of Auckland the said powers hereby given to the said Thomas Bannatyne Gillies, so long as he shall continue and remain Superintendent of the said Province, and no longer: Provided always that copies of all Rules and Regulations made under the delegation aforesaid shall be forthwith transmitted to the Colonial Secretary, in order that the same may be laid before the General Assembly, in accord-

ance 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 St. Michael and St. 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 this seventh day of January, in the year of our Lord one thousand eight hundred and seventy.

Approved in Council :

HENRY D. PITT, Captain R.A.,
Private Secretary,
For Clerk of the Executive Council.

G. F. BOWEN, Governor.

ORDER IN COUNCIL.

At Auckland, this seventh day of January, 1870.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The Gold Fields Act Amendment Act, 1868," it is enacted that it shall be lawful for the Governor, if and whenever he shall have by lease, agreement, or otherwise, by consent of the Native owners of any land over which the Native title has been extinguished, or the Native owners of any land over which the Native title has not been extinguished, obtained power from such Native or other owners to authorise entry on such lands for mining for gold, by Proclamation issued

under the third section of "The Gold Fields Act, 1866," to include such land within any Gold Field, or to proclaim such land a Gold Field: And by the said Act it is further 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 to such other person as the Governor may deem fit, all or any of the powers vested in the Governor by the preceding sections of the said Act (including the above-recited sections), subject or not to any limitations or restrictions as the Governor may think fit:

Now, therefore, His Excellency Sir George Ferguson Bowen, the Governor of New Zealand, with the advice and consent of the Executive Council of the Colony, in pursuance and exercise of the power for that purpose vested in him by the said Act, doth hereby delegate to

THOMAS BANNATYNE GILLIES, Esquire,

Superintendent of the Province of Auckland, all the powers vested in the Governor by the said recited section of "The Gold Fields Act Amendment Act, 1868," to have, hold, and exercise within the Province of Auckland, the said powers hereby delegated to the said Thomas Bannatyne Gillies, so long as he shall continue and remain Superintendent of the said Province, and no longer: Provided always that no Proclamation affecting any lands shall be made by the said Thomas Bannatyne Gillies under the powers hereby delegated to him, unless the Governor shall have obtained power to authorise entry on such lands for mining for gold in the manner required by the said Act.

HENRY D. PITT, Captain R.A.,
Private Secretary,
For Clerk of the Executive Council.

PROCLAMATION.

By THOMAS BANNATYNE GILLIES, Esquire,
Superintendent of the Province of
Auckland, in the Colony of New
Zealand.

I, THOMAS BANNATYNE GILLIES, Superintendent of the Province of Auckland, in exercise of the powers and authority delegated to me under the provisions of the "The Gold Fields Act, 1866," "The Gold Fields Act Amendment Act, 1868," and "The Gold Fields Act Amendment Act, 1869," do hereby proclaim and declare that I do hereby alter, amend, and revoke the Regulations for granting of Leases for the Gold Fields within the Province of Auckland aforesaid, proclaimed on the 29th day of October, 1868, and on the 27th day of September, 1869, in manner following, that is to say,—

1. The deposit to be made under Regulation 5 shall be *forty pounds* instead of twenty pounds.
2. The words "*together with a copy of the application*" in Regulation 8 shall be omitted therefrom.
3. Regulation 9 is hereby revoked, and the following substituted in lieu thereof:—

In the case of applications already made, the survey of which has not yet been commenced, the applicant shall within one month from the issuing of these Regulations, and in the case of future applications the applicant shall within one month after lodging the application, cause a survey to be made of the land applied for, and shall deposit a plan thereof with the Warden, otherwise the application shall be deemed abandoned and the deposit made absolutely forfeited.

4. Regulation 10 is hereby revoked, and the following substituted in lieu thereof:—

Such plan shall show accurately the area, boundaries, and situation of the land applied for, the situation of any land over which any easement is required, and shall contain such particulars as may from time to time be prescribed by the Warden or other officer authorised by him.

5. In Regulation 11 the word "*applicant*" shall be substituted for the word "Surveyor," and the words "*lodging his application*" for the words "making the survey."

