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PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 24th April, 1876.

THE following Correspondence is published by direction of His Honour the Superintendent.

READER WOOD,
Provincial Secretary.

(1c.) Wellington, 23rd February, 1876.

To His Honour Sir George Grey,
Grahamstown.

The late Colonial Treasurer has no recollection of any agreement as to the capitation balance due to the Province being one thousand pounds a month. There is no doubt, however, that neither he nor the Provincial Treasurer took into account the stoppages for railway deficiency, and that the stoppage of three thousand and fourteen pounds on account of the Mercer railway must have conflicted with the expectations of the Provincial Treasurer. As to there being no power of stoppage on account of the obvious mistake of eighteen hundred and seventy-one for eighteen hundred and seventy-two in the fifteenth section of the Immigration and Public Works Act, I have submitted the point to the Solicitor-General, who thinks that the error is obviously clerical, and that any Court would construe it according to the obvious intention. The stoppage of Goldfields revenue collected in the Auckland Goldfields is almost wholly paid to the natives; fees and fines of the Warden's Court and certain office fees alone being payable to the Province; the total amount which, judging by the last six months, the stoppage Goldfields revenue will bring to the Colonial Treasury for the six months ending thirtieth next is estimated at five hundred and twenty-six pounds, and up to the twenty-fifth January the stoppages had amounted to thirty-three

pounds. It is hardly necessary to say, therefore, that the stoppage was not made on account of the amount it was likely to yield, but simply because it was considered the law imperatively required it on account of its being part of the land revenue, which under the Abolition Act it will not continue to be. I wish your Honour to understand that these stoppages are not matters of discretion, but are made imperative by law. Apart from the points raised by your Honour's telegram, the late Colonial Treasurer understood that the spirit of his agreement with the Provincial Secretary was that the Government would provide sufficient funds up to sixty thousand pounds to enable your Honour to administer the Government of the Province. The late Colonial Treasurer will telegraph to you the course he proposes for adoption, and which the legislation of last session renders necessary. If the Provincial Treasurer without much inconvenience could come here, the whole question might be more easily arranged, but if such a visit is inconvenient we will spare no pains to settle the matter without him. Major Atkinson telegraphs concurrently with this message.

JULIUS VOGEL.

(2c.) MEMO. UPON SIR JULIUS VOGEL'S TELEGRAM OF 23rd FEBRUARY, 1876.

Sir Julius Vogel proposes that I should go to Wellington to see Ministers upon the subject of the Auckland Revenue. From Sir Julius Vogel's telegram it would seem that there is no difference of opinion between the late Colonial Treasurer and myself as to the understanding with regard to the Provincial finances. It is admitted by both parties that neither took the stoppages into consideration, and it is admitted also that these stoppages must have conflicted with the expectations of the Provincial Treasurer. The Provincial Executive arranged its affairs upon the most economical scale, and found,—reckoning upon the regular payment of the ordinary capitation allowance, the Goldfields revenue, the Provincial Miscellaneous revenue,

and the £60,000 voted by the Legislature in aid of the revenue of the Province of Auckland—it could just meet all the necessary expenditure of the Province, including Education, up to 30th September. The capitation allowance was estimated by the Provincial Executive at about £1,000 per month, and it must be obvious that if so large a proportionate sum is deducted the Provincial Government must become unable to meet its expenditure before 30th September next. The position of affairs is set forth in the accompanying statement, from which a deficit of £12,000 is apparent, which is as nearly as possible the capitation allowance that has been withheld and which would accrue during the period of the next eight months. If I were to go to Wellington I could say no more than this: There will be a deficiency of £12,000 arising from the stoppage of the capitation allowance; but if the General Government carries out the arrangement it entered into, the Provincial Government sees its way to meet all its engagements to 30th September next, without causing any trouble, and if the General Government does not do this, on that date there will be a deficiency amounting to the sum named.

READER WOOD.

February 25, 1876.

Memorandum of probable receipts and expenditure for eight months, from 1st February to 30th September, 1876.

RECEIPTS :

	£	s.	d.
Balance of £40,000	4000	0	0
Capitation			
Gold Duty (say)	3000	0	0
Miscellaneous Provincial Revenue... ..	3000	0	0
Balance of £60,000	37,000	0	0
Publicans' Licenses... ..	10,000	0	0
Tolls	1000	0	0
Cash	2000	0	0
	<hr/>		
	£60,000	0	0

EXPENDITURE :

	£	s.	d.
Provincial Services... ..	40,000	0	0
Public Works (Provincial)... ..	6000	0	0
Liabilities and Repairs	2000	0	0
Thames Public Works	6000	0	0
Education	15,000	0	0
Roads Metalled (repairs)	1000	0	0
Miscellaneous Public Works	2000	0	0
	<hr/>		
	£72,000	0	0

READER WOOD.

His Honour the Superintendent,
Auckland.

(3c.) Superintendent's Office,
Auckland, 25th February, 1876.

Mr. Rees is requested to advise the Superintendent whether, on perusal of the subjoined opinion of the Solicitor General, he is still of opinion that the view taken by the Superintendent in his recent telegram to the Honourable the Premier is correct:

"As to there being no power of stoppage on account of the obvious mistake of eighteen hundred and seventy one for eighteen hundred and seventy two in the fifteenth section of the Immigration and Public Works Act, I have submitted the point to the Solicitor-General, who thinks that the error is obviously clerical, and that any Court would construe it according to the obvious intention."

Auckland,

March 1st, 1876.

(4c.) Having been requested to advise the Superintendent whether on perusal of the opinion of the Solicitor-General then enclosed, I am still of opinion that the view taken by the Superintendent as to the right of the General Government to stop the capitation money due to the Province of Auckland is correct—

I beg to advise His Honor, that, after mature consideration of the matter, I cannot in the slightest degree alter the opinion formerly given by me, that the General Government cannot under and by virtue of the fifteenth section of "The Immigration and Public Works Act, 1875," detain from the Province of Auckland the monies due under "The Payments to Provinces Act, 1872."

It may perhaps be necessary, as the General Government has referred the question of interpretation to the Solicitor-General, to set out somewhat in detail the reasons and arguments on which my opinion is based.

I. (1) It is evident from the wording of the 13th and 15th sections of "The Immigration and Public Works Act, 1875," that it is intended that all charges for (1) interest (2) costs and (3) charges as distinct from losses on the monthly working account mentioned in section 14 are to be paid as and by section 13 out of (1) land fund and (2) direct taxation levied within the Province.

(2) The monies now stopped by the Government are principally for interest, costs, and charges outside altogether of working expenses, and yet are not from land fund or direct taxation, but from monies paid to the Province under and by virtue of "The Payments to Provinces Act, 1872."

II. (1) If however these monies were stopped on account of the losses on monthly working account under sections 14 and 15, then they could not be legally detained, for section 15 provides only that these losses are to be deducted out of monies payable to Provinces under the Act of 1871, and the money now stopped is not so payable.

III. (1) Moreover it may, for the sake of argument, be urged that the section 15 actually does contemplate some payment to Provinces under the 11th section of the Act of 1871, which did not cease with the other portions of the Act on the 1st day of July, 1872.

As to the opinion as reported of the Solicitor-General, I must suppose that there has been some mistake either in the statement of the case to him or in his opinion as quoted by the Honourable the Premier, as I cannot find a single authority to support the opinion that, under similar circumstances to these, any Court would construe the words Payments to Provinces Act, 1871, to mean the Payments to Provinces Act, 1872.

W. L. REES.

(5c.) Auckland, 3rd March, 1876.

To the Hon. the Premier,
Wellington.

In telegram of 23rd ultimo you express opinion that any Court would construe 1871 to mean 1872 in Immigration and Public Works Act of 1875, and would consequently, in conformity with law, deprive this Province of its capitation allowance. The opinion thus maintained is a most serious one for this Province. It may at any moment be made the cause of ruinous embarrassment to us. As it has, however, been put forward authoritatively by yourself and the Solicitor-General, and has been acted upon by your Government without waiting for the

authority of the Courts, the clear and lawful rights of this Province to a small fraction of its revenues, whatever these may be, ought now immediately to be settled by the Courts, that our true position may be ascertained. I will therefore direct that the necessary application should be made to the Courts. In a letter forwarded by post I have sent you copy of legal opinion on question you raise, with my own reasons for differing in opinion from yourself and the Solicitor-General.

