



THE  
**GOVERNMENT GAZETTE,**  
PROVINCE OF HAWKE'S BAY.

**Published by Authority.**

*All Public Notifications which appear in this Gazette, with any Official Signature thereunto annexed, are to be considered as Official Communications made to those persons to whom they relate, and are to be obeyed accordingly.*

J. C. LAMBTON CARTER,

Superintendent.

VOL. 3.]

MONDAY, NOVEMBER 17, 1862.

[No 24

Superintendent's Office,  
Napier, Nov. 10, 1862.

THE following Warrants under the hand of his Excellency the Governor, and the Rules and Regulations of the Gaol at Napier issued thereunder, are published for general information.

J. C. LAMBTON CARTER,  
Superintendent.

WARRANT.

By his Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over her Majesty's Colony of New Zealand and its dependencies, and Vice Admiral of the same, &c., &c., &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:—

WHEREAS by an Ordinance of the Lieut.-Governor and Commander-in-chief of the Colony of New Zealand, intituled "An Ordinance for the Regulation of Prisons," Sess. VII, No. 7, the Governor is empowered from time to time to make such rules and regulations as to him shall seem fit, touching the duties of the officers of any public Gaol—the classification, diet, instruction, treatment, and correction of the prisoners therein, and generally to prescribe all such rules as may be necessary for the good discipline of any public Gaol, and the safe custody of the prisoners therein.

And whereas, by an Act of the General Assembly of the said Colony, intituled "The

Secondary Punishment Act, 1854," it is enacted that it shall be lawful for the Governor from time to time to make such rules and regulations as to him shall seem meet for the employment, safe custody, management, and discipline of the convicts under sentence of penal servitude, and to enforce the observance of such rules and regulations by solitary confinement as in the said Act provided, and by such other prison discipline as may be prescribed in that behalf: Provided always that no rule or regulation awarding any such punishment as aforesaid shall come into operation until a copy thereof shall have been first published in the *Government Gazette*.

Now, therefore, I, Sir GEORGE GREY, the Governor of the Colony of New Zealand, do hereby, under and by virtue of the provisions in the said Ordinance and Act respectively contained, do hereby make the following regulations for the purposes hereinbefore recited, and do publish the same to be in force within the Province of Hawke's Bay.

As witness my hand this 4th day of November, 1862.

G. GREY.

By his Excellency's command,

F. D. BELL,

In the absence of Mr. Domett.

RULES AND REGULATIONS OF THE  
GAOL AT NAPIER.

1. Every prisoner on entering the Gaol is to be searched in the presence of the Gaoler or Turnkey. His name, age, country, religion, height, and general description are to

be entered in a register, in which shall also at the same time be entered whether or no he can read and write.

2. All money, property, and effects, are to be taken from the prisoner on entering the Gaol; a minute specifying the particulars and signed by the Gaoler is to be entered in the register. Such property shall remain in the custody of the Gaoler until the discharge of the prisoner, unless other disposition thereof shall be ordered or permitted by competent authority.

3. All prisoners sentenced for a longer period than one week shall have their hair cut close on entering the Gaol.

4. Prisoners sentenced for a less period than one week shall have their hair cut close if it shall be found necessary for the purpose of cleanliness.

5. Every cell is to be opened at 6 a.m. from the first day of October to the first day of April, and at daylight during the remainder of the year.

6. Fifteen minutes are to be allowed for dressing.

7. The cells shall then be swept and dusted. The bedding (weather permitting) shall be suspended in the airing yard and afterwards put away and folded in the smallest compass. This duty shall be performed by such of the prisoners as shall be told off for that purpose.

8. Prisoners shall then wash themselves thoroughly and make themselves as clean as possible.

9. The prisoners shall then be assembled and their names called over, after which prayers shall be read by the Gaoler or such other person as the Sheriff or visiting Justices may appoint.

10. On the return of the prisoners from labor they shall be assembled and their names called over.

11. After supper, prisoners shall be locked up in their cells—before being locked up each prisoner is to be searched by the Turnkey on duty in the presence of the Gaoler.

