

THE NEW ZEALAND ADVERTISER,

AND Bay of Islands Gazette.

T. M. Hocken.

No. XI.]

KORORARIKA, THURSDAY, AUGUST 20, 1840.

[Vol. I.]

THE GAZETTE.

Government-House, Russell,
4th August, 1840.

HIS EXCELLENCY THE LIEUTENANT GOVERNOR directs it to be notified, that the days for the reception of Visitors on business at Government-House, will, for the future, be **TUESDAY** and **FRIDAY** in each week, before the hour of Three o'clock; but the **LIEUTENANT GOVERNOR** will be ready at all times to transact business of a pressing or urgent nature, on application to be made through His Excellency's Acting Private Secretary, **JAS. S. FREEMAN, Esq.**

By His Excellency's Command,
JAS. STUART FREEMAN,
Private Secretary.

To the Proprietors of the New Zealand Banking Company.

LADIES AND GENTLEMEN,
I TAKE the liberty of offering myself as a Candidate for the Office of **DIRECTOR** in the New Zealand Banking Company, and respectfully solicit the honor of your Votes at the ensuing Election; to take place on the 1st September.

Should you be pleased to elect me, I pledge myself that nothing will be wanting on my part to promote the interests of the Company.

I have the honor to be,

LADIES AND GENTLEMEN,
Your very obedient servant,
WILLIAM WILSON.

August 10, 1840.

For Sydney.

The well-known, fast-sailing, British-built brig

MARTHA, 150 tons burthen, will sail for Sydney direct, on Wednesday, 26th instant. For Freight or Passage apply to Mr. J. P. Lloyd, at R. Evans and Co's. Commercial Hotel, or Mr. James Wood, at Russell's Hotel.

JAMES WOOD,
JOHN P. LLOYD.

BRIG "WILLIAM STOVELL"
THE Public are cautioned against giving credit to any of the sailors of the above vessel, as I will not be responsible for debts they may incur.

A. DAVIDSON, Commander.

Aug. 18.

Sold by Auction.

FOR SALE BY PUBLIC AUCTION,
By **W. Wilson,**
At his Rooms, on Saturday, the 22nd August, at 12 o'clock.

The fine fast sailing Schooner **NEW ZEALANDER**, about 48 tons burthen, with her sails, running and standing rigging.

Terms at time of sale.

FOR SALE BY PUBLIC AUCTION,
By Messrs. **Spicer and Strabell,**
On Friday, the 28th August, at Wood's Hotel, (unless previously disposed of)

A VERY excellent weather-boarded **HOUSE**, most admirably situated for business, on the Beach, and containing one very large Room, suitable for a Store, also, a good sized sitting room, with a large kitchen on the ground floor, and extensive sleeping accommodation over the front rooms, together with the appointed team of 3 year's Lease of the Ground, comprising a frontage of 45 feet with a depth of 300 feet.

Terms at sale.

Sale by Auction.

MR. J. P. LLOYD, Licensed Auctioneer, will hold an Evening Sale, to commence on Thursday, 20th inst., at 6 o'clock, at R. Evans and Co's. Commercial Hotel, of gin, sherry and Port wines, ale, porter, flour, rice, Liverpool salt, potatoes, slops, red and blue serge, shirts, butter, tobacco, carpenter's, joiner's, and cooper's tools, locks, hinges, screws, and a variety of other useful Articles too numerous to particularize, just landed from the *Martha*. The Sale to continue on each succeeding Evening until the whole is disposed of.

TO BE SOLD BY PUBLIC AUCTION,
By **W. Wilson.**

At his Rooms, Kororarika, on Saturday, the 29th August, (if not previously disposed of by private contract.)

SIXTEEN beautiful alluvial and kaori timbered Farms, of 120 acres each, situated on the magnificent and navigable River *Wairoa*, on the West coast of this, the Northern Island. Four of these Farms have a frontage to the above named River, whilst the remainder are situated in their immediate rear. The soil has been pronounced by recent Tourists in New Zealand, of the richest agricultural description, being of a deep rich alluvial deposit. These Farms, on this River, have the double advantage of two Ports for shipment, one where the *Mongakahia* disembogues itself into the ocean on the west coast, the other at the Port of *Wangaree*, on the east coast, equi-distant between the Thames and Bay of Islands, with a level portage of twelve miles, between the head of navigation of the *Wairoa* and the newly discovered port aforesaid of *Wangaree*, a port in every way suited for vessels of any draught of water.