G. GREY.

(6c.) Superintendent's Office,
Auckland, 3rd March, 1876.

Sir,—

Adverting to your telegram of the 23rd ultimo, I have the honour to call your attention to the following points connected therewith.

Towards the close of the last session an arrangement was made between the Colonial Treasurer and the Provincial Treasurer of this Province that certain amounts should be paid to the Provincial Government to enable it to conduct the public business.

A part of that arrangement was that during the current year this Province should continue to receive from the Colonial Treasury the balance of capitation allowance at the same rate as formerly, which rate was estimated at about £1,000 per month.

I spoke to the Colonial Treasurer upon this point, and showed him the estimate of revenue which the Provincial Treasurer had placed in my hands; and the impression left upon my mind was that there was an acquiescence on his part in the understanding between the Provincial Treasurer and himself, which was also the understanding upon which I acted during the remainder of the session when financial matters were under discussion.

These facts are admitted in your telegram of the 23rd instant, where you state "that neither the Colonial Treasurer nor the Provincial Treasurer at the time of this arrangement took into account the stoppages for railway deficiency, and that the stoppage of three thousand and fourteen pounds on account of the Mercer railway must therefore have conflicted with the expectations of the Provincial Treasurer."

When the matter thus stood towards the close of the last session, neither the Provincial Treasurer nor myself received any warning from the Colonial Treasurer or from any other member of the Government that it was intended to include in the Immigration and Public Works Act of last session clauses which would take from the Province of Auckland funds which we distinctly understood were to be left at our disposal. Under these circumstances the Provincial Treasurer left Wellington for Auckland before the session closed.

When the Immigration and Public Works Act of 1875 was introduced into the Assembly, the fifteenth section of it must have been understood in its plain meaning, which left the pecuniary interests of this Province untouched. I should have contended against that clause to the last, had I thought the intention was to set aside the agreement between the Colonial and Provincial Treasurers; and I believe that if a debate had taken place the Legislature would, upon the full explanation of the circumstances of the case, have seen that full justice had been done to the interests of this Province by the terms of the arrangement made with it being carried out; or that, failing this, the Act would not have passed the three branches of the Legislature.

You now contend, supported apparently by the opinion of the Solicitor-General, that the Courts of

this country will, when the question is submitted to them, decide two things: First, that the Legislature did not intend to pass the law in the form in which it now stands. Secondly, that the Legislature would have made the law in the form which suits the policy and convenience of your Government, and that, therefore, the Courts will assume to themselves the power of making such a law for the General Assembly. This is what the Colonial Government is now doing, without having first obtained the authority of the Courts for its action.

Some obvious remarks suggest themselves upon this subject:

You in fact affirm that it is not the duty of the Judges to confine themselves to the words of the Legislature, nothing adding thereto, nothing diminishing therefrom; but that they are indeed bound not to take an Act of the Assembly as the Legislature has made it, but to supply a *casus omissus*, and thus to make laws.

By such reasoning the Judges are not required to declare the law *ita lex scripta est*, and to follow it and obey it, but to take for their guidance mere policy and convenience, points on which men naturally differ, for the policy or convenience of one party or time may differ from that of another, and the law should not be subject to such fluctuations. It clearly rests, under such circumstances, with the Legislature, and not with the Judges to make an alteration in the law, and the welfare and interests of this Province require that this course should be pursued. The Judges can take from it, but can give nothing to it. The Legislature, if taking away on the one hand, can on the other hand make compensation for any wrong which it may do. It moreover appears that, if there is any doubt as to the construction of the 15th clause of the Act referred to, it would be right to adopt that construction which is most favorable to the Province of Auckland, because the General Government, in entering into a financial arrangement with the Government of that Province which was then almost wholly at its mercy, ought to have taken care to express distinctly what amounts the Province was to receive, as it is contended it did; and no change in such arrangement should be attempted by the General Government on the grounds of an alleged enactment of the General Assembly, unless it was manifestly clear that the Assembly had full warning of the arrangement that subsisted; and had then in the most plain and unmistakable language declared that it set that arrangement aside, for the Provincial Government of Auckland is in no respect answerable for any mistake which may have occurred. If the General Government intended to have gone back from the arrangement concluded with the Province, it did not impart that intention to the Provincial Authorities or to the General Assembly. It drew its own Act and submitted it to the Assembly.

In truth, the change now attempted to be made amounts to a tax of about £12,000 a-year, to be imposed upon the Province of Auckland as a whole, in breach of a special arrangement made by the General Government to the contrary, whilst even without that arrangement no general rule of constitutional law is better established than that no tax should be considered to be imposed without a plain and unmistakable declaration of the intent of the Legislature to impose it.

I enclose a copy of the legal opinion which I have taken upon this subject.

I have, &c.,

G. GREY.

The Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

(7c.)

Superintendent's Office,
Auckland, 4th March, 1876.

SIR,—

I am directed by His Honour the Superintendent to forward to you the enclosed copy of a telegram addressed by him to the Honourable the Premier; and to request that you will take the necessary steps to bring the matter of the stoppage of the capitation allowance by the General Government before the Court.

I have, &c.,

READER WOOD,
Provincial Secretary.W. L. Rees, Esq., Solicitor,
Auckland.

(8c.)

Superintendent's Office,
Auckland, 6th March, 1876.

SIR,—

In further reply to your telegram of the 23rd ultimo, I have now the honour to enclose the copy of a memorandum thereon which has been made by the Provincial Treasurer.

You will observe that the Provincial Treasurer does not, under existing circumstances, think it expedient to proceed to Wellington for the purpose of attempting to arrange, by a personal interview, the difficulty which has arisen. I concur entirely in his view upon this subject.

Your admission that the stoppages made on account of the Mercer Railway, after the arrangement concluded between the General and Provincial Governments, must have conflicted with the expectations of the Provincial Treasurer, appears to show that some notice or warning should have been given to us of the intention to make these stoppages; instead of which they were made without the slightest intimation having been given of the difficulties in which we might be placed. I also cannot concur with you that these stoppages are made imperative by law. My impression is that they are in great part illegal until the Legislature alters the law, or until an interpretation of it has been obtained from the Courts at variance with its actual letter.

The Provincial Treasurer, in the enclosed memorandum, sums up our actual position by pointing out that there will be a deficiency of £12,000 in the Provincial Revenue, arising from the stoppage of the capitation allowance; but that if the General Government carries out the arrangement it entered into, then the Provincial Government sees its way to meet all its engagements to 30th September next. And if the General Government does not do this, in that case there will, on the 30th September next, be a deficiency amounting to the above-named sum of £12,000.

I have, &c.,

G. GREY.

The Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

(9c.)

Wellington, 9th March, 1876.

His Honor Sir George Grey,
Auckland.

Re clerical error in fifteenth section Public Works Act, 1875. In reply to your Honor's telegram and letter I have to say—You argue as if insertion of "1871" was not an obvious error. The Act of 1871 had ceased to exist. It could not be referred to in the clause. Nor can there be remotest doubt as to Act meant to be referred to. Your Honor's legal adviser might be referred to cases in which a

similar point was involved: see *Regina v. Wilcock* (14 Law Journals, new series, Magistrates' cases, page 104), and *Re Borthroyd* (15 Law Journals, new series, Magistrates' cases, page 57).

It is to be hoped your Honor will not waste money in law expenses. As far as Province is concerned, it can matter little, if Treasury thinks the law requires stoppage. For, seeing Treasury is providing Province with the funds required for carrying on Provincial business, stoppage in one direction merely means payment in another.

As to allegation about breach of faith with your Provincial Treasurer, I clearly indicated in my telegram that, though the late Colonial Treasurer's recollection was not precisely the same as that of the Provincial Treasurer, yet we desired to smooth all difficulties; and, with that object, my colleague, Major Atkinson, telegraphed Provincial Treasurer that there was every desire to carry out arrangements, adding—"If you would run down, we could come to a satisfactory agreement, I am sure, in a very few hours." Mr. Wood replied on 24th:—"Grey at the Thames; shall see him to-morrow;" "should he agree, will go by 'Phoebe' Saturday." On the 25th Mr. Wood telegraphed: "Have read Premier's telegram to Superintendent; have written memo. on it, which Superintendent will forward to Premier, and which I think makes the matter so simple as to obviate the necessity of my going to Wellington." It is obvious from this that Provincial Treasurer saw his way to easy settlement. But, instead of sending the memo. as he proposed, your Honor forwarded a long letter and telegram, in which political feelings clearly crop up in a manner that, as far as my experience goes, has been unusual, when a Superintendent and the Treasury have to settle a departmental matter.

