



**NEW ZEALAND
GOVERNMENT GAZETTE.
PROVINCE OF NEW ULSTER.**

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 may relate.

By His Excellency's Command,
ANDREW SINCLAIR, Colonial Secretary.

VOL. V. AUCKLAND, TUESDAY, JUNE 1, 1852. No. 12.

PROCLAMATION.

By His Excellency Sir **GEORGE GREY**,
a Knight Commander of the most
Honourable Order of the Bath,
Governor and Commander-in-Chief
in and over the Islands of New
Zealand, and Governor of the
Provinces of New Ulster and New
Munster, and Vice Admiral of the
same, &c., &c., &c.

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Preamble, reciting Provincial Councils Ordinance, Session XI., No. 6.

WHEREAS, by an Ordinance enacted by the Governor-in-Chief of New Zealand, with the advice and consent of the Legislative Council thereof, Session XI., No. 6, intituled "An Ordinance to provide for the Establishment of Provincial Legislative Councils, and for the Election, &c., of Members to serve therein," it was amongst other things enacted that, for each of the Provinces into which the Islands of New Zealand then were, or might thereafter be divided, there should be a Legislative Council, to consist of such number of Members not less than nine as the Governor-in-Chief should by Proclamation in that behalf from time to time direct and appoint, and that two-thirds of the Mem-

bers of every such Council should be elected by the Inhabitants of the Province as thereafter provided, and that it should be lawful for the Governor-in-Chief of New Zealand, until provision should be made by Law in that behalf, by Proclamation to be published in the *New Zealand Government Gazette*, to constitute within every such Province convenient Electoral Districts, and to appoint and declare the number of Members to be elected for each such District, and to make provision for the registration and revision of lists of all persons qualified to vote at the Elections to be holden within such Districts, and for the appointing of Returning Officers, and for the issuing, executing, and returning the necessary Writs for such Elections, and for taking the Poll thereat, and for determining the validity of all disputed returns, and otherwise for ensuring the orderly, effective, and impartial conduct of such Elections; and by the said recited Ordinance power was given to the Governor-in-Chief by Proclamation to declare certain places to be "Towns" for the purposes of the said Ordinance:

Now, therefore, I, the Governor-in-Chief of New Zealand, in pursuance and by virtue of the power and authority vested in me by the said recited Ordinance and under and by virtue of all other powers and authorities enabling me in that behalf, do hereby proclaim, declare, direct, and appoint that as to and concerning the Province of New Ulster, as follows; that is to say:—

Number of Members of Council.

1. That the Legislative Council of the said Province shall consist of eighteen Members.

Number of Electoral Districts.

2. That the said Province, for the purpose of the Election of the Legislative Council thereof, shall be divided into eight Electoral Districts, to be named as follows:—

1. The "City of Auckland,"
2. The "Suburbs of Auckland,"
3. The "Pensioner Settlements,"
4. The "Northern Division,"
5. The "Southern Division,"
6. The "Bay of Islands,"
7. "New Plymouth,"
8. "Taranaki;"

the Boundaries of the said Districts being particularly set forth and described in the Schedule and delineated on the Map or Plan respectively hereunto annexed.

Number of Members for each District.

3. The number of Members to be elected to serve for the said several Districts shall be as follows; viz. :—

1. For the "City of Auckland," three members.
2. For the "Suburbs of Auckland," one member.
3. For the "Pensioner Settlements," one member.
4. For the "Northern Division," two members.

5. For the "Southern Division," two members.
6. For the "Bay of Islands," one member.
7. For "New Plymouth," one member.
8. For "Taranaki," one member.

Qualification of Electors.

4. Pursuant to the provisions of the said recited Ordinance, every man of the age of twenty-one years, or upwards, and having a Freehold Estate in possession, situate within the District for which the vote is to be given, of the clear value of Fifty Pounds above all charges and incumbrances, and of or to which he has been seized or entitled, at Law or in Equity, for at least six calendar months next before the last Registration of Electors; or, being a Householder within such District, occupying a tenement within the limits of a Town (to be proclaimed as such by the Governor-in-Chief for the purposes of the Ordinance) of the clear annual value of Ten Pounds, or without the limits of a Town, of the clear annual value of Five Pounds, and having resided therein six calendar months next before such Registration as aforesaid; or, having a Leasehold estate in possession, situate within the District for which the vote is to be given, of the value of Ten Pounds per annum, held upon a Lease which at the date of such Registration shall have not less than three years to run; or, having a Leasehold estate situate and of the value as aforesaid, of which at the date of such Registration he shall have been in possession for three years or upwards previous to the date of such Registration: *Provided* he is not an alien, and that he has not at any time been attainted or convicted of any treason, felony, or infamous offence, within any part of Her Majesty's dominions, shall, if registered as hereafter provided, be entitled to vote at the Election of a Member or Members for the District.