Title unexceptionable - For further particulars and a sight of the Plan, apply to C. B. Brewer, Esq., Kororarika.

ALSO,

Six Allotments at the Pa and two in Kororarika.

Terms 20 per cent on the day of sale, the balance by a bill at 3 months.

New Zealand Banking Company.

LIST of CANDIDATES for the **DIRECTORSHIP**:-

James Ready Clenton, J. P.
Gubert Van, J. P.
Edward Marsh Williams,
William Mayhew, Jun.
Henry Thompson,
John Scott,
Walter Bodin,
Alex. McGregor,
John Johnson,
Daniel Pollen,
P. B. Perry,
William Wilson,
Chas. B. Brewer, Esquires.

DAN. POLLEN,

Hon. Sec. to the Prov. Com.

New Zealand Banking Company

WANTED, an Accountant. Applications in writing addressed to the Secretary of the Provisional Committee, will be submitted to the Board of Directors. Testimonials of qualification and security for \$2000 will be required.

DAN. POLLEN.

THE Undersigned have Landed, and have for Sale (by Wholesale) the principal part of the *Chelydra's* cargo; also, Merchandise ex *Transfer* and *Diana*, viz:-

- Black and green tea
- Sugar, arrack, gin in cases & hds.
- Ale and porter, in bottle
- Port and sherry wine, in do.
- First and second quality flour
- Brown and fine biscuits
- Square fig Negrolead tobacco
- Sheet lead
- Nine, 10, and 11 quarter blankets
- Buckskins
- Cloths, gingham, drills, ducks, canvas
- Valentia checks, hats
- Coarse and fine clothing
- Boots and shoes
- Glass, prints, oils, glassware
- Egrrhinware
- Iron pots, carpenter's tools
- 1-4th motion and 1-5th motion beer or spirit engines, complete, in mahogany cases
- Nails, cutlery, butter
- Great coats, striped cotton shirts
- Oilcloths for flooring
- Fine oilcloth table covers
- Tin ware, metal ware
- Ivory handled knives and forks, in sets of 50 pieces
- Lucifer matches
- Worsted and cotton stockings and socks, silk Bandanas,
- Carpeting, muslin dresses
- Trifolium seeds, stocks,
- Three-bushel bags, cheese, hama
- Fine salt,
- Ironmongery, canvas tents, lined
- Two four-roomed screw Houses, 18 feet by 18 feet, made in England, boarding & every thing complete,
- Six four-roomed Houses, in frame, 30 feet by 21 feet, made in New South Wales, with shingles, glass, cedar doors, cedar window frames and sashes, locks, keys & hinges,
- Six 2-roomed Houses, in frame, 20 feet by 18 feet, made in New South Wales, with shingles, &c. same as above.

HENRY THOMPSON & Co

JUST Arrived per *Duthi* and *Victoria*, and on Sale by the Undersigned, -
946 Cases & half cases gin
60 Hds. real rum
9, 10 & 11 quarter blankets
Navy blue prints
10 Tons first quality flour
8 Hds. and 68 packages loaf sugar
20 Finkins salt butter
Earthenware
Lunged oil, in hds.
56,000 Manila Segars
Port Wine in q. casks and in bottle.

HENRY THOMPSON & Co

JUST received ex *Giraffe*, and on sale at the Stores of the undersigned, a great variety of **STATIONERY**, consisting of Account Books, Bill books, paper, and blotting paper, and a few miscellaneous Works, consisting of Johnson's Dictionaries
Lute of Nelson
Ditto Hummatt Moore
Ditto Pitt
Baird's Works, &c, &c.

W. WILSON.

July 22.

ON SALE,
BY the Undersigned, on board the
 store ship *Tuscan*, off Russell, ex
Giraffe—

240 Half cases gin.
 77 Hhds. rum
 18 Tierces tobacco
 41 Bales of do.

ANDERSON, SCOTT & Co.
 July, 22.