Your Provincial Treasurer evidently sees no difficulty in settling this matter. If your Honor will forward me the memo. Mr. Wood speaks of, and which he said you would send, I shall be able, I feel sure, to arrange with him. The desire of the Government is to furnish you necessary funds to carry on business of Province, during the few months before it will be the Government's duty to provide proper services in accordance with Act of last session.

JULIUS VOGEL.

(10c.)

Auckland, 11th March, 1876.

To Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

Re Rights of Province of Auckland.

I thank you for having called my attention to two law cases in your telegram of 9th. I have carefully read and considered them. A want of analogy, as I thought, between the points raised in them and those now at issue was disappointing to me, and my opinion remains unchanged.

I cannot concur in your reasoning on other points. You state: "Seeing Treasury is providing Province with funds for carrying on Provincial business, stoppage in one direction merely means payment in another."

Nothing was said of this at first. It is a new idea, tempting, but it is a temptation which ought to be set aside.

It is the inhabitants of the Province of Auckland who provide funds for their own Province from taxes which, since attention has been directed to the subject, are, I believe, universally admitted to be oppressive and inequitable to the mass of the people of New Zealand. The Legislature appro-

prised a very small part of the funds so provided to the service of this Province. It is the duty of the Colonial Treasury to carry out the directions of the Legislature. The Treasury provides nothing; it has no right to take anything away; it has no power to grant anything. A stoppage, in the sense you use it, means to take away. I ought not to allow the funds of the people of this Province to be unlawfully taken from them in one direction in order that in another direction they should be made recipients of a pecuniary bounty, if they seek it as suppliants, from those who have no right to take away or to give public monies.

It is this mistake as to the legal powers and rights of your Government as regards public funds and lands which has entailed much misfortune on us.

Last year an effort was made by your Government unlawfully to take from us funds to which we were by law entitled. Your Government was on that occasion compelled to give way when the Courts of Law were about to be resorted to.

From the same mistaken view of the law, large sums to which I believe we are lawfully entitled have been withheld from us. Again, in utter disregard by your Government of what were its legal powers, large areas of Crown lands have been attempted to be privately and unlawfully disposed of, as in the case of the Waikato-Piako swamp, to the detriment and wrong of Her Majesty's subjects at large. In some cases the purchase of Native Lands is delayed, in defiance of the intentions of the Legislature, and of law and equity, that they may be secured to what your Government describes as "capitalists," to the ruin of a population and of a district which, under another system, would be one of the most wealthy and prosperous in New Zealand.

So manifest is the illegality of the course pursued in these matters, that, even in the case of the Legislature, the dealings with the members of which by the Government should have been above all suspicion, the Government found it necessary, immediately before the dissolution of the last Parliament, to have an Act passed to save some of the members of the Legislative Council and House of Representatives from all the disabilities and penalties they might have incurred under the Disqualification Act of 1870.

At the present moment, after the disclosures made last Session before the Tairua and Ohinemuri Miners' Rights Committees, I believe your Government is providing funds for the payment of sums of public money to the persons whose conduct was animadverted upon by those Committees, and your Government continues to deal with the native lands on principles and in a manner which prevents us from acquiring tracts of territory absolutely necessary to the public welfare and prosperity of this Province. I therefore feel it incumbent on me to resist, by all lawful means, the doctrine that the Colonial Treasury or your Government provides anything—that we are the recipients of its bounty, or the creatures of its power, from whom it can take anything, or upon whom it can bestow anything. Even if the Courts give a decision on the points I am raising adverse to my views, a great advantage will have been gained by the public discussion of this question. For I cannot agree in your view in favour of a secret settlement of public rights in a Minister's room by two gentlemen. The rights of the people of this Province have, in my belief, been assailed with a high hand. Its population are intelligent. Let the question be openly settled before them, as it were, in their very presence. They ought to know what their rights are, through whose fault they may

be deprived of them, what are the constitutional means by which they may be maintained, and what are the principles upon which they are to be abrogated or confirmed.

When a people, who believe they are suffering under great wrongs, quietly appeal to the Courts of Law to attempt to have their rights maintained, their action is not rightly described by saying they are wasting money in law expenses.

The memorandum from the Provincial Treasurer you ask for was enclosed to you on the 6th instant.

The Colonial Government might have settled the question now pending by saying they would abide by the agreement they had entered into, and by the law as it is written, until the Assembly, in the manner which it deemed just and right, had corrected its own error if it had made one, which it is not admitted it did.

G. GREY.

(11c.) Auckland, 13th March, 1876.
To Hon. Colonial Treasurer,
Wellington.

Have just received Treasury account for January shewing credit balance in favour of Province of Auckland of £4,442 13s. 5d. Please remit the same at once.

G. GREY.

(12c.) Wellington, 13th March, 1876.
To His Honor Sir George Grey,
Auckland.

In reply to your to-day's telegram I have to say that your Honor has omitted to look at both sides of the question. The Accountant to the Treasury informs me as follows:—"In addition to showing that there was a credit balance on the capitation account for January of £4,442 13s. 5d., the account transmitted to Auckland for that month showed that the Province owed £10,620 8s. 11d. for interest on the Auckland and Mercer railway; the February accounts, to be rendered shortly, will show that the credit balance referred to in His Honor's telegram has been applied in part payment of £10,620 8s. 11d." I can only add that the Commissioners of Audit hold that these stoppages must be made.

JULIUS VOGEL.

(13c.) Wellington, 13th March, 1876.
His Honor Sir George Grey,
Auckland.

Whilst I regret that your Honor is unable to agree with the Solicitor-General as to the pertinency of the cases he instanced to the case in point, I cannot be surprised at it, since it is evident the case has got so mixed up in your mind with a variety of circumstances over which your Honor has been for months brooding, that no decision could possibly meet your manifold requirements: further discussion is therefore useless. I am surprised, however, that your Honor fails to perceive the absurdity of the scolding you administer to the Legislature, my colleagues, and myself. I have not time to enter into a political discussion with your Honor, besides that such a discussion, mixed with ordinary business, would form a bad precedent. Again, I am not favourably impressed with the systematic manner in which your Honor ignores the fact that, but for the extraneous assistance which the Legislature has enabled the Government to give you, you would be unable to

carry on the business of the Province. It will gratify your Honor to learn that the requirements of the Province of Auckland are receiving anxious consideration from the Government, and no doubt in three or four months, when abolition takes place, many causes for discontent will be renewed (*sic*) [? removed].

JULIUS VOGEL.

(14c.) Auckland, 16th March, 1876.

To Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

It is good of you to give me credit for feeling deeply on some of the subjects I brought under your notice, which are of a nature which must oppress any person charged with the government of a Province exposed to the circumstances of which I complained; but your remarks induce me again earnestly to request your attention to the points of the purchase of Native Lands at the Thames, and the payments of public money to persons connected with the disclosures made before the Tairua and Ohinemuri Miners' Rights Committees. These are really grievances which require immediate attention.

I propose again to communicate with you by letter regarding the breach of the agreement concluded last session between the Colonial and Provincial Treasurers.

I thank you for now admitting that the people and Legislature provide the funds for the public service. I can assure you that, left to ourselves, with our own revenues, and the power of expending them, we should be a rich people, and that you are mistaken in thinking we should be in want even now, if we had our own, as was distinctly promised. Pray give us that, leave us alone, and cease to trouble yourself with such anxious consideration for us.