#### *Labor.*

12. From the first day of October to the first day of April the hours for labor shall be from half-past seven a.m. to six p.m.; from the first day of April to the first day of October from eight a.m. to five p.m. One hour's cessation for dinner.

13. On Saturdays, however, the day's labor shall cease at noon, to enable the prisoners to wash their clothes and clean the Prison.

14. Prisoners shall proceed to work in an orderly manner, in charge of at least one overseer and one sentry.

15. During work no talking nor idling shall be permitted, nor shall any prisoner leave his allotted spot without permission, nor unless accompanied by an Overseer or Sentry.

#### *Rations.*

16. The ordinary Gaol allowance for each prisoner shall be

$\frac{3}{4}$  lb. bread

$\frac{1}{2}$  lb. meat  
 $\frac{1}{2}$  lb. potatoes  
 $\frac{1}{2}$  oz. salt  
 $\frac{1}{2}$  oz. soap

17. But such prisoners as shall be sentenced to hard labor shall have

1 lb. bread  
1 lb. meat  
1 lb. potatoes  
2 oz. sugar  
 $\frac{1}{4}$  oz. tea  
 $\frac{1}{2}$  oz. salt  
 $\frac{1}{2}$  oz. soap

18. Prisoners sentenced to solitary confinement shall, during such sentence, only be allowed

1  $\frac{1}{2}$  lbs. bread  
Water, *ad libitum*

19. No prisoner shall be allowed to receive provisions of any kind from his friends, but is to live exclusively on the Gaol allowance.

20. Every prisoner shall take his meals in the mess room—on no account shall he be permitted to eat them in his cell.

21. No prisoner in receipt of a superior ration or medical comfort shall supply another prisoner with any portion thereof, on penalty of being reduced to an inferior ration, in addition to such punishment as he may be liable to for so doing.

#### *Divine Service.*

22. On Sundays every prisoner (unless specially excused) shall attend at the service performed within the Prison by the clergyman of the denomination to which prisoner belongs.

#### *Cleanliness.*

23. Each prisoner to have one clean shirt twice a week; trousers to be washed once a week; blankets and rugs to be washed every two months.

24. Each prisoner to have his hair cut close once a month, and to be close shaved twice a week.

25. At every meal prisoners shall appear with clean hands and face.

26. They shall also wash themselves before being locked up for the night.

27. The prison shall be washed out every week, and every cell is to be washed out at least every other day.

28. The greatest cleanliness is to be enforced throughout the Gaol buildings and yards, and with respect to the prisoners' bedding and clothes.

#### *Clothing.*

29. Every prisoner shall be supplied with the following articles of clothing:—2 pairs trousers, 2 cotton shirts, 1 blue serge shirt, 1 rug, 1 pair boots, 2 blankets, 1 hat or cap, the whole of which shall be marked and numbered with the prisoner's number, the Government brand, and the letters N.G.

30. No prisoner will be allowed to wear any private clothing whatever, except under clothing, by order of the medical officer.

31. Each pair boots and trousers, and each cotton shirt, must last six months. Each serge shirt, and hat or cap, twelve

months.

*Punishment Regulations.*

32. Any prisoner

I. Being insolent or threatening violence to any person whomsoever, other than an officer of the Gaol.

II. Injuring or destroying the property of the Government.

III. Or being guilty of any other misconduct not provided against in these rules, subversive of the peace, order, or good government of the Gaol,

shall be punishable by being placed in solitary confinement for any period not exceeding (7) seven days, and in addition thereto, (at the option of a Visiting Justice), a diminution of his rations, and in addition, in case of destruction or injury to any property of Government by a prisoner who shall have money or property in the hands of the Gaoler, such money or property may be wholly or partially forfeited by order of a Visiting Justice, to repay such destruction or injury.

33. Every prisoner who shall be guilty of any of the offences next hereinafter mentioned that is to say

I. Attempting to escape.

II. Conniving at and concealing a prisoner or prisoners attempting to escape.

III. Assaulting any officer of the Gaol,

shall, in addition to any punishment to which he may by law otherwise be sentenced, be punishable by close confinement for any period not exceeding (14) fourteen days, and by diminished rations.

