



NEW ZEALAND
GOVERNMENT GAZETTE,
(PROVINCE OF WELLINGTON.)

Published by Authority.

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

J. WOODWARD,
ACTING PROVINCIAL SECRETARY

VOL. X.]

THURSDAY, MAY 21, 1863.

[No. 24

Auctioneers' Licenses.

Provincial Secretary's Office,
Wellington, May 4, 1863.

NOTICE is hereby given that Auctioneers' licenses for the current year have been granted to the undermentioned.

Duncan, Richard John, Merchant, Wellington		
Finnimore, William	do	Wanganui
Gudgeon, Thomas Wayth	do	do
Hickson, Alfred Hill	do	Wellington
Horner, John Hammond	do	do
Hunter, George	do	do
Johnston, Walter	do	do
Lewis, Edward	do	Wanganui
Martin, John	do	Wellington
Smith, James	do	do
Vennell, George Henry	do	do
Wallace, John Howard	do	do

J. WOODWARD,
Provincial Treasurer.

Sheep Inspector's Report.

Fordell, 4th May, 1863.

THIS is to certify that I have examined Messrs. Reid and Hume's Flock of Sheep, and find they are clean and free from scab.

G. MCGREGOR.

Supreme Court Notices.

MINOR JURY SITTINGS
OF THE
SUPREME COURT.

BY VIRTUE of the powers conferred upon me by "The Supreme Court Amendment Act, 1862," I hereby fix and appoint "Minor Jury Sittings," under the Provisions of the said Act, to be held at Wellington in the Judicial Middle District of New Zealand, till further notice, on the following days in every year, at 10 o'clock of the forenoon; provided that if any such day shall happen to be a Sunday or Holiday such Sittings shall be held on the next day not being a Holiday.

The 2nd day of January
The 2nd " May
The 2nd " July
The 2nd " November

ALEXANDER J. JOHNSTON,
Judge of the Supreme Court of New Zealand
to whom the Middle District of the said
Colony has been assigned.

Wellington, 9th May, 1863.

SITTINGS IN BANCO IN WELLINGTON.

BY VIRTUE of the powers vested in me by law, I hereby fix and appoint the following days for the Ordinary Sittings of the Supreme Court in BANCO at Wellington, in every year till further notice, at 10 o'clock in the forenoon.

Provided that if any such day shall happen to be a Sunday or a Holiday, such Sittings shall be held on the next day (not being a Holiday).

The 7th day of January
The 15th " March
The 7th " May
The 15th " June
The 7th " July
The 15th " September
The 7th " November
The 15th " December

ALEXANDER J. JOHNSTON,
Judge of the Supreme Court.
Wellington, 9th May 1863.

Immigration, &c., March Quarter, 1863.

RETURN of IMMIGRATION and EMIGRATION at the Port of Wellington, during the Quarter ended 31st March, 1863.

FROM AND TO.	IMMIGRATION.						EMIGRATION.					
	Adults.		Children.		Totals.		Adults.		Children.		Totals.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
United Kingdom	32	16	"	"	32	16	16	4	"	"	16	4
Australian Colonies	12	7	10	9	22	16	1	1	"	"	1	1
Other British Ports	"	"	"	"	"	"	"	"	"	"	"	"
Other Ports of New Zealand	546	108	21	17	567	125	500	52	26	22	526	74
Totals.....	590	131	31	26	621	157	517	55	26	22	543	79

GEO. HAWKINS,
Acting Emigration Officer at the Port of Wellington.

General Government Notices.

Provincial Secretary's Office,
Wellington, 18th, May, 1863.

THE following notices are re printed from the *New Zealand Gazette*, for general information.

J. WOODWARD,
Acting Provincial Secretary.

A PROCLAMATION.

Bringing into operation the "Resident Magistrates' Jurisdiction Extension Act, 1862," in respect of the Resident Magistrate's Court at Rangitikei.

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.