ON SALE,
BY the Undersigned, on board the
 store ship *Tuscan*, off Russell,
 Brown stout, pale and strong ale
 Real Jamaica rum, 5 O. P. in barrels
 Rum in hhds. 2 O. P.
 Square fig tobacco in tierces, 18 to the
 lb.

Sugar, rice, flour, bread
 Preserved meats, pickles
 Ladies', gentlemen's and racing saddles
 Large bowl pipes
 New Zealand cured pork
 Double barrel guns
 Tents, lined and unlined

ANDERSON, SCOTT & Co.
 July 1, 1840.

JUST Opened, and on SALE at WIL-
 SON'S Auction Rooms, Musical
 boxes, seals, watch keys, chains, brace-
 lets, studs, ducks, coral and jet ear-rings,
 broaches, snaps, habit hooks, tassels,
 agate boxes, Scotch snuff boxes, powder
 flasks, pistol flasks, oil bottles, pepper
 castors, shaving boxes, block seals, fancy
 combs, tea spoons, razors,

BRITANNIA METAL WARE,

CONSISTING OF

Tea pots
 Coffee pots
 Cream ewers
 Lamps, cups, &c.

July 29, 1840.

ON SALE,
BY the undersigned, ex *Giraffe*, on
 board the store ship *Tuscan*, off Rus-
 sell,—

Brazil tobacco, in baskets
 Negrohead $\frac{1}{2}$ in kegs
 Port wine, in hhd. and qr. casks
 London bottled ale and porter
 Port wine in 1 and 2 dozen cases
 Sherry do. in 3 dozen cases
 Bloom Muscadel raisins
 Champagne Cider, in 1 dozen cases
 Lined great coats
 RUM in barrels.

JOHN J. MONTEFIORE.

July 22.

New Zealand Banking Company

SUBSCRIBERS are requested to pay
 the first instalment of One Pound per
 Share into the hands of the Trustees ap-
 pointed to receive the same, Messrs.
 THOMPSON, SCOTT and CLAYTON, on
 or before the 24th day of August inst.

The Ballot for the Election of Direc-
 tors will take place at the Banking House,
 at 12 o'clock, on the first day of Septem-
 ber. Candidates are required to give
 fourteen days notice of their intention to
 offer themselves, addressed to the Secre-
 tary of the Provisional Committee.

DAN. POLEEN, HON. SEC.

August 3rd, 1840.

THE UNDERSIGNED,
ARE prepared to purchase to any ex-
 tent, Black Oil, Sperm Oil, and
 Whalebone, either British or Foreign.

HENRY THOMPSON & CO.
 July 29.

WANTED,—a Farming Man, who
 understands the management of
 Cattle. Wages liberal. Apply to

G. MAIR,
 Wahapu.

August 5th, 1840.

WANTED, a pair of Brickmakers
 to whom constant employment will
 be given.—Apply to W. WILSON, Auc-
 tioneer.
 July 15, 1840.

WANTED a few good Brick Mak-
 ers. Apply to

T. SPICER.

July 29.

WANTED, a few good Wood Cut-
 ters or Labourers, to whom con-
 stant employment will be given. Apply to

T. SPICER.

July 29.

WANTED, a Man and his Wife to
 take charge of a Farm within one
 mile of Kororarika. Terms liberal. For
 particulars, apply to

T. SPICER.

July 29.

WANTED, a Man and his Wife as
 House Servants. Apply to

T. SPICER.

July 29.

MONEY.

WANTED, the sum of £200 and
 £400 on good Freehold security in
 the Bay of Islands. Apply to MR. LIT-
 TLEWOOD, Solicitor, Bank Square.

TO LET,

UPON Lease, for such term of years as
 may be agreed on, several valuable
 Properties in Kororarika and the neigh-
 bourhood—well adapted for market gar-
 dens.—Apply to

W. WILSON.

Kororarika, Aug. 18.

A House to Let.

A HOUSE containing five rooms,
 about one mile from Kororarika, to
 let. Particulars may be known on applica-
 tion to J. Aberline, near Mr. Jones's, Roy-
 al Hotel.

Aug. 18, 1840.

Straw Bonnet Maker.

MRS. ABERLINE, begs to inform
 the Ladies of Kororarika, that she
 has commenced Business in the above line
 near Mr. Jones's, Royal Hotel; and she
 hopes by punctuality and moderate charges
 to merit their favours.