34. Every prisoner who shall be guilty of any of the offences next hereinafter mentioned, that is to say

I. Mutiny or outbreak.

II. Assaulting an officer with intent do grievous bodily harm.

III. Setting on fire, or attempting to set on fire, the Gaol building or other property,

shall, in addition to any punishment to which he may by law otherwise be sentenced, be punishable by close confinement for any period not exceeding one calendar month, and by diminished rations.

35. Complaints touching the above, and all other offences committed by prisoners shall be heard and determined upon due proof upon oath by one or more Visiting Justice or Justices.

36. Every sentence of punishment, with the nature of the offence, shall be entered in the defaulter's book, and signed by the Visiting Justice.

*Attempts to Escape.*

37. Any prisoner leaving his allotted place while at work, with intent to escape, or otherwise making any attempt to escape, will render himself liable to be shot by the guard or other person in whose charge he may be; and each prisoner is hereby cautioned that if he makes any such attempt he does so at his own risk and peril.

38. Any prisoner attempting to escape, or who, having escaped, shall be recaptured, shall be put in irons for such term as the Sheriff or Visiting Justices shall direct.

*Visiting and Letters.*

39. No prisoner shall be permitted to receive visits, except by express permission from the Sheriff or Visiting Justice. The permission shall be in writing: and visits shall only be permitted on Saturdays, unless otherwise stated in the permission.

40. Visitors shall be admitted one at a time, and each in his turn.

41. Every such visit must be in the presence of the Gaoler or a Turnkey, and must not last more than twenty minutes.

42. Prisoners shall not be permitted to send or receive letters without permission from the Sheriff or Visiting Justice. All letters so sent or received must pass unsealed through the hands of the Gaoler, who is at liberty, if he thinks fit, to open and read them.

*Officers of the Gaol.*

43. The Gaoler shall every day inspect every yard, cell, and portion of the Gaol and see that the cells are kept clean.

44. He shall see every prisoner at least once in twenty-four hours, and once a week shall go through the prison at uncertain hours of the night, entering the same in the day book.

45. He shall also examine the locks and bolts of all the cells, wards, and gates, daily, and shall also examine the irons of such prisoners as shall be in irons, at least twice every day, viz., every morning before going to work, and at night before they are locked up.

46. The most exact order and cleanliness is to be enforced by the Gaoler. Every turnkey or officer on duty is to report to the Gaoler every defect or neglect connected with the Prison.

47. The Gaoler shall be particularly attentive to see that all tools, ladders, and implements, shall be kept securely locked up except when in actual use; and he is required to keep an exact account of all such, and at least daily see that the list is correct.

48. Upon the occasion of any irregularity or breach of discipline by any prisoner, the Gaoler is to report the same forthwith to the Sheriff or a Visiting Justice.

49. The Gaoler will have power in case of attempted escape or flagrant breach of any of these rules, to place at once in close confinement, and in irons, if necessary, the prisoner or prisoners so offending: *Provided always* that the same shall be reported by him within twenty-four hours to the Sheriff or a Visiting Justice, by whom the matter shall be investigated and dealt with.

50. No officer of the Gaol shall strike (unless in self-defence), or shall ill-treat a prisoner.

51. No officer of the Gaol shall receive visitors inside the Gaol without permission from the Gaoler.

52. No officer of the Gaol shall sell or have any benefit or advantage from the sale of any article to any prisoner, nor have any pecuniary dealing or transaction whatever with a prisoner, or employ one in any way in a private capacity.

53. No officer of the Gaol shall receive either directly or indirectly any fee or gratuity either from contractors for the establishment, or from prisoners, or from any person visiting the Gaol.

54. Any officer of the Gaol seen in the prison in the least degree intoxicated, or seen gambling, will be immediately dismissed.

55. No officer of the Gaol is to converse with prisoners except in discharge of his duty.

56. Any officer of the Gaol from whose charge a prisoner shall escape, shall be summarily dismissed, if such escape shall have happened through any default, neglect, or mismanagement on the part of such officer.