WHEREAS it is provided by the second section of the "Resident Magistrates' Jurisdiction Extension Act, 1862," that every case of a claim for debt and damages such as may at present be lawfully tried in a Resident Magistrate's Court, when the debt or damages claimed do not exceed Twenty Pounds, may be tried in any Resident Magistrate's Court, with respect to which the said Act shall be in operation, when the debt or damages claimed do not exceed Fifty

Pounds: And it is further provided that the Governor may by Proclamation in the *Government Gazette* of the Colony declare that the limit of jurisdiction of any such Court shall be extended to One Hundred Pounds, and such limit of jurisdiction shall be extended accordingly: And it is further enacted by the said Act that the second and third sections thereof shall come into force in respect of any Resident Magistrate's Court on a day to be determined by a Proclamation in the *Government Gazette*, pursuant to an Order of the Governor in Council. And whereas by such Order in Council, made on the seventeenth day of December, one thousand eight hundred and sixty two, it is ordered that the said sections of the said Act should come into force in respect of any Resident Magistrate's Court within the Colony upon a day to be fixed by the Governor for each such Court by Proclamation in the *Government Gazette*.

Now, therefore, I, Sir George Grey, the Governor of the said Colony of New Zealand, in the exercise of the power and authority in me vested by the said Act and in pursuance of the said recited Order in Council, do hereby proclaim and declare that the second and third sections of the said "Resident Magistrate's Jurisdiction Extension Act, 1862," shall be in force in respect of the Resident Magistrate's Court at Rangitikei, on and after the first day of June next. And in further exercise of the said power and authority, I do also proclaim

and declare that the limit of jurisdiction of the said Court shall from and after the said first day of June, be extended to One hundred pounds.

Given under my hand at New Plymouth, and issued under the seal of the Colony of New Zealand, this twenty-third day of April, in the year of our Lord One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command

ALFRED DOMETT.

GOD SAVE THE QUEEN.

PROCLAMATION.

Bringing into operation "The Debtors and Creditors Act, 1862."

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.

WHEREAS it is provided by "The Debtors and Creditors Act, 1862," that the said Act shall not come into operation until a day to be fixed by the Governor by Proclamation, to be published in the Government Gazette, and it is expedient that the said Act shall come into operation as hereinafter mentioned: Now, therefore, I, Sir George Grey, the Governor as aforesaid of the said Colony, do hereby proclaim and declare that the said "Debtors and Creditors Act, 1862," shall be in operation in the said Colony from and after the first day of June next ensuing.

Given under my hand, at New Plymouth, in the Province of Taranaki, and issued under the Public Seal of the said Colony, this second day of May, one thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,

ALFRED DOMETT.

GOD SAVE THE QUEEN!

SUPREME COURT.

"The Debtors and Creditors Act 1862."

BY virtue of the powers vested in us by the Debtors and Creditors Act 1862, it is ordered by us, the Judges of the Supreme Court, That the following Rules shall be in force on and after the 1st day of June, 1863:—

I. PROCEEDINGS IN THE SUPREME COURT *Proof of Debts.*

Debts and claims of creditors under the said Act shall be proved by affidavit.

Any such proof may be contested upon motion or summons made or taken out for the purpose, by or on behalf of any trustee or trustees of the debtor's estate, or by or on behalf of any two or more creditors, who shall have each proved debts or claims against the debtor's estate to the amount of £20 or upwards; and the Court or Judge, if of opinion that the debt or claim is not a just one, either wholly or in part, shall disallow the same either wholly or in part, as the case may require.

Provided, that in cases in which there shall be questions of fact in dispute between the parties or any of them, it shall be lawful for the Court or a Judge to order that such questions be raised in the form of issues and be tried by a full jury or at minor jury sittings in the same manner as issues joined in an ordinary action; and upon such trial, (unless specially ordered to the contrary) the proving creditors shall be the plaintiff, and the said trustee or trustees, or the contesting creditor or creditors shall be the defendant or defendants.

General.

All proceedings in the Court whatsoever, taken under or by virtue of the said Act, or of these Rules, in respect of which no specific provision is made to the contrary by the said Act, shall be subject to the General Rules of the Court for the time being in force in relation to other proceedings in the Court of alike nature.

II. MEETINGS OF CREDITORS.

1 Meetings of creditors shall be convened either by the trustees or trustee of the debtor's estate, or in pursuance of a rule or order of the Court or a Judge.

2. Any creditor may apply to the Court or a Judge for a rule or order convening a meeting.

3. At least three day's notice of the place, and time (specifying the day and hour) of every such meeting shall be given by advertisement in some local newspaper.