Claims to be preferred.

5. No person shall be qualified to vote at the election of any such Member unless he shall prefer a claim to the right of voting, and unless such claim be duly enrolled as hereafter provided.

Form, &c., of Claim.

6. Every such Claim shall be in writing, and shall state the name of the District or Districts in respect of which it shall be made, and shall be signed by the Claimant or by some other person in his name and by his authority, and shall state also the place of abode and the calling or business of the Claimant, and the qualification in respect of which such claim may be made.

When to be preferred.

7. No such claim as aforesaid shall be received unless it be made in the Month of July next, or in the Month of July in some succeeding year.

Where to be preferred for certain Districts.

8. Every person claiming a right to vote at the Election of Members for the City of Auckland, the Suburbs of Auckland, the Pensioners

Settlements, the Northern Division, or the Southern Division, shall deliver his claim or cause the same to be delivered at the Police Office, Auckland.

Where to be preferred for certain Districts.

9. Every person claiming a right to vote at the Election of the Member for the Bay of Islands shall deliver his claim or cause the same to be delivered at the Police Office at Russell.

Where to be preferred for certain Districts.

10. And every person claiming a right to vote at the Election of the Members for New Plymouth or Taranaki, shall deliver his claim or cause the same to be delivered at the Police Office, New Plymouth.

List of Claims to be prepared.

11. On the first of August next, and on the first of August in every succeeding year, or as soon thereafter respectively as conveniently may be, the Resident Magistrates at Auckland, the Bay of Islands, and New Plymouth, or some other fit person or persons to be appointed in that behalf by the Governor of the Province, shall respectively cause a List to be prepared of the Claims which may have been delivered at such respective Police Offices as aforesaid during the month then next preceding, setting forth the christian and surname of each claimant at full length, together with his place of abode, calling or business, and the ground on which his claim may be made, and arranging the names in alphabetical order, and classing them for the several Districts for which they may respectively claim to be entitled to vote.

And to be published.

12. In the month of August next, every such Resident Magistrate, or other person as aforesaid, shall, as soon as conveniently may be, cause a copy of the List of Claims, and in the month of August in every succeeding year, shall cause a copy of the List of Claims which may have been preferred in the month of July then immediately preceding, together with a Copy of the Electoral Roll then in force, to be posted in some conspicuous place in the District to which the said List and Roll shall respectively relate, and shall subjoin thereto a Notice that all objections thereto will be heard and determined at a Meeting of Justices open to the Public, and to be held on a day to be specified in such notice, not being more than one calendar month after the date thereof.

Justices to prepare Electoral Roll.

13. Each such Resident Magistrate or other person shall call a Special Meeting of the Justices of the Peace residing within the District or Districts to which the said claims may relate, to be held on the day so to be specified as aforesaid, for the purpose of hearing and determining objections to such List and Roll as aforesaid, and of forming the Roll for the ensuing year of persons qualified to vote under the provisions of the said recited Ordinance.

Objections to Claims.

14. Any person whose name shall be on any such List or Roll may object to any other person, as not entitled to have his name retained in the Electoral Roll; but the person so objecting shall, ten days at least before the day appointed for the formation of such Electoral Roll, cause notice in writing of such objection, and of the ground thereof, to be given to the Resident Magistrate, or other the person acting for the District, and also to the person objected to.

Electoral Roll, how to be formed.

15. At the meeting to be held for the formation of the said Electoral Roll, or at some adjournment of such meeting, the Justices (any two being a quorum) shall retain on the List of Claims, and on the Roll then in force, the names of all persons to whom no objection shall have been duly made, and shall also retain on the said List and Roll the name of every person who shall have been objected to, unless the party objecting shall appear in person in support of such objection, and shall also prove due service of his notices of objection.

Proof of Qualification, in what case required.

16. In case the party objecting shall make his objection in person and shall prove such service of notice as aforesaid, the Court shall require proof of the qualification of the person so objected to. And in case the qualification of such person shall not be proved to the satisfaction of the Court, the name of such person shall be expunged from the List or Roll. The Court shall also expunge therefrom the name of every person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made therein respectively in respect of the name or the place of abode of any person who shall be included therein or in respect of the local description of his property. And the List and Roll so corrected shall form the Electoral Roll for the ensuing year, and shall be signed by the Resident Magistrate or other the person presiding at such meeting of Justices as aforesaid.