I cordially agree with you, that, abolition being lawfully and constitutionally carried out, many causes of discontent will be removed, for the parts of the Colony of New Zealand will then have the real management of their own affairs, and will be set free from that interference and unconstitutional extravagance which has been so embarrassing, whilst the energetic and enterprising people of the Northern part of New Zealand, restored to freedom and the enjoyment of the revenues which have been so long withheld from them, will again at once take their proper place in the onward march of progress and commerce, and will shew that they have citizens amongst themselves capable of discharging the highest functions of Government, skilful in promoting the prosperity of their State, and in providing that what is the property of all, is open on equal terms to all; and that it is not, either under the sanction of unjust laws or, worse still, against the sanction of all law, taken from the whole to be appropriated to the enrichment of the few—a proceeding which injures all, rendering the depressed class hopeless, and, consequently, apathetic and careless, whilst the favoured class become reliant upon their command of power, and upon their monopoly of public funds and lands, until they with jealousy and anger resist all interference with that monopoly, or even any allusion to it.

An end being put to such a system must infuse new life and vigour into the whole community. Their intellects will be fostered, their expenditure will be largely diminished and justly distributed, their productions and revenues will increase, whilst their self-respect, self-reliance, happiness, and comfort will be largely augmented.

G. GREY.

(15c.)

Wanganui, March 18, 1876.

To His Honor Sir George Grey,
Auckland.

I am glad to acknowledge that your Honor's last telegram is more respectful to the Legislature and the Government than those that preceded it, and therefore I think more fitting. The latter part of the telegram I am unable to comprehend in connection with the correspondence. Possibly the telegraphist has failed to make clear that it is a quotation from some work on political economy. I am delighted to notice your Honor at length recognises the benefit of abolition. I presume we may now anticipate aid from you in taking over the Provinces. Touching Auckland having its own revenue, it seems to me it is in your Honor's mind that Auckland should have the money collected within its limits, without paying anything for the cost of the services which yield the revenue, or contributing towards the interest on the Colonial debt. This would no doubt be profitable to Auckland, but the other Provinces would proportionately suffer. What your Honor desires, does, to a great extent, take place. That is to say that, taking into consideration the special aids out of revenue given to Auckland, the balance raised within it is not anything like a fair proportion of the cost of the services and of the public debt. Your Honor's complaint is, that the Province does not get all, and pay nothing. I will send your Honor some figures next week that will help you to understand the position of the Province. I cannot recognise your Honor's right to tell me to leave Auckland alone. I was lately one of its representatives, and probably would still be so but for my recent absence. The result at the Thames shows what might have been expected had I been present, and able to explain away misconceptions. Two years since I was as popular in Auckland as your Honor was six months since, whilst I have never been so unpopular there as your Honor was a few years ago; and I certainly have never had any but friendly feelings towards the Province, and a desire to serve it. I do not like in a correspondence which will be published to indulge in such lavish praises as your Honor gratefully does, although I have a great admiration and esteem for the people of Auckland. That they are forgiving, generous and impulsive your Honor has had proof, and when facts are before them I do not doubt they will also evidence their sagacity. Certainly, nothing in the past or the present entitles your Honor to reject for the Province of Auckland the friendship of those who desire to serve it. Detention by stormy weather at Wanganui has enabled me to find time to address your Honor at this length.

JULIUS VOGEL.

(16c.)

Auckland, 20th March, 1876.

To Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

I venture to think that the latter part of my telegram of the 16th flowed as a natural consequence from the latter part of yours of the 13th, as showing there was another alternative to the abolition of all really representative institutions and the centralization of all power in the hands of your Government. I beg that you will not anticipate any aid from me in carrying out the last-named alternative, or in accepting it, if it be sought to accomplish it by unlawful and unconstitutional means.

Touching Auckland revenue, you really do me a wrong. It was in my mind that a fair financial arrangement might be made, which might avoid giving vast advantages to one or more parts of the

colony to the prejudice of others. I beg that you will not trouble yourself to send me the figures you allude to; I quite understand the position of the Province, and my own position as its Superintendent. It was in this capacity I have addressed you—not as a member of the General Assembly. I am the elected head of a population of more than seventy thousand souls, and I am charged by an Act of Parliament, conjointly with my Council, and within certain limits, to provide for the peace, order, and good government of this Province, and in all respects to protect its interests. This I will to the best of my ability do—at all times and under all circumstances.

The Act of Parliament to which I allude makes mention of the Governor, the Superintendents, the Speaker, the General Assembly, the Provincial Council, to all of whom I owe a defined allegiance, which I shall always obediently render within the limits of the law, but such an officer as yourself is not mentioned as having any lawful right to interfere in our affairs, and I neither owe nor will render any allegiance to your office, when it is used adversely to our interests, or in violation of the law, or of any agreement which has been entered into.

I have neither asked nor sought for friendship or the contrary. I asked for the payment of a certain sum of money positively promised under agreement to this Province, and secured to it by law. Under this agreement the Province was and is entitled to receive about £1,000 a month capitation allowance. I have never disputed that you could, under the Immigration and Public Works Act of 1875, take for the purposes you have indicated the balance due to this Province under the Payments to Provinces Act of 1871. Such balance could be taken without any breach of the arrangement entered into, and therefore the proposal to take it neither was, nor is it now, resisted. The Legislature made due provision for this.

I thank you for the implied permission you have given to publish at once the correspondence. I shall now, therefore, regard it as concluded and ready for publication.

G. GREY.

(17c) Wellington, 23rd March, 1876.

His Honor Sir George Grey,
Auckland.

I abstain from sending you the figures I mentioned, as your Honor requests me not to send them, although, in my opinion, they would prove very instructive both to yourself and the Province. If your Honor recalled to mind the Royal Instructions to Governors, you would have no difficulty in understanding the relations which members of the Executive bear to the Governor, and therefore to Superintendents. However the point raised by your Honor seems to be entirely idle, as is shown by the fact of this correspondence, and by your being perfectly aware that it is not usual for Superintendents to correspond with the Governor direct. I hope that this closes the correspondence, and am glad your Honor sees no objections to publication. Mr. Wood's Memo., which you stated you forwarded on the sixth, has not reached me.

JULIUS VOGEL.

(18c) Wellington, 25th March, 1876.

His Honor Sir George Grey,
Auckland.

Your Honor's letter, covering Memo. by Provincial Treasurer, has reached.

JULIUS VOGEL.

(19c) Auckland, 27th March, 1876.
Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

I am glad my letter of the 6th has reached you. A duplicate had been despatched. He who wishes to be wise should never shrink from instruction. As you think your figures would be so instructive, my duty to this province requires me to consider them. You had, therefore, better be good enough to send them. But one difficulty must attend them. I, with many others here, believe we are entitled to more than is carried to our credit; that the present extravagant expenditure ought to be very largely reduced; and we further believe that this expenditure we think so unconstitutionally extravagant is in many respects not only without benefit to us, but even most seriously injurious to our interests, and that it has brought, and will yet bring, great evils upon us, especially in the Native Department. Remember that the fraudulent issue of miners' rights at Ohinemuri, which gave a great shock to public credit and confidence, and must have seriously injured the Thames district, was rendered possible by the unconstitutionally conducted payment of General Government employes from public funds. The sight of figures to prove what large sums have been thus expended on us to our injury, as we think, and which we are to be forced to repay from taxation must, therefore, be distressing. The Superintendent cannot consult the Royal Instructions to the Governor as a guide for his own conduct. The Royal Instructions are drawn up in the department of the Secretary of State in London, with the intention of promoting the welfare of Her Majesty's subjects. They can neither make, unmake, or explain the laws; and it is the duty of the Superintendent to administer the law as it is written, and explained by the local Courts. The Governor should, of course, obey the Royal Instructions in so far as they relate to matters lawful. The Superintendent knows nothing of them, and cannot look to them as guides. The independence of action thus secured to the Superintendent by law was necessary for the protection and security of the people of this province, and he must jealously guard it. You will find that this is not, as you think it, an idle question, but one which, where illegal and unconstitutional proceedings are followed with regard to this province, must lead to important results. For the future I shall address all my letters connected with matters referred to in the Constitution Act to the Governor, as he is the only officer I know in connection with that law. I think that after what you have said, a Royal Commission should be at once applied for, to determine whether abuses of the powers of the Crown have not taken place in this colony in dealings with the confiscated lands, and the acquisition of public or of native lands for themselves, or private persons, by officers entrusted with those powers, and the influence which springs from them, as also in other respects. Such an inquiry will probably lead to the modification of the Royal Instructions to Governors. The interests of the Empire at large appear to require this, as persons not really responsible to the Crown should not be allowed to exercise, or perhaps misuse, its powers, especially if in these respects they are not responsible, or are only remotely so, to the local Legislature.