4. The business to be transacted at any meeting convened in pursuance of a Rule or Order of the Court or a Judge may be defined by such Rule or Order, in which case no other business shall be transacted at the meeting, or at any adjournment thereof.

5. No person shall be entitled to vote or take a part in any proceeding at any such meeting unless and until he shall have duly proved a debt or claim against the estate to an amount exceeding £10

6. No business shall be transacted at any such meeting unless there shall be there present, personally or by proxy, one-fourth in number or value of the creditors who shall have proved their debts or claims.

If within half an hour from the time appointed for the meeting there is not a quorum, the meeting shall be dissolved, unless convened in pursuance of a Rule or Order, in which case it shall stand adjourned till the following day, at the same place and hour; and if at such adjourned meeting there is no quorum within half an hour from the time of meeting, the meeting shall be adjourned *sine die*.

7. All questions shall be determined by a majority of the votes of the creditors present personally or by proxy: Provided that no resolution shall be deemed to be adopted by the meeting unless the same is carried by the votes of one-fourth in number or value of the creditors who shall have proved their debts or claims.

8. Proxies shall not be recognized unless appointed by some writing under the hand of the constituent creditor, which shall be inspected by the chairman and authenticated to his satisfaction.

9. The number of votes to be assigned to, and exercised by, each creditor shall be according to the following scale:—In respect of a proved debt or claim,

Exceeding £10 and not amounting to £50,	1 vote
Amounting to £50, „	£100, 2 votes
„ £100, „	£200, 3 votes
„ £200, four votes,	

and so on, at the rate of one additional vote for every complete sum of £100 over and above the first £100: Provided that no creditor shall be entitled to more than 12 votes in the whole.

10. Only one of several joint creditors shall in respect of the joint debt or claim be entitled to vote and take a part in the proceeding at any meeting.

11. No creditor having any mortgage, lien, or other specific security upon any property of the debtor shall, in respect of the debt so secured, be entitled to vote or take a part in the proceedings at any meeting, unless he shall give up such mortgage, lien, or other security, for the general benefit of the creditors: Provided that where any such security shall have been realized, and shall have been insufficient to pay the debt in full, the creditor may in respect of the deficiency, and on proof thereof, be entitled to vote and take a part in the proceedings at every such meeting.

12. A chairman shall be appointed, and shall preside at every meeting, and

he shall have a casting vote in addition to his original vote or votes.

13. Minutes of the proceedings of every meeting shall be taken, and shall be signed by the chairman, who shall forthwith file the same in the Supreme Court.

14. Meetings may be adjourned from time to time, and from place to place.

(Signed)

GEORGE ALFRED ARNEY, Ch. J.
ALEXANDER J. JOHNSTON, Judge.
H. B. GRESSON, Judge.
C. W. RICHMOND, Judge.

SUPREME COURT OF NEW ZEALAND.

“The Debtors and Creditors Act, 1862.”

BY virtue of the powers vested in us by “The Debtors and Creditors Act, 1862,” we, the Judges of the Supreme Court, do hereby settle the following Table of Fees and Scale of Allowances to Witnesses:—

Table of Fees.

Filing Petition for sequestration under the Act by Debtor or Creditor..... £1 0 0
And for all other proceedings the same Fees as are, or may be, payable in respect of other proceedings in the Supreme Court of the like nature.

Scale of Allowances to Witnesses.

The like allowances as are or may be payable to witnesses in civil cases in the Supreme Court.

GEORGE ALFRED ARNEY, Chief Justice
ALEXANDER J. JOHNSTON, Judge,
H. B. GRESSON, Judge,
C. W. RICHMOND, Judge.

Approved in Council.

G. GREY.

New Plymouth, 2nd May, 1863.

Appointment of Captain Allison, Lieutenant McGregor, and Ensign Lees.

Colonial Secretary's Office,
Auckland, 20th April, 1863.

HIS Excellency the Governor has been pleased to make the following appointments in the “Caledonian Rangers,” Wanganui Rifle Volunteers:—

James Allison, to be Captain; date of Commission, 16th April, 1863.

Alexander McGregor, to be Lieutenant; date of Commission, 16th April, 1863.

Allan Lees, to be Ensign; date of Commission, 16th April, 1863.

READER WOOD,
In the absence of Mr Domett.