The Electoral Roll, how long in force.

17. The persons whose names shall be so enrolled thereon shall be deemed and taken to be the Electors of the District until the completion of the "Electoral Roll" for the year the next ensuing; and every person whose name shall appear upon such Electoral Roll shall be deemed and taken to be duly qualified to vote for the District in respect of which his name shall appear upon such Roll, without any further or other enquiry, revision, or scrutiny whatever. And when the name of any person claiming to be placed upon such Roll shall once have been duly enrolled thereon, such name shall from year to year continue to be published as aforesaid and be retained on the Electoral Roll for the time being, without any further claim on the part of the Elector, until his name shall be objected to and shall be duly expunged in manner hereinbefore prescribed.

Copy of the Electoral Roll to be published.

18. As soon as conveniently may be after the Annual Revision of such Roll, the Resident Magistrate or such other person as aforesaid shall cause copies thereof to be published for general information. And the original roll shall be preserved by him, as long as it shall remain in force, open to the inspection of any elector, at reasonable times, on payment of one shilling.

Polling Places for certain Districts.

19. The Polling Places for the following Districts, viz. :—

1. The "City of Auckland,"
2. The "Suburbs of Auckland,"
3. The "Northern Division,"

shall be at some convenient place in the City of Auckland, to be specified by the Returning Officer. And the Polling Places for the following Districts, viz. :—

4. The "Pensioner Settlements,"
5. The "Southern Division,"

shall be at some convenient place in the village of Onehunga, to be specified by the Returning Officer; and if additional Polling Places be found necessary, then at such places as the Governor of the Province shall from time to time, by notice in the *Government Gazette*, direct and appoint.

And the Returning Officers.

20. The Returning Officers for such five Districts as aforesaid shall be the Resident Magistrates for the time being acting for the City of Auckland and for the District of Onehunga, or such other person or persons as the Governor may from time to time appoint in that behalf.

Polling Places for Bay of Islands District.

21. The Polling Place for the
6. "Bay of Islands,"

shall be at some convenient place at Russell, to be specified by the Returning Officer; and if additional Polling Places be found necessary, then at such places within the District as the Governor shall from time to time in manner aforesaid direct and appoint.

Returning Officer for Bay of Islands District.

22. The Returning Officer for the said district shall be the Resident Magistrate for the time being acting for Russell, or such other person or persons as the Governor may from time to time appoint.

Polling Place for Taranaki.

23. The Polling Places for the districts of

7. "New Plymouth,"
8. "Taranaki,"

shall be at some convenient place in New Plymouth, to be specified by the Returning Officer; and if additional Polling Places be found necessary, then at such places within the said districts as the Governor shall from time to time in manner aforesaid direct and appoint.

Returning Officer for Taranaki Districts.

24. The Returning Officer for the said last-mentioned Districts shall be the Resident Magistrate for the time being acting in New

Plymouth, or such other person or persons as the Governor may from time to time appoint.

Writs for the Election of Members.

25. The Writs for the Election of Members to serve in the said Council for the said several Electoral Districts shall be issued by the Governor, under his hand, and shall be directed to the Returning Officer for the District, and shall state the number of days (not exceeding Sixty) within which such Writs shall be made Returnable to the said Governor.

Day for Nomination and for Voting, how fixed.

26. The Returning Officer for each District shall endorse on the Writ the day on which he may have received it, and shall fix the day of nomination and also the day on which the voting, if necessary, shall take place, and shall give not less than fourteen days Public Notice thereof respectively.

Returning Officer to preside at Nomination.

27. On the day of Nomination so to be fixed as aforesaid, the Returning Officer shall preside at a Meeting to be holden at noon at the Chief Polling Place for the District, and shall declare the purpose for which such Meeting is held. And if at such Meeting there be no more Candidates proposed than the number of Members to be returned, the Returning Officer shall declare such Candidate or Candidates to be duly Elected, and make his Return accordingly.

In case of a contest.

28. In the event of there being more candidates than the number to be elected, the Returning Officer shall call for a show of hands separately in favour of each candidate, and after such show of hands shall declare the person or persons on whom the election has fallen, and shall return the same accordingly, unless a poll be demanded for some of the candidates, or by not less than six electors on his behalf.

In case a Poll be demanded.

29. On such demand as aforesaid being made for a poll, the poll shall be taken on the day so to be fixed as aforesaid; the voting to commence at any time after nine o'clock of the said day, and to close at four o'clock in the afternoon of the same day.

The Polling.

30. The polling shall take place before the Returning Officer or his deputy, and the voting shall be conducted in manner following; that is to say :

Mode of Voting.