57. In all cases of escape the officer in charge shall be liable for the costs of recapture or pursuit.

58. On an alarm being given, all guards and officers of the Gaol are to turn out fully armed to await the orders of the Gaoler.

*Duties of Guard.*

59. Soldiers or Constables on guard are not to hold any communication with prisoners, except on matters of discipline.

60. When on Guard they are never to be without arms, to consist of a musquet, bayonet and pistol, with six rounds of ball cartridge.

61. When on guard they are not to allow any prisoner to approach nearer to them than ten paces, nor to permit any prisoner to go beyond the prescribed limits without the overseer's order.

62. On any prisoner passing or attempting to pass the prescribed limits, it is the duty of the Guard to challenge him by his name, calling out "stand prisoner," with the prisoner's name or number. On this challenge being repeated twice, and the prisoner neglecting or refusing to stand, then it shall be lawful for the guard or other officer to use his weapons, and in case of inability to prevent his escape by other means, to fire on the prisoner to prevent his escaping.

63. On the escape of any prisoner, the guard shall give an alarm, but on no account shall he leave the gang without the orders of the Gaoler.

64. Guards are justified in using their arms to prevent prisoners assaulting each other, or any other person.

65. The guard shall cause a sufficient supply of fresh water to be kept near the prisoners for drink.

66. The guard of each gang shall receive from the Gaoler the number of the gang. He shall count the same at least every half hour. He shall report to the Gaoler any irregularity in the conduct of prisoners.

*General Regulations.*

67. Juvenile prisoners shall be confined in

cells separate and apart from adults, and all communications between such juvenile prisoners and the other prisoners (except as hereinafter provided) shall, so far as the circumstances of the Gaol will admit, be strictly prohibited.

68. Every adult prisoner of good conduct may, by instructions from the Sheriff or Visiting Justice, be allowed to devote one hour every day after his daily labour to self improvement, and for that purpose be supplied with such books as shall be approved by the Sheriff or a Visiting Justice.

69. Juvenile offenders shall devote two hours every day to learn some useful trade or to read and write, and for that purpose the Sheriff or Visiting Justice may appoint some prisoner of good conduct and sufficient acquirements to teach them; and neglect or inattention on their part to such instructions shall subject them to punishment.

70. No prisoner shall be allowed to visit or go into any cell other than that in which he sleeps.

71. Nor shall he hold intercourse with others than the officers of the Gaol without permission.

72. No singing, loud conversation, or angry expressions, or noises will be allowed; games and amusements of all kinds are strictly forbidden.

73. The most strict subordination and obedience to the Gaoler and the officers of the Gaol shall be enforced.

74. No prisoner shall make use of disrespectful or abusive language to any person whomsoever.

75. Tobacco, unless by special permission, is strictly prohibited.

76. Every prisoner, before leaving the Gaol, is to be strictly searched. Whatever article he was deprived of on entering the Gaol shall be then returned to him, unless they shall have been forfeited by competent authority.

77. A notice is to be fixed in some conspicuous place inside and outside the prison, cautioning persons against bringing spirits, liquor, tobacco, pipes, or other forbidden articles into the Prison or within the Gaol yard.

78. A proper register, defaulter's book, visiting book, medical report book, day book, and account books, are to be regularly kept, and to be open to the inspection of the Sheriff and Visiting Justices.

79. All food is to be locked up beyond access of the prisoners. Every person within the Gaol is strictly prohibited from giving additional food to any of the prisoners.

80. The Gaoler may, with the sanction of the Sheriff or Visiting Justices, employ one or more prisoners in the service of the Prison, but not in his own service or in that of any private person.

81. In case of the death of any prisoner, notice thereof shall be forthwith given to the Coroner, and to the relations of the deceased when these can be ascertained.

82. Copies of these rules shall be posted in conspicuous places within the Prison.

RETURN shewing the Lands Sold ; Assessments paid on Runs ; and Applications for Unagricultural Land to go to Auction at 5s. an Acre ; received at the Crown Land Office, at Napier ; together with the Nett Amount due to the Province of Hawke's Bay for the period from the 1st of October to the 31st October, 1862, inclusive.