G. GREY.

(20c) Government Buildings,
Wellington, 28th March, 1876.

His Honor Sir George Grey,
Auckland.

Your Honor's telegram has occasioned me much amusement. I can't treat it seriously. The remark

has already been made that you return to the Ohinemuri miners' rights, like Mr. Dick to the head of Charles the First. I am glad to learn that your Honor does not intend to address me in future on constitutional questions, although I am not without regret for the fate you design for his Excellency. From several sources I have heard that your Honor has expressed the opinion that Lord Normanby would be the last Imperial Governor appointed to New Zealand. I feared your Honor expected some dreadful recollection, and it is a great relief now to think that you only suppose your letters to the Governor will deter anyone from accepting in future a similar (position?). I shall send you the figures separately. I deal with the expenditure authorised by law. It appears to me your Honor considers that the laws should be as a minority of one approves, for sometimes you uphold, at other times you rail against them.

JULIUS VOGEL.

(21c.) Auckland, 31st March, 187
To Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

I feel real sorrow that you should have derived amusement from transactions of so sad a nature as those you allude to. Your Government is so largely responsible for them, that I am certain they ought to have filled you with a righteous indignation. I know, however, that there are many men of high and generous minds here whom the expression of such sentiments as you use will only nerve to the ennobling purpose of struggling to the last to free themselves from all chance of such evils for the future. You credit me with prophetic utterances I never made, and could not have made. I do not know what the term Imperial Governor means in the way in which you use it. The conclusion of my last telegram points out distinctly enough that my object was to secure the Governor from submitting to see the powers of the Crown abused for wrong purposes. At present the governors of colonies are nominated by the English Minister of the hour for political or other objects, and the Crown is necessarily required to approve such nomination. Even in my lifetime, companies or other bodies have in such manner nominated Governors or Lieutenant-Governors for the Crown's approval. Neither you nor I can know that our Sovereign might not rather have to approve the appointment of a Governor chosen by the entire people here, and thus endear herself to all her subjects by allowing them to select the man they deemed most worthy, rather than a Governor perhaps chosen for political or personal objects by a Minister whose policy she might distrust. Such a choice by her people here would open great hopes and worthy aspirations, which must benefit the entire population. The Queen graciously allows the election of Superintendents to govern provinces instead of nominated Lieutenant-Governors. Her Majesty has also given her subjects here the power of determining, by a law to be assented to by herself, the manner in which her Governors here should be nominated for her approval. If you have a right to entertain your opinion, that a nobleman nominated by a Minister with the title of Imperial Governor is the desirable mode of this being done, you may surely allow me to hold my opinion on the subject without offering unseemly taunts.

G. GREY.

(22c.) Wellington, March 30th, 1876.

His Honor Sir George Grey,
Auckland.

I now send to your Honor the figures explanatory of Auckland's financial position, which have been

referred to in previous telegrams. They are all for 1875, and those relating directly to Auckland are taken from the report of the Provincial Auditor:— Ordinary Provincial revenue licenses, £13,000 (these the Government relinquish when Abolition takes place); from other sources, £11,320; ordinary land revenue, £1, besides £140 retained to pay salaries; confiscated lands, £766; goldfields and wharfage, £8,000; total, £33,087. Whilst for interest and sinking fund on purely Provincial loans, irrespective of the interest on the capitalised cost of the Auckland and Mercer Railway, the Province was liable for £41,900, or £8,813 more than its entire revenue. Comment is needless. Nothing can be more clear than the liability of the Province for provincial loans. Under these circumstances, with a purely Provincial revenue of £33,000, and a balance in hand of £2,300, the Province, with the assistance of the Colonial revenue, managed to spend about £142,000, including £41,900 for interest above referred to. That assistance consisted of £70,000 capitation allowance, £29,000 special advances, and £2,000 for education—in addition to £17,000 out of loan for Thames Pumping Association. Besides the assistance thus rendered, the Colonial Government expended out of loan on railways, roads, water supply, land purchases, public buildings, and immigration—all more or less Provincial objects—sums amounting to £445,000. Now with regard to Auckland having its own revenue: Assuming that Auckland had the whole of the consolidated revenue raised within the Province, as well as its purely Provincial revenue, and were charged with its proportion of the total expenditure for General Government departmental services and its proportion of the interest and sinking fund paid by the Colony (that is to say, the interest paid by the General Government, exclusive of the sums at present charged provincially on provincial loans and railways), each calculated on population basis, and had further to pay interest on its own loans and on the cost of its railways, it would still be far from being able to meet current provincial expenditure. Thus consolidated revenue collected in the province, £341,000; provincial revenue, £33,000; balance in hand, £2,300. Total, £376,300. On the other side, the province's share of colonial charges, departmental, £175,000; interest and sinking fund, £143,000; making £318,000; interest on cost of Auckland and Mercer railway, £11,000; interest on provincial loans, £41,900; provincial expenditure, £80,000; making a total of £450,900, and leaving a deficit of £74,600, which, in other words, means that Auckland has received out of revenues £74,600 more than by strict computation it was entitled to, leaving the other provinces to suffer proportionately.

JULIUS VOGEL.

(23c.) Auckland, 3rd April, 1876.

To Hon. Colonial Treasurer,
Wellington.

Payments to Provinces Act, 1871. Capitation Allowance was to be paid from 1st July, 1871, to 30th June, 1872, by the number of the population for the year, population to be based upon returns of population contained in the Census return to February, 1871. The population by that return was 62,335, but the return was made five months before the year commenced. The words used are "to be based upon" not "determined by" or "to be taken to be" as in the same or other Acts. The population in December, 1871, the middle point of the year for which the Capitation allowance was to be paid, was 64,332. The increase for the next six months

to 30th June was 1,238. The two last sets of figures are taken from Statistics of the Colony 1874, published by the Government and compiled from Official records in the Registrar-General's Office. It thus appears that, in addition to the admitted balance due to us under Payments to Provinces Act, 1871, a further sum of £2,426 5s. 0d. is due as capitation allowance, which it is respectfully requested may be carried to our credit.

G. GREY.

(24c.)

Auckland, 3rd April, 1876.

To Hon. Colonial Treasurer,
Wellington.

The figures alluded to in previous correspondence have been received. They do not alter my own view that, left to ourselves to manage our own resources, we should be a wealthy people. He who manages the property of another and spends his revenues can show him to be in debt to any extent he pleases. This is evidenced by the Mercer Railway account from 29th January to 26th February, 1876, in which this Province is brought in £5,326 3s. 2d. in debt; whilst in regard to the management or control of this railway the Province is not allowed to interfere in any manner whatever. The Provinces which you state are taxed for our support can little know the ills they pay to bring on us in the management of the Native Department and the Native Land Purchase Department. The Provincial Treasurer has forwarded the following memorandum in reference to the figures transmitted by you:—

“The figures of Sir Julius Vogel do not seem to be relevant to the question at issue between the General and Provincial Governments, which is whether a financial arrangement made between the Colonial Treasurer and the Provincial Treasurer last session is to be carried out or not. The figures may have some relation to a question of greater importance—namely, the bearing of Colonial finance generally upon the Province of Auckland as compared with other large Provinces of New Zealand. This is, however, a question which it would be useless to discuss here; but its discussion will probably form no unimportant part of the business of next session.—READER WOOD.—April 3, 1876.”

G. GREY.

(25c.)

Auckland, 3rd April, 1876.

To Hon. Sir Julius Vogel, K.C.M.G., M.G.A.,
Wellington.

I received, on the 28th ult., a telegram from you, which I replied to on the 31st ultimo. If a fair consideration is given to the contents of that telegram, it will be seen that I have done all that the most rigid construction of the rules of courtesy could have required from me. Late on the evening of Saturday, the 1st instant, another telegram, which, from its size, I believed had also come from you, reached me. I laid it aside until this morning (Monday); and now, having satisfied myself from enquiries made at the Telegraph Office, that it really did come from you, and feeling that courtesy makes no demands on me which I have not already most amply fulfilled, I have had the honour to return that telegram to you by post in an envelope in the state in which I received it, that is, unopened.

G. GREY.

PUBLIC NOTIFICATION.