31. Every elector of the district may vote for any number of persons not exceeding the number of persons then to be chosen, by delivering to the Returning Officer or his Deputy a voting paper containing the christian names and surnames of the persons for whom he votes, together with their place of abode and description, and signed with the name of the elector so voting, and setting forth his own place of abode and description.

What Enquiries may be made.

32. No enquiry shall be permitted at any such Election as to the right of any person to vote, except only as follows: that is to say—The Returning-Officer or his Deputy shall, if required by any two Electors for the District, put to any Voter at the time of his delivery of his voting-paper, and not afterwards, the following questions, and no others:

- 1—Are you the person whose name is signed as (A. B.) to the voting-paper now delivered in by you?
- 2—Are you the person whose name appears as (A. B.) on the Electoral Roll now in force for the District of ()?
- 3—Have you already voted at the present Election?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same—the first two affirmatively, and the last negatively.

State of the Poll to be declared.

33. As soon as conveniently may be after the Election shall have been held, the Returning Officer for the District shall at the place of nomination openly declare the State of the Poll, and shall at the same time declare the name or names of the person or persons who may have been duly elected at such Election. And in the event of the number of votes being found to have been equal for any two or more candidates, he shall by his casting-vote declare which of the same candidates shall be elected. Provided that no such Returning Officer shall vote at any Election of which he is the Returning Officer, except in the case of an equality of votes, as aforesaid.

Names of Persons Elected to be inserted in Writ.

34. The name or names of the person or persons so elected shall be inserted in or endorsed upon the Writ by the Returning Officer, and such Writ shall be returned by him to the Governor within the time by which such Writ may be returnable.

Voting Papers to be preserved.

35. The voting-papers at every such Election shall be kept for the space of six calendar months after such election, by the Returning Officer, who shall permit any elector to inspect the same upon payment of one shilling.

New Writs in certain cases.

36. In case any writ to be issued by the Governor shall not be duly executed, or in case thereof, the Governor shall issue a new writ, directing the Returning Officer to proceed to a fresh Election, in manner and subject to the provisions hereinbefore prescribed.

Objection to validity of Return.

37. All complaints of the undue return of members to serve in the said Council shall be addressed in the form of Petition to the Governor, stating the ground of objection: but no petition shall be noticed, nor any proceedings had thereon, unless it be signed by some per-

son who was a candidate at the election whereof it may be alleged that an undue return was made, or by a number of persons who voted or who were qualified to have voted at the said Election, amounting to not less than one-tenth of the whole number on the List of Electors: and no such petition shall be noticed which shall not be delivered at the Office of the Colonial Secretary within twenty-one days from the day of the Election, nor unless a copy thereof shall have been served upon the party whose return shall be objected to, within such period of twenty-one days as aforesaid. Within ten days after any such Petition shall have been left at the office of the Colonial Secretary, if the said Council be then sitting, or, if the Council be not then sitting, within ten days after its next meeting, the Governor, or some other person duly authorised by him in that behalf, shall cause such Petition to be referred to the said Council, and the validity of the Return so complained of shall be decided by such Council or by such other Tribunal and in such manner as the said Council shall direct and appoint.

Auckland to be deemed to be a Town for purposes of the Ordinance.

38. And I hereby further proclaim and declare that Auckland shall be deemed and taken to be a Town for the purposes of the said recited Ordinance.

Interpretation.

39. For the purpose of carrying into effect the provisions of this Proclamation, the term Governor shall be taken to include the Lieutenant-Governor of the Province.

Proclamation to take effect from date.

This Proclamation shall take effect from the day of the date hereof.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Government House, at Wellington, in the Province of New Munster, in the Islands aforesaid, this twenty-first day of May, in the year of our Lord One Thousand eight hundred and fifty-two.

G. GREY,
Governor-in-Chief.

By His Excellency's Command,

ALFRED DOMETT,
Civil Secretary.

GOD SAVE THE QUEEN!

SCHEDULE A.**DESCRIPTION OF DISTRICTS.**

1. The "City of Auckland" District comprises the "East Town Ward," the "Middle Town Ward," and the "West Town Ward" of the Borough of Auckland.
2. The "Suburbs of Auckland" comprise the "Suburban East Ward," the "Suburban South Ward," and the "Suburban West Ward" of the Borough of Auckland.
3. The "Pensioner Settlements" District comprises so much of the sites of the several vil-

lages of "Onehunga," "Panmure," "Otahuhu," and "Howick" as are delineated on the Plans hereunto annexed, coloured blue.