Aug. 18, 1840.

CAUTION.—The Public are hereby
 cautioned not to receive or discount
 a Bill drawn by me in favor of a person
 named Russell, (a House Carpenter,
) not having received any value for the
 same, either by the party entering upon his
 contract, or in any other way whatever.
 The affair is compromised.

J. BERNARD.

Aug. 17, 1840.

Baking Establishment.

MESSRS. WILLIAM JEFFREY
& Company, respectfully inform
 the inhabitants of Kororarika and the Bay
 of Islands, that they have opened those
 newly erected Premises in front of the
 Beach, between Messrs. Edney and Hem-
 mines and Mr. Johnson's, where they in-
 tend carrying on business as BREAD
 and BISCUIT BAKERS, and PASTRY
 COOKS in all their departments.

Messrs. W. J. & Co. trust, that by
 producing a good article and paying par-
 ticular attention to those who may honor
 them with their patronage, they may merit
 a portion of public favor.

N. B.—Always on hand a large stock
 of Flour, at reasonable prices.

Dinners Baked every day.

Kororarika, Bay of Islands,
 4th August, 1840.

RUN away on the night of the 4th
 instant, from Mr. Spickman's, at
 Wangara, James Tripp, an American, a
 labouring man. He is a tall man, with
 sandy coloured whiskers. All persons
 are cautioned against harboring him, as
 he has left his place £10 in his employ-
 er's debt.
 Aug. 10, 1840,

"Advance New Zealand."

THE ROYAL HOTEL,

Adjoining the Court-House, Grand Parade,
 (Governor Hobson street.)
 KORORARIKA.

JAMES JONES, having finished his
 elegant and spacious HOTEL, begs
 respectfully to acquaint the nobility, gen-
 tility, and visitors generally to the Bay of
 Islands, that he will open the above Hotel
 on Monday next, for business, as, also, to
 draw the attention of Families and gentle-
 men to its delightful and healthy situation
 (but a short distance from the Beach,)
 likewise, to its various and highly su-
 perior internal arrangements and accommo-
 dations. J. J. trusts by persevering in
 every attention to the comfort and health
 of his guests, to render his exertions deserv-
 ing the liberal and encouraging support
 of a discerning public.

J. J. has spared no cost to lay in an
 extensive stock of Wines, of the choicest
 vintages Europe can afford; ale, porter,
 and cordials of the most exquisite flavor.
 Charges moderate. An excellently sup-
 plied table, conducted on the Temperance
 principle.

N. B.—Room No. 6—The Royal Ex-
 change Room will be exclusively devoted
 as a News Room, where papers will be
 found from all parts of the world, and every
 intelligence learned as to shipping in
 Harbour and the different parts of the
 world.

August 11, 1840.

A SURVEY
 Of the "Bay of Islands."

To be Published by Subscription, provided
 fifty Subscribers, at £2 sterling
 each, be obtained.

THE Plan of this SURVEY will be
 graphically a MAP and CHART; 1st,
 it will exhibit the features of the Shores
 and the contiguous lands, with the boundary
 lines of the lands of the principal owners
 in this "Bay;" also, the Plans of Russell
 and Kororarika.

2nd—The soundings, the relative posi-
 tions and true distances of all the essential
 objects within this Survey—extending from
 "Pa Rou Bay, Te Puna" and the "Kiri
 Kiri," on the North, to one mile South and
 S. E. above the "Pa," at the junction of
 the "Kawa Kawa and Wai Kari" rivers.
 Every foot of distance, and all the requi-
 site angles of the sinuous shores within the
 above-mentioned limits, have been measured
 with the Chain and Circumferentor respec-
 tively, and all the principal points or ob-
 jects of this Harbour, Trigonometrically
 connected, by

THOMAS FLORANCE,
 HYDROGRAPHIC & LAND SURVEYOR.

Conditions:—

That each Subscriber pay the sum of
 Two Pounds into the hands of Messrs.
 Clayton & Co., at Kororarika, and four
 months subsequent to the completion of the
 said number (50) of Subscribers, each Sub-
 scriber to receive (at the Stores of Messrs.
 Clayton and Co.) two copies of said Sur-
 vey.