6. In Regulation 14 the word "*applicant*" shall be substituted for the word "Surveyor."

7. In Regulation 28, the word "*forty*" shall be substituted for the word "twenty."

8. In Regulation 29 all the words after "withdrawn" shall be omitted.

9. In Regulation 30 shall be added the words "*but if the application be abandoned, or the counter-part lease be not executed as hereinbefore provided, the whole deposit shall be deemed forfeited.*"

10. In Regulations 34 and 37 the implied covenant by the lessor shall be as follows:—

That it shall be lawful for the lessee quietly to enjoy the premises demised without any disturbance by any act of the lessor, but no covenant for good title shall be implied on the part of the lessor.

11. In Form B. to the said Regulations annexed the figures "£40" shall be substituted for the figures "£20."

12. Form C. to the the said Regulations annexed is hereby revoked, and the following substituted therefor:—

FORM C.

Notice.—Regulation 11.

To all persons whom it may concern:

I hereby give notice that I (*A. B.*) of (*place of residence*), did this day apply to the Warden at (*locality*) for a Gold Mining Lease of Land, estimated to contain (*area*), which I have marked out, and that objections to the issue of such Lease, made in writing, stating the grounds of objection, must be lodged with a deposit of £10 at the Wardens Office, (*locality*), not later than the 15th day after the day on which this notice was posted on the land applied for, being the day of the date hereof. And I further give notice that if any person who shall not have been in lawful occupation of the land previously to the marking out of the same as aforesaid, shall enter upon it, occupy it, or in any way interfere therewith, until or unless this application shall be refused, he will be deemed to be a trespasser, and may be proceeded against in the Warden's Court under the 108th section of "The Gold Fields Act, 1866."

Dated the day of , 18 .
(*Signature of A. B.*)

Applicant.

Given under my hand and seal, at Auckland, in the said Province, this seventh day of January, in the year of our Lord one thousand eight hundred and seventy.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 8th January, 1870.

IN pursuance of the 29th Section of "The Gold Fields Act, 1866," and of the Regulations made under that Act for the granting of Leases for Gold Mining purposes, it is hereby notified that it is intended to grant Leases for Gold Mining purposes to

the applicants specified in the annexed Schedule, unless valid objections can be shown against granting such Leases.

Objections to granting the following applications, stating the grounds of objection, must be made in writing, and lodged with the Warden, at Shortland, within the time prescribed by the aforesaid Regulations.

Copies of the applications made, and plans annexed, may be seen at the Warden's Office, Shortland.

THOMAS B. GILLIES,
Superintendent.

SCHEDULE.

- GEORGE WILSON**, for *Long Drive Miners' Prospecting Company*; 15 years' lease of 15 Acres of ground; situate 7 miles from the Beach, in a creek next block North of Te Waka block, bounded on all sides by unoccupied ground, together with site for Crushing Machine, and road from the beach. Not under Miners' rights.
- WILLIAM SCOTT LYELL**, for *Venus Gold Mining Company* (Registered); 15 years' lease of 3½ Acres of ground; bounded by the Waitemata, Hand-in-Hand No. 2, Star of Mount Smart, and Bachelors' Gold Mining Company, Waiotahi Creek. Held under Miners' rights by the "Venus."
- THOMAS MACFARLANE**, for the *Duke of Marlborough Gold Mining Company*; 15 years' lease of 5 Acres of ground known as the Duke of Marlborough Gold Mining Company's ground; situate at the head of the Karaka creek, bounded by the Saint Andrews Gold Mining Company, the Golden Valley, the Wellington Gold Mining Company, and the Diamond. Held under Miners' rights.
- CHARLES ALEXANDER**, for the *Glen Tilt Gold Mining Company* (Registered); 15 years' lease of 12 Acres; bounded by the Golden Ringlet, the Golden Reef Gold Mining Company, No. 1 Bachelors' Gold Mining Company, Great Eastern Gold Mining Company, and Ballamore claims. Held under Miners' rights.
- Wm. B. HEATH**, for the *Great Britain Gold Mining Company* (Registered); 15 years' lease of 3 Acres adjoining Monarch claim, Waiotahi. Held under Miners' rights.
- N. W. MASSEY**, for *Stannus Jones and party*, 15 years' lease of 3 Acres; bounded by the Pride of the Kuranui Gold Mining Company, the Kuranui Spur Gold Mining Company, the Teutonic Gold Mining Company, the Eureka lease, and the Hyde Park Gold Mining Company; known as "Columbia" claim. Held under Miners' rights.
- R. HORNE AND PARTY**, for the *Golden Terrace* claim; 15 years' lease of 2½ Acres on the Kuranui Hill; adjoining the Auckland Gold Mining Company, the Holland Park, Sleeping Beauty, Kuranui Star, Once and Again, Pai Marire and Hyde Park, together with right of road to Victoria battery. Held under Miners' rights.
- PETER REID**, for the *Golden Anchor* claim; 15 years' lease of 4½ Acres on the Hape Creek; adjoining the Flagstaff and Pretty Nelly claims. Held partly under Miners' rights, partly unoccupied ground.
- Wm. S. LYELL**, for the *Bendigo Independent Gold Mining Company* (Registered); 15 years' lease of 2½ Acres; bounded by the El Dorado, Fiery Cross, Bendigo Independent, Ballarat Star, Success, and Okarita claims. Held under Miners' rights.
- MARTIN SHOLL**, for the *Tararu Battery Gold Mining Company* (Registered); 15 years' lease of 10 Acres at the junction of Tinker's Gully, with Tararu Creek. Not under Miners' rights.