By His Honour SIR GEORGE GREY, Knight
Commander of the Most Honourable
Order of the Bath, Superintendent of
the Province of Auckland.

UNDER and in pursuance of the powers in me vested by the seventh section of “The Highways Act, 1874,” I do hereby abolish the District constituted under the provisions of “The Highways Act, 1871,” and described by the name of the RANGITOPUNI Highway District, by notification under the hand of Thomas Bannatyne Gillies, Esquire, Superintendent, dated the 31st February, 1873, and published in the *Provincial Government Gazette* on 5th February, 1873.

Given under my hand at Auckland,
this 4th day of April, 1876.

G. GREY,
Superintendent.

PUBLIC NOTIFICATION.

By His Honour SIR GEORGE GREY,
Knight Commander of the Most
Honourable Order of the Bath,
Superintendent of the Province of
Auckland.

UNDER and in pursuance of the powers in me vested by the seventh section of “The Highways Act, 1874,” I do hereby alter and amend the boundaries of the PUKEATUA Highway District, as hereunder set forth.

Given under my hand at Auckland,
this 4th day of April, 1876.

G. GREY,
Superintendent.

THE PUKEATUA HIGHWAY DISTRICT.

Amended Boundaries.

Bounded towards the north (commencing at the north-western angle of allotment No. 84, of the parish of Pukeatua) by the southern side of the road which forms the northern boundary of said allotment No. 84, and the northern boundaries of allotments Nos. 85, 86, 87, 88, and 89, the western and northern boundary of allotment No. 91, the northern boundary of allotments Nos. 92 and 93, and part of the northern boundary of allotment No. 94, all of the parish of Pukeatua aforesaid, and crossing said road to the south-western angle of allotment No. 249 of the parish aforesaid; thence following the northern side of said road, being the southern boundary of allotments Nos. 249, 254, 256, and 257, and by the northern side of said road continued to the north-eastern angle of allotment No. 263; thence by the northern and part of the eastern boundaries of allotment No. 261, all of the parish of Pukeatua aforesaid; the northern boundary of allotment No. 260 of said parish, to the road which forms the eastern boundary of allotment No. 260 aforesaid, and crossing said road and continuing southerly along its eastern side to its junction with the road which forms the northern boundary of allotment No. 206 of the parish of Pukeatua aforesaid, and thence in a straight line to the south-western angle of Dacre's claim on the Okura river; towards the east by part of the western boundary of the Lake Highway District, from the south-western angle of Dacre's claim aforesaid to the centre of the road leading to allotment No. 210 of

the parish of Pukeatua aforesaid, and continuing along the centre of said road to its junction with the road which forms the north-western boundary of allotment No. 292; thence by the centre of said road to the northern angle of allotment No. 292 aforesaid; thence by the north-eastern and part of the south-eastern boundaries of allotment No. 292 last named, and the north-eastern boundary of allotment No. 303, to the centre of the road which forms the north-western boundary of allotment No. 305, and continuing southerly along the centre of said road, which also forms the northern and eastern boundaries of allotment No. 301 and the eastern boundaries of allotments Nos. 300 and 299 to Lucas' creek; thence by Lucas' creek aforesaid to the Waitemata river; towards the south by the Waitemata river aforesaid and the Rangitopuni river from Lucas' creek before mentioned to the Waitati stream, and by the said stream to the easternmost angle of allotment No. 55 of the parish of Paremoremo aforesaid; thence in a straight line to the north-eastern angle of allotment No. 53 of the parish of Paremoremo aforesaid; thence following the north-eastern boundary of said allotment No. 53, to the Ararimu river; thence northward by the Ararimu river aforesaid to the south-western boundary of allotment No. 41 of the parish of Paremoremo aforesaid; thence by the south-western boundary of said allotment No. 41 to its westernmost angle; thence in a straight line from said angle to the south-western angle of allotment No. 60 of the parish of Ararimu; thence by the western boundary of said allotment No. 60 to the southern boundary of allotment No. 59 of the parish last named; and towards the west by the southern boundary of allotment No. 59 aforesaid to the road which forms the south-western boundary of allotment No. 55, also of the said parish; thence by the centre of said road to the north-western boundary of said allotment No. 55; thence by the north-western boundaries of allotments Nos. 55 and 54 of the parish of Ararimu aforesaid to the northernmost angle of the last-named lot and by a right line, thence northerly to the south-western angle of allotment No. 22 of the parish of Pukeatua; thence crossing a road 100 links wide and by the southern boundary of allotment No. 35 of the parish of Pukeatua aforesaid; the southern and eastern boundaries of allotment No. 36, the crossing of a road of width aforesaid, the south-eastern boundary of allotment No. 38, the south-eastern and north-eastern boundary of allotment No. 39, the crossing of another road of width aforesaid and by the south-western boundaries of allotments Nos. 29, 28, 27, 26, 25, and 24, the south-western and north western boundaries of allotment No. 23 to the Waipuakakahu stream; thence by the Waipuakakahu stream aforesaid to the northern side of the road which forms the northern boundary of allotment No. 308; thence easterly by the northern side of said road to the western boundary of allotment No. 83, all of the parish of Pukeatua aforesaid, and by the western boundary of allotment No. 83 aforesaid and the western boundary of allotment No. 84 to the north-western angle of the last-named lot, the place of commencement.

ALEXANDRA TOWNSHIP HIGHWAY
DISTRICT.

NOTICE is hereby given that HENRY NORGROVE, Poundkeeper, has been appointed also Ranger for the above-named District.

J. AUBIN,
Chairman of District Board.

Alexandra, April 18th, 1876.

PUBLIC NOTIFICATION

Office of the Board of Education,
Auckland, 21st April, 1876.

IT is hereby notified that the Board of Education, under "The Education Act, 1872," have constituted the district hereinafter described to be an Educational District under the said Act, and have appointed the time and place of meeting for the Election of a School Committee for the said Educational District as hereunder set forth.

By order of the Board.

FREDERICK J. MOSS,
Secretary.

OHINEMURI EDUCATIONAL DISTRICT.

Commencing at the confluence of the Hikutaia and Waihou rivers. Bounded towards the north by the Hikutaia river from the Waihou river to the south-western boundary of land claimed by McAskill, thence following the south-western boundary of the said land to the southern boundary of the Hikutaia No. 3 Block, thence following the southern boundary of the Hikutaia No. 3 Block aforesaid to the southern boundary of the land claimed by McAskill aforesaid, thence by the southern boundary of said land by the southern boundary of the Hikutaia No. 3 Block, and by the south-eastern boundaries of the Whangamata Nos. 3 and 4 Blocks respectively to high water mark of the sea on the East Coast, towards the north-east by high water mark of the sea from the place last named to Ngakuri-a-whare; towards the south-east by a right line from the place last named to the summit of the Aroha mountain, and by said right line continued to the Waihou river; and towards the south-west and north-west by the Waihou river aforesaid to its confluence with the Hikutaia river, the place of commencement.

Meeting to elect Committee will be held at the Court House, Mackaytown, on Saturday, 6th May, at 4 p.m.

NOTICE.

IN THE SUPREME COURT OF NEW ZEALAND
NORTHERN DISTRICT.

Between MEYRICK LALLY, of Auckland, in the Province of Auckland, in the Colony of New Zealand, Gentleman, Plaintiff, and THOMAS BRAY, of the same place, Settler, Defendant.