Mr. Florance is authorised to state that
 Messrs. Clayton and Co. will be respon-
 sible for the delivery of the Plans (as
 stated above) to all Subscribers who shall
 have paid to them the specified sums of
 money for the same; or in case of a paucity
 of Subscribers (after a lapse of six months
 from the date hereof) to refund all monies
 received on account of this subject.

Lists for Signatures are open at the Bank,
 at the stores of Messrs. Clayton & Co.,
 Mr. W. Wilson's Rooms, and at Captain
 Mayhew's stores.

17th Aug., 1840.

NOTICE.—Divine Service will
 be performed (until further notice,) in
 the new House adjoining Mr. M'Liver's,
 on Sunday's, in the large Room at the back
 of Mr. Jones's, when Mr. QUAIPE will
 preach in the morning at eleven, and in
 the evening at half-past six.

FOUND wrecked, a **CASK**, contain-
ing certain articles. Whoever can
prove property and pay the expense of this
advertisement and the other expenses, may
have the same by applying to Mr. WIL-
LIAM WILSON, Auctioneer, Kororarika.
If not claimed within fourteen days, it
will be sold by Public Auction, to defray
all expenses.

Kororarika, Aug. 15, 1840.

The New Zealand Advertiser
AND
BAY OF ISLANDS GAZETTE.

KORORARIKA:—AUGUST 20, 1840.

THE ground on which the New Zealand
Bill, as it passed the second reading,
is defensible, if at all, is that which is
assumed by the Governor and the Chief
Justice in their speeches before the Legis-
lative Council, in reply to Mr. Wentworth
and others. The assumption is, "that all
waste lands within the limits of the Empire
belong to the Crown, and that, therefore,
no other parties can purchase them except
from the Crown." Now, if this doctrine
be true, and at the same time be applica-
ble to New Zealand, there is no question
that the Bill rests on a solid basis; and
however any one may find his interests
curtailed, he can have no just reason to
complain.

But in the first place there is reason to
doubt the truth of the doctrine itself. As it
is recognized in the practice of English law,
it rests on the basis of feudal tenure, and,
therefore, we should think, it has necessary
reference only to those countries which are
originally subject to that tenure; its applica-
tion to other countries being only matter
of accommodation and expedience.

We mention this merely to shew that the
doctrine taken for granted by the lawyers,
is by no means unquestionable as it at first
sight appears; and that it is desirable, in
every instance of the establishment of a
new Colony, that there should be an ex-
press Act of the Imperial Legislature, em-
powering the sovereign to claim all waste
lands within a certain district. The neces-
sity for this has been recognized in
the case of South Australia. In the
case of that Colony, it was not taken for
granted that all waste lands appertained to
the Crown, but it was enacted, that they
should so appertain, the Act itself being
to enable his Majesty to found there a
British Colony, which he might have done
without this provision, if the Crown had
a title to the lands by Proclamation.

It may be argued that this is a solitary
case, and that in all other instances the
practice has been different. It must be
admitted, however, that there is too much
confusion on the subject to allow the doc-
trine referred to to pass current without
examination; and at the same time it
seems clear, that the South Australian
Act is an instance of magnificent trifling,
if that doctrine be incontrovertible.

And, again, it may be contended, as in
fact it is, that America, though not origi-
nally under feudal tenure, and repudiating
the very name of Monarchy, has, neverthe-
less, so decidedly assumed the
principle, as to furnish an established pre-
cedent in all similar cases. First, how-
ever, it must be seen, that the Americans
have done merely what they judged it ex-
pedient to do in their own case. Sec-
ond, that if they have adopted the princi-
ple without examining its basis, it is the
more necessary that in this advanced day
it should be examined elsewhere, and
third, that at least in reference to the
British Empire, a single instance of leg-
islation like that in the case of South Aus-
tralia, is quite sufficient to break the ab-
solute rule of precedent, and to show that
the Legislators did not feel quite satisfied
with its sufficiency.

Let it not, however, be inferred from
these remarks, that we doubt the expediency
or even the necessity of the application

of this principle to the waste lands of any
British Colony. In every point of view,
it is necessary and proper, to prevent divi-
sions, to constitute a valid source of titles,
and to avert endless litigation. Also, none
but Government can carry out to its full
extent the true theory of colonization now
so generally allowed, and therefore none
but the Government should have the
disposal of lands which never have been
up.