Objections to the following to be lodged with the Warden at Coromandel, where copies of the applications, and plans may be seen.

GEORGE J. BAILLIE, 15 years' lease of 16 Acres; known as *Coromandel Long Drive Claim*, Coromandel, together with right of water flowing through the claim, and right of road from Coromandel township. Held under Miners' rights.

Wm. AUSTRALIA GRAHAM and others; 2 years' lease of 5 Acres; bounded by the New Zealander claim, and the Cariboo claim, Paul's Creek, Coromandel, with right of way to main road; known as *Stone Fence* claim. Held under Miners' rights.

MICHAEL DINNIN and others: *Black Horse* claim; 3 years' lease of 16 Acres on Rangatira Spur, Tokatea Range, Coromandel, bounded by Rocky Roads lease, Kohinoor claim, and New North Clunes claim, with right of way over surrounding claims. Held partly under Miners' rights.

REGINALD WILLIAM NUTTALL and party, for *Specimen Hill Gold Mining Company*; 15 years' lease of 15 Acres in the vicinity of the New Zealand Gold Mining Company, Paul's Creek, Coromandel, with right of way. Not held under Miners' rights.

THOMAS WALLIS, for shareholders of *William Tell*; 4 years' lease of 10 acres, known as the William Tell claim, situated on the Kennedy bay side of the Tokatea range, adjoining the Indian Maid and Caledonian claims. Held under Miners' rights.

MAURICE O'CONNOR, for self, Edward Cashman, and Donald Sheridan; 3 years' lease of 12 acres on the range between the Pukewhau and Matawai creeks, Coromandel, adjoining the Bank of England lease and the Golden Bar lease, with usual rights to roads and water. Partly held under Miners' rights.

IN THE SUPREME COURT OF NEW
ZEALAND.

NORTHERN DISTRICT.

Between ALBERT JOHN NICHOLAS,
plaintiff; and HATA PAKA and
KARAURIA, defendants.