Date.	No. of Application.	Name of Applicant.	District.	Area of Land purchased.			Rate per Acre	Amount.			Area of Unagricultural Land to go to Auction at 5s. an acre.			Rate per Acre.	Amount of Deposit.			Naval and Military Settlers Land Orders.			New Zealand Government Scrip and Land Orders.			REMARKS.		
				A.	R.	P.		£	s.	d.	A.	R.	P.		£	s.	d.	A.	R.	P.	£	s.	d.			
1862																										
Oct.	2	1272	A. H. & R. Price	Porangahau	80	0	0	10s.	40	0	0															
	2	1273	Henry Howard	Ahuriri																	60	0	0			
	3	1274	John Parsons	Do.	40	0	0	10s.	20	0	0															
	4	1275	Wm. Glenny	North Ruataniwha	40	0	0	10s.	20	0	0															
	4		J. D. Ormond	Rural Sec. 36 Blackhead	38	0	0	1 6 3 <sup>3</sup> / <sub>4</sub>	45	0	0															
	6	1276	Oliver Vye	Do. 10 Pohui Bush	30	0	0	30s.	45	0	0															
	11		Geo. Hunter	Do. 38 Wallingford	75	0	0	About 15s 2 <sup>1</sup> / <sub>4</sub> d	51	6	0															
	15	1277	J. Parsons	Ahuriri								500	0	0	6d	12	10	0								
	20	1278	T. P. Russell	Te Mata	160	0	0	10s.	80	0	0															
	20	1279	Whitmore & M'Niell	Rural Secs. 114, & 115, } Pohui	80	0	0	About 30s.	118	0	0															
	20	1280	T. Burgess	Town Secs. 102, Hampden		3	8	£6 5 0	5	0	0															
	21	1281	T. P. Russell	Waipukurau	120	0	0	10s.	60	0	0															
	21	1282	A. Grant	Ruahine	140	0	0	10s.	70	0	0															
	21		S. Hardy	Town Sec. 130, Hampden		3	8	£6 5 0	5	0	0															
	21		H. C. Chapman	Do. 2, Hampden		3	8	£6 5 0	5	0	0															
	21		T. Wilkinson	Do. 6, Hampden				£6 5 0	10	0	0															
	21		J. N. Williams	Rural Sec. 42, Kereru Bush	20	0	0	40s.	40	0	0															
	21		T. Burgess	Town Secs. 104, 106, } 108, 110, and 112, } Hampden	4	0	0	£6 5 0	25	0	0															
	27	1283	Whitmore & M'Niell	Pukititiri	40	0	0	10s.	20	0	0															
	28	1284	James Watt	Tautane	100	0	0	10s.	50	0	0															
	29	1285	C. Sutton	Town Section 350, Clive		1	0	£20	5	0	0															
	29	1286	John Turney	Do. 335, Clive		1	0	£20	5	0	0															
	30	1287	James Marsh	Do. 155, Clive		1	0	£20	5	0	0															
	25		Assessment on Runs. Wm. Marshall	Balance for 1861					6	19	1															
					970	0	24		721	15	1	500	0	0	6d	12	10	0	60	0	0					
				Deduct Salary of Receiver of Land Revenue ...					6	5	0															
									715	10	1															

(66)

Superintendent's Office,  
Napier, Nov. 10, 1862.

**T**HE following extract from the *New Zealand Gazette*, Nov. 4th, 1862 is republished for general Enquiry.

J. C. LAMBTON CARTER,  
Superintendent.

*Enquiries respecting John Hartnett.*

Colonial Secretary's Office,  
Auckland, 31st October, 1862.

**E**NQUIRIES having been made respecting the person named below, any one who can give any information concerning such a

person is requested to communicate the same to this office.

F. D. BELL,  
For the Colonial Secretary.

*Christian and Surname*—John Hartnett.

*Age*—Not known.

*Occupation*—Formerly a soldier in the 58th Regiment, and stationed at Auckland, (No. 2463, No. 5 Company).

*Married or Single*—Not known.

*When last heard from by friends*—About five years since, had then obtained his discharge; is reported since to have been drowned in the Ranatatae River.