WHEREAS by virtue of a Writ *Fieri Facias* issued herein, ordering me that of the real and personal property of the abovenamed Defendant, Thomas Bray, I should cause to be made the sum of Fifty-five pounds and twelve shillings, together with interest on the said sum at the rate of Eight pounds per centum per annum, from the fifteenth day of February now last past, with costs of the said Writ and Warrant thereon, besides Sheriff's Poundage, Officer's Fees, and other fees and expenses of execution. Now, I, Henry Colin Balneavis, Sheriff of the District of Auckland, do hereby give notice that I shall cause to be sold, by public auction, by Richard Arthur, at his auction mart, Queen-street, Auckland, on the 20th day of July, One thousand eight hundred and seventy-six, at the hour of twelve o'clock noon, unless the said sum of Fifty-five pounds and twelve

shillings, and interest thereon as aforesaid, with cost of Writ and Warrant, Sheriff's Poundage, Officer's Fees, and other fees and expenses thereon, as aforesaid, be sooner paid, all the Estate, Right, Title, and interest of the said Thomas Bray in and to ALL THAT piece or parcel of Land in the Province of Auckland, in the Colony of New Zealand, being lot number seventeen, of section number one of the subdivision into sections and lots of allotment number nine, of section number seven of the suburbs of Auckland, in the Parish of Waitemata and County of Eden, And in and to all that piece or parcel of Land in the Province and Colony aforesaid, being lots numbers three and four of section number one of the subdivision into sections and lots of allotment number nine, of section number seven of the suburbs of Auckland aforesaid. With all the buildings erected upon the said pieces or parcels of land, or either of them. And I further give notice that the Estate or interest of the said Thomas Bray in respect of the aforesaid lands so intended to be sold consists in his being entitled to an estate for life in and to the said lands under and by virtue of the limitations contained in a deed of conveyance, made the third day of May, One thousand eight hundred and seventy-one, between the said Thomas Bray of the first part, Joseph May of the second part, Mary Stewart of the third part, and Thomas John Bray Stewart of the fourth part, and registered in the Deeds Register Office for the Province of Auckland as Number 43,448, whereby the said Land and Premises hereinbefore described were and do now stand limited (amongst other limitations) to the use of the said Thomas Bray, and his assigns, for and during the term of his natural life. And all the said lands, and all the Estates and interests of the said Thomas Bray therein and thereto, have been taken by me in execution of the suit of the said Meyrick Lally, the Execution Creditor. The name and address of the Solicitor for Meyrick Lally, the said Execution Creditor, is Edmund Augustus Mackechnie, of Wyndham-street, in the City of Auckland, in the Province of Auckland aforesaid.

Dated the 17th day of April, 1876.

H. C. BALNEAVIS,
Sheriff.

MacCORMICK & MACKECHNIE,
Solicitors,
Wyndham-street, Auckland.

NOTICE.

IN THE SUPREME COURT OF NEW ZEALAND,
NORTHERN DISTRICT.

Between WILLIAM HASKAYNE JONES, Trustee of the Estate and Effects of GEORGE THORNE, junior, trading as "JOHN ROBERTON AND COMPANY," a Bankrupt, Plaintiff, and WILLIAM WHITAKER ARIELL, Defendant.

WHEREAS by virtue of a Writ of *Fieri Facias* issued herein, ordering me that of the real and personal property of the above-named defendant, William Whitaker Ariell, I should cause to be made the sum of twenty-two pounds sixteen shillings and sixpence, together with interest on the said sum

at the rate of eight pounds per centum per annum, from the second day of October, one thousand eight hundred and seventy-five, with costs of the said Writ and Warrant thereon, besides Sheriff's poundage, officers' fees, and other fees and expenses of execution: And whereas by virtue of another Writ of *Fieri Facias* issued herein, ordering me that of the real and personal property of the said defendant I should cause to be made the further sum of twenty-three pounds ten shillings and tenpence, together with interest on the said sum at the rate of eight pounds per centum per annum from the second day of December, one thousand eight hundred and seventy-five, with costs of the said writ and warrant thereon, besides Sheriff's poundage, officers' fees, and other fees and expenses of execution. Now, I, Henry Colin Balneavis, Sheriff of the District of Auckland, do hereby give notice that I shall cause to be sold by public auction, by Richard Arthur, at his Auction Mart, Queen-street, Auckland, on the eighteenth day of May, one thousand eight hundred and seventy-six, at the hour of twelve o'clock noon, unless the said sums of twenty-two pounds sixteen shillings and sixpence, and twenty-three pounds ten shillings and tenpence, and interest thereon respectively, as aforesaid, with costs of writ and warrant, Sheriff's poundage, officers fees, and other fees and expenses thereon as aforesaid, be sooner paid, all the estate, right, title, and interest of the said William Whitaker Ariell, in and to all that piece or parcel of land in the province of Auckland, in the colony of New Zealand, containing one hundred and twenty acres more or less, being northern portion of allotment one hundred and twenty-nine, of the Parish of Matakoho, in the County of Marsden, and being the whole of the land comprised in a certificate of title under the Land Transfer Act, 1870, and the several Acts amending the same, volume four, folio fifteen. And in and to all that piece or parcel of land, containing seventy-seven acres, more or less, being north-eastern portion of allotment number twenty-eight of the Parish of Paparoa, in the County of Marsden, in the Province of Auckland aforesaid, being the whole of the land comprised in a certificate of title under the said Land Transfer Acts, volume eight, folio fifty-six, with all the buildings erected upon the said pieces or parcels of land or either of them. And I further give notice that the estate or interest of the said William Whitaker Ariell, in respect of the aforesaid lands so intended to be sold, consists in his being the registered proprietor of an estate of freehold in fee simple in possession of the said lands under the provisions of the said Acts. And all the said lands and all the estates and interests of the said William Whitaker Ariell therein and thereto have been taken by me in execution at the suit of the said William Haskayne Jones, the execution creditor. The name and address of the solicitor for William Haskayne Jones, the said execution creditor, is Edmund Augustus Mackechnie, of Wyndham-street, in the City of Auckland, in the Province of Auckland, aforesaid.

Dated the 4th day of February, 1876.

H. C. BALNEAVIS,
Sheriff.

MacCormick and Mackechnie, Solicitors, Wyndham street, Auckland.

NATIVE LAND ACT, 1873.

Notice of Claim. Sec. 36.)
District of Waikato. }

To the District Officer, Commissioner of Crown Lands, Inspector of Surveys, and Native Reserves Commissioner, and to all others whom it may concern :

NOTICE is hereby given that the persons named in the first column of the Schedule hereto, on behalf of themselves or the hapus mentioned in the second column of the said Schedule, have duly given notice that they claim to be interested in the pieces of land named and described in the third column of the said Schedule respectively; and that they desire that their respective claims should be investigated by the Native Land Court, in order that Memorials of Ownership may be issued for the same. And the said claimants admit the persons or hapus mentioned in the fourth column of the said Schedule to be also interested in the said land.

Dated this 29th day of March, 1876.

A. J. DICKEY,
Chief Clerk.

Names of Applicants.	Hapu.	Description and Name of Land.	Other Owners admitted.
Peina Tamihana, Te Kaiware, Wiremu Karaka, Penetana Te Kami, Haratiera, Wiremu Haumu, and Rei Paehua	Kauamo	<i>Mangawhero</i> Commences at Tuerapaki, and goes on to Te Maire and Taumatanekeke, and thence to the Waihou river; then follows down that river to the mouth of the Mangawhero river	
Rihia Te Kauae	Ngatiwerewere	<i>Te Kapara</i> Commences at Ouhoeroa, and goes on to Te Pahi; turns here, and goes on to Kohika and Te Rete-rete; turns again and goes on to Waiwhero and Te Puku-a-Tawaiki, and thence to the commencement at Ouhoeroa	
Te Keepa Ringatu, Paratene Te Kaharunga, and Hori Neri	Ngatirangi	<i>Taramoarahi, No. 1</i> Commences at Taramoarahi, No. 2, and goes on to Te Waiwhatawhata and Te Tutu, goes thence to Hingatiraha; then turns towards the west, and goes on to the boundary of Matamata	Penetito
Rihia Te Kauae, and Tame Kaka	Ngatiwerewere	<i>Te Karamu</i> The boundaries are Kerehori and the Waiharakeke river	Te Raihi
Penetito Te Tiwha, and Tuwhenua Te Tiwha	Ngatirangi	<i>Hungahunga</i> The boundaries are shown on the map	
Penetito Te Tiwha, and Tuwhenua Te Tiwha	Ngatirangi	<i>Te Ruahine</i> The boundaries are shown on the map	
Penetito Te Tiwha, and Tuwhenua Tiwha	Ngatirangi	<i>Te Aratiatia</i> The boundaries are shown on the map	
Kere-meneta Hipirini	Ngatitapaea	<i>Tawhanatawa</i> The boundaries are shown on the map	
Penetito Te Tiwha	Ngatirangi	<i>Poukaroro</i> The boundaries are shown on the map	Tuwhenua Te Tiwha

Names of Applicants.	Hapu.	Description and Name of Land.	Other Owners admitted.
Penetito Te Tiwha]	Ngatirangi	<i>Whangorau</i> The boundaries are shown on the map	Tuwhenua Te Tiwha
Penetito Te Tiwha		<i>Whakatakataka</i> The boundaries are shown on the map	Tuwhenua Te Tiwha
Tarapipipi Te Kopara, and Hunui	Ngatikahungeri, Ngatiwaihinu, Ngatitahuna	<i>Mangataparua</i> Bounded on the north by Government land called Mangakahika; on the east and south by the Piako and Mangahaumia rivers, and on the west by Government land called Hangawera	

TURE WHAKAWA WHENUA MAORI, 1873.