WHEREAS by Writ of Fieri Facias issued in this action, and directed to me ordering me that of the real and personal estate of the abovenamed Hata Paka and Karauria, I should cause to be made of the sum of two hundred and seventy-five pounds six shillings and sixpence, together with interest upon the said sum at the rate of eight pounds per centum per annum, from the twenty-fourth day of September last, together with one pound thirteen shillings and fourpence for the said writ and warrant, besides Sheriffs' Poundage, Officers' Fees, &c. Now I do hereby give notice that I shall cause to be sold by public auction, by CHARLES DAVIS, at his Mart, in Queen-street, Auckland, on the twentieth day of January, 1870, at the hour of twelve o'clock, noon, unless the said debt, interest, and costs be sooner paid, all the estate, right, title, and interest of the said Hata Paka and Karauria, under Crown Grants of, in, and to all that parcel of Land in the Province of Auckland, containing by admeasurement Thirty-five acres and two roods, more or less, situate at Umangawha, in the district of Coromandel, and known by the name of Wairore, which parcel of land is divided into two parcels of land by the Umangawha River, and is bounded towards the north-east by the said river, and by a line 894 links towards the south-east; by a survey line 2,420 links towards the south, by the Wairore Creek; towards the west by the said Umangawha River, and a line of 2,266 links; and towards the north-west by a line of 305 links, and numbered 93N. And also all that parcel of land in the Province of Auckland, aforesaid, containing by admeasurement 3 acres and 3 roods, more or less, situated at Umangawha aforesaid, and known by the name of Haere Aoatea; bounded towards the north-east by a mangrove swamp, near the mouth of the Umangawha Creek; towards the south-east by a line of 871 links; towards the south-west, by a line of 475 links; and towards the north-west, by a line of 762 links, and numbered 98N. And, also, all that parcel of land, in the Province of Auckland, aforesaid, containing by admeasurement 240 acres, more or less, situate at the Umangawha aforesaid, and known by the name of Te Kanae O'Maui; bounded towards the northeast by a line 4372 links; towards the east by lines 3002 links, 160 links, 736 links, 118 links, 416 links and 351 links; towards the south by lines 100 links, 229 links, 131 links, said sum of £1 13s. 4d. besides Sheriff's poundage, Officers' fees, &c. : All the estate, right, title, and interest of the said SAMUEL BRIGHT of, in, and to all that piece or parcel 627 links, 474 links, 160 links, 610 links, 137 links, 918 links, and

1,598 links; and towards the north-west by lines 2,285 links, 475 links, 2,069 links, and 716 links, and numbered 88N.

And I further give notice that the estate and interest of the said Hata Paka and Karauria in the said lands consists of an estate of inheritance in fee simple, free from incumbrance, and that the same has been taken by me in execution, at the suit of the said Albert John Nicholas, the execution creditor.

H. C. BALNEAVIS,

Dated this 18th October, 1869. Sheriff.

Messrs. BEVERIDGE AND RITCHIE, of Wyndham-street, Auckland, Solicitors for the said Albert John Nicholas.

NOTICE.

IN THE SUPREME COURT OF NEW
ZEALAND.

NORTHERN DISTRICT.

Between HENRY HAINES, Plaintiff; and
SAMUEL BRIGHT, Defendant.

WHEREAS, by virtue of a Writ of Fieri Facias issued in this action and directed to me, ordering me that of the real and personal property of the above-named SAMUEL BRIGHT I should cause to be made the sum of Eighty-four pounds eleven shillings and sixpence, together with interest on the said sum at the rate of Eight pounds per centum per annum from the 7th day of October, 1869, together with £1 13s. 4d. for the said Writ and Warrant thereon, besides Sheriff's poundage, Officers' fees, &c. : Now I do hereby give notice that I shall cause to be sold by Public Auction by SAMUEL COCHRANE AND SON, at their auction mart, Fort-street, on the 12th day of January, 1870, at the hour of twelve o'clock, noon, unless the said debt of £84 11s. 6d. and interest be sooner paid, together with the parcel of land situate in the village of Parnell, near Auckland aforesaid, being lot twenty-nine of the subdivision of allotment sixty-four of section one, Bounded on the North-east by a road forty-one feet; on the South-east by a road twenty-four feet six inches; on the South-west by lot thirty of said subdivision, forty-one feet; and on the North-west by lot twenty-eight, twenty-four feet six inches.

And I further give notice that the Estate and Interest of the said SAMUEL BRIGHT consists of an Estate in fee simple, free from incumbrances, and that the same has been taken by me in execution at suit of the said HENRY HAINES, the execution creditor.

Dated October 9, 1869.

H. C. BALNEAVIS,
Sheriff.

JACKSON AND RUSSELL, Fort-street, Solicitors for the said Henry Haines.