4. The Northern Division comprises so much of the Province of New Ulster not included in the above-mentioned districts as is included between a line drawn through the centre of the entrance into Manukau Harbour in an easterly direction to the southern extremity of the Epsom Road, on the beach at Onehunga, thence along the centre of the Epsom Road, as far as the Bridge in Mechanics' Bay, thence in a north-east direction across the Harbour of Waitemata, to the east point of the North Head, thence to the south point of the Island of Motu Tapu, thence to the Northern point of Cape Colville, and thence in an easterly direction and a straight line drawn from the mouth of the River Wariara, on the East Coast, in a westerly direction to the junction of the Wairoa and Kaihou Rivers, and thence in a straight line to the Manaho Point, on the West Coast, the boundaries of the said District being particularly delineated on the plan hereunto annexed.

5. The "Southern Division" comprises so much of the Province of New Ulster not included in the above-mentioned Districts or any of them as lies between the southern boundary of the "Northern Division" and a straight line, drawn from Harehare on the West Coast, in an easterly direction to the northern point of Flat Island, off the East Coast, the boundaries of the said District being particularly delineated on the Plan hereunto annexed.

6. The "Bay of Islands" comprises so much of the Province of New Ulster as lies to the northward of the "Northern Division" and as delineated on the Plan hereunto annexed.

7. "New Plymouth" comprises the site of the Town of New Plymouth, as delineated on the Plan hereunto annexed.

8. "Taranaki" comprises so much of the Province of New Ulster as is bounded on the north-west by the sea coast, on the north-east by the River Waitara, on the south-west by the River Katikara, and on the south-east by a straight line running from a point on the Waitara River ten miles inland from its point of junction with the sea, to a point on the Katikara River, which is also ten miles inland, from its point of junction with the sea, as delineated on the Plan hereunto annexed.

Colonial Secretary's Office, Auckland,
1st June, 1852.

TENDERS, in duplicate, will be received at this office until noon on Wednesday the 9th instant, for the supply of two pairs of **MILLSTONES**, of from 3 feet to 3 feet 6 inches in diameter.

Further particulars may be obtained at the Native Secretary's Office.

By His Excellency's command,
ANDREW SINCLAIR,
Colonial Secretary.

Colonial Secretary's Office, Auckland,
May 21, 1852.

HIS Excellency the **LIEUTENANT-GOVERNOR** has been pleased to appoint

F. W. MERRIMAN, Esq.,

to be Revising Officer of Building and Land Societies' Rules, in accordance with the provisions of the Ordinance, No. 11, of Session XI.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

Colonial Secretary's Office, Auckland,
May 19, 1852.

HIS Excellency the **LIEUTENANT-GOVERNOR** directs it to be notified, for general information, that the **GOVERNOR-IN-CHIEF**, in accordance with the provisions of the Ordinance No. 16, of Session VII., has been pleased to select and appoint the undermentioned Native Chiefs to be Assessors along with the Resident Magistrate for the district of New Plymouth, for settling disputes between persons of the aboriginal race; that is to say:—

Name.	Residence.	Tribe.
Rawiri,	Hoewaka,	Puketapu.
Honi Ropiha,	Waiwakaio,	Ngamotu.
Poharama,	Muturoa,	Ngamotu.
Taumata,	Puketapu,	Puketapu.
Tamata Waka,	Puketapu,	Puketapu.
Te Ngahuru,	Taranaki,	Taranaki.
Te Tahana,	Puketapu,	Puketapu.
Toheroa,	Puketapu,	Puketapu.
Paoru Kukutai,	Warea,	Taranaki.
Hare Purumae,	Puketapu,	Puketapu.
Ihai Te Mamaku,	Waitara,	Otaraua.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

Colonial Secretary's Office, Auckland,
May 28, 1852.

HIS Excellency the **LIEUTENANT-GOVERNOR** has been pleased to appoint

EDWARD MAYNE, Esq.,

to be Commissioner of Crown Lands during Mr. Commissioner Gisborne's absence from the Colony.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

Colonial Secretary's Office, Auckland,
31st May, 1852.

HIS Excellency the **LIEUTENANT-GOVERNOR** directs it to be notified that the **GOVERNOR-IN-CHIEF** has been pleased to appoint

GEORGE SISSON COOPER, Esquire,

to be Inspector of Police at New Plymouth.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

IMPOUNDED in the Public Pound, Hobson's Bridge, one black Cow, white face and back, branded like W P off rump; one red Cow, branded like M R near rump.

If not claimed, they will be sold at the Pound, on the 26th instant, at noon.

D. G. SMALE,
Poundkeeper.