HE PANUITANGA KEREME TENEI.

No te Takiwa o }
Waikato. }

KI te Apiha o te Takiwa, ki te Komihana o nga Whenua o te Karauna, ki te Tumuaki Kaititiro Mapi, ki te Komihana o nga Whenua Rahui Maori, ki era atu ano hoki e whai tikanga ana ki tenei mea.

He Panuitanga tenei kia mohiotia ai kua tae mai te whakaatu o nga tangata e mau nei o ratou ingoa i te rarangi tuatahi o te Kupu Apiti e mau ake nei, e ki ana e whai tikanga ana ratou me o ratou hapu, e mau ake nei nga ingoa i te rarangi tuarua, ki nga pihi whenua i te rarangi tuatoru, e ki mai ana hoki e hiahia ana ratou kia whakawakia o ratou take ki aua whenua e te Kooti Whakawa Whenua Maori, he mea kia puta atu kia a ratou tetahi Tubinga Whakamaharatanga Take mo aua whenua. E whakaae ana hoki nga Kaitono e whai tikanga nga tangata nga hapu ranei e mau nei o ratou ingoa i te rarangi tuawha, ki enei whenua.

NA TIKI,
Tino Kaituhituhi.

No te 29 o nga ra o Maehe, 1875.

Nga ingoa o nga Kaitono.	Te Hapu.	Nga ingoa o nga whenua me nga rohe.	Te hunga e whakaaetia ana e nga Kaitono.
Peina Tamihana, Te Kaiware, Te Kiriwhai, Wiremu Karaka, Penetana Te Kauri, Haratiera, Parawhau Taharangi, Wiremu Haumu, Rei Paehua	Kauamo	<i>Mangawhero</i> Ka timata i Tuerapaki haere tonu Te Maire, Taumatawhakaneke, tutuki ki Waihou, haere i roto o Waihou, tutuki ki te puaha o Mangawhero	
Rihia Te Kauae	Ngatiwerewere	<i>Te Kapara</i> Ka timatai Ohoeroa, ka rere Te Pahi, ka whati whakararo i Te Kohika, haere tonu i Te Retireti, ka whati ka rere ki Waiwhero, Te Pukua-Tawhaki, ka haere tonu, a, te timatanga i Ohoeroa	
Te Keepa Ringatu, Paratene Te Kaharunga, Hori Neri	Ngatirangi	<i>Taramoarahi Nama 1</i> Ka timata i Taramoarahi Nama 2, timata ano i Te Waiwhatawhata tae tonu ki Te Tutu, ka ahu whakarunga Hingatiraha; ka ahu mai ki te Hauauru, ka tutuki ki te raina o Matamata	Penetito

Nga ingoa o nga Kaitono.	Te Hapu.	Nga ingoa o nga whenua me nga rohe.	Te hunga e whakaeitia ana e nga Kaitono.
Rihia, Tame Kaka	Ngatiwerewere	<i>Te Karamu</i> Kerihoni ki te taha ki raro, ki te taha ki runga hoki; ko te awa o Waiharakeke te rohe ki taha ki te Hauauru	Te Raihi
Penetito Te Tiwha, Tuwhenua Te Tiwha	Ngatirangi	<i>Hungahunga</i> Kei te mapi nga rohe	
Penetito Te Tiwha, Tuwhenua Te Tiwha	Ngatirangi	<i>Te Ruahine</i> Kei te mapi nga rohe	
Penetito Te Tiwha, Tuwhenua Te Tiwha	Ngatirangi	<i>Te Aratiatia</i> Kei te mapi nga rohe	
Keremete Hipirini	Ngatitapaea	<i>Tuwhanatawa</i> Kei te mapi nga rohe	
Penetito Te Tiwha	Ngatirangi	<i>Poukaroro</i> Kei te mapi nga rohe	Tuwhenua Te Tiwha
Penetito Te Tiwha	Ngatirangi	<i>Whangorau</i> Kei te mapi nga rohe	Tuwhenua Te Tiwha
Penetito Te Tiwha	Ngatirangi	<i>Whakatakataka</i> Kei te mapi nga rohe	Tuwhenua Te Tiwha
Tarapipipi Te Kopara, Hunui	Ngatikahungeri, Ngatiwaihinu, Ngatitahuna	<i>Mangateparu</i> Ko te Taha ki te Hauraro ko te rohe o te whenua o te Kawanatanga i huainata ko Mangakahika; ki te taha ki te Marangai me te taha ki Tonga ko nga awa o Piako me Mangahaumia, ki te taha ki te Hauauru ko te whenua o te Kawanatanga i huainatia ko Hangawera	

Tari o te Kooti Whenua Maori,
Akarana, Aperira 7, 1876.

HE Panuitanga tenei kia mohiotia ai ko te Kooti kua panuitia kia turia ki Kapanga a te 20 o nga ra o Aperira, 1876, ekore e turia i taua ra, engari mo a te 22 o nga ra o Mei, 1876, turia ai.

NA PENETANA,
Tumuaki Kaiwhakawa.

NOTICE.

Native Land Court Office,
Auckland, April 7th, 1876.

NOTICE is hereby given that the sitting of this Court advertised to be held at Kapanga, Coromandel, on the 20th day of April, 1876, is postponed to the 22nd day of May, 1876.

F. D. FENTON,
Chief Judge.

He Panuitanga i raro i te Ture Whenua Maori, 1873-74, ki nga tangata e whai take ana ki te whenua kia mohiotia ai te wahi me te ra e tu ai Te Kooti hei whakawa i o ratou take.

NA, he Panuitanga tenei kia mohiotia ai, ko te take a nga tangata no ratou nga ingoa e mau nei i te rarangi tuatahi i raro nei, ki te piihi whenua e mau nei i te rarangi tuarua, ka whakawakia a te 10 o nga ra o Mei, 1876, e te Kooti Whakawa Whenua Maori, ki Kemureti, Waikato. Ko nga tangata katoa e whai tikanga ano mo taua whenua me haere ki reira.

Ka oti te whakawa, ka puta te Tuhinga Whakamaharatango Take ki te hunga i kitea tona tika e te Kooti: heoiano, he tino whakaotinga tena; ekore rawa e tika kia peke mai tetahi tangata ki muri.

NA TIKI,
Tino Kaituhituhi.

Kooti Whakawa Whenua Maori,
Akarana, Aperira 10, 1876.

Ko nga ingoa o nga Kaitono.	Te ingoa o te whenua me te Takiwa hoki.	Ko te takotoranga o te mapi.
Tuhakaraina, Rihia Te Kauae, Horea Hotene	Orangamaeroa, e tata ana ki Piranui, Piako	Mehimea kua oti tenei whenua te ruri ka kitea te mapi ki te Tari o te Kaititiro Mapi i Akarana.

NATIVE LANDS COURT.

Notice under the Native Land Acts, 1873-74, of Times and Places for Investigating Claims.

NOTICE is hereby given that the claims, on behalf of themselves and others, of the several persons whose names are mentioned in the first column of the Schedule hereunder written, to the several blocks of land, of which the names and localities are mentioned in the second column, the boundaries of which are published in the Schedule hereunder, will be investigated at Cambridge, Waikato, on the 10th of May next, and following days.

A. J. DICKEY,
Chief Clerk.

Auckland, April 10th, 1876.

Name of Claimant.	Name and Locality of Block.	Place where Plan will be deposited for public inspection.
Tuhakaraina, Rihia Te Kauae, Horea Hotene	Orangamaeroa, near Piranui, Piako	The map of this land, if it has been surveyed, can be seen at the Office of the Inspector of Surveys, Auckland.