We now come in the second place to
enquire how far this doctrine, supposing it
established; can be legitimately applied to
New Zealand.

We freely allow, that placing this coun-
try precisely in the position of one of the
British Colonies in all respects, the same
rule which is indispensable in this one,
and that just in proportion as this Colony
approaches in likeness to all others, that
rule will be applicable and no other.

Is, then, this country in the same situa-
tion with the other Colonies in all material
respects? Take the case either of Upper
Canada, or of the Cape, or of Van Die-
men's Land, New South Wales, or South
Australia. In those countries, from the
first planting of the flag, the British rule
was absolute at once. In those instances,
too, Englishmen had not settled, as Mer-
chants or Agriculturists, prior to the as-
sumption of the sovereignty or of the lands
by the Crown. Nor was any distinct
notice taken of Native rights in those cases
by the Government—they were regarded
as wandering beings, occupying no de-
fined locality, and, therefore, leaving the
lands strictly waste—they were not looked
on as holding any political relation what-
ever, either among themselves or with other
Nations. The Government might or might
not bestow on them some of its charity—
and strange CHARITY most truly it some-
times was—but it never recognized them
as holding a place in human nature, or
as entitled to anything but disregard. This
we may venture to say, is the way in
which Aborigines have been treated in
the outset of every instance of colonization
prior to the present, not excepting even
that of South Australia.

But now, is this the way in which Lord
Normanby's instructions lead us to view
New Zealand? Assuredly not. It is
true, that the Proclamations assert the do-
minion of her Majesty over the whole of
the Islands denominated New Zealand; &
as far as the Middle and Southern Islands
are concerned, it is true that that dominion
is made as absolute and fixed as in the
case of the other Colonies. But then it
is imagined that there are few inhabitants
there to exercise the sovereignty, or to oc-
cupy the soil. But with regard to this
Northern Island, the British rule is not ab-
solute, either in the quality of its Govern-
ment, or in its territorial application. The
Proclamation relates first of all, not to
Natives, but to Europeans, and then, only,
to such Natives as cede their sovereignty
—even the sale of their lands to the Crown
being perfectly optional. And among the
Natives the influence of our Government
must necessarily be qualified by their own
usages. Moreover, the express and most
unequivocal declaration of the Crown es-
tablishes the National and political char-
acter and perfect independence, not only
of this whole people prior to the arrival of
the Governor here, but even now of all those
Chiefs who do not choose to dispose of
their lands, or to yield up their sovereignty
in the most unconstrained manner. Now,
these considerations distinguish so essen-
tially between this and other British Colo-
nies on the points at issue, that it becomes
impossible clearly to apply the doctrine
under consideration to this Island.

Moreover, the lands which have been
acquired here by British subjects have been
bought from Natives in their state of per-
fect independence. If squatters have set
themselves down on waste lands in other
Colonies, they have taken that which actu-
ally belonged to the Crown. But settlers
here have done no such thing. They have

taken lands to which the Crown never
pretended to have any claim, and they
have taken it of those persons whose
title it most clearly was. If their pur-
chase have not been equitable, that is
another question—but the Crown cannot
dispossess them by the assertion of its
own right, for itself has most solemnly
and voluntarily denied that right.

And again, the Natives are very re-
markably cared for in the instance be-
fore us. They are looked on as an in-
telligent, partially civilized, and interest-
ing people. Here again is a broad dis-
tinction between this country and Aus-
tralia, and the rule established there
cannot hold here.

It must not, however, be lost sight of,
that it is the waste lands alone to which
the Crown lays that claim, the prece-
dent for which existing in the case of
America, has been so eloquently pleaded
by the Governor of New South Wales.
Now, we have too freely to admit, that
the United States Government has not
been very scrupulous in its interpretation
of the term "waste," whenever it has
fixed its eagle gaze on any desirable por-
tion of territory. Shall we follow so
goodly an example? In the other Colo-
nies, "waste lands" are those which
either have no inhabitants at all—in
which case the phrase alone is strictly
applicable—or else are occupied only by
wandering tribes who make no fixed use
of the soil or productions of any portion
of it. Where shall we find such lands
as these in this Island? We know not.
We believe that every inch is claimed by
a specific proprietor, who derives either
subsistence or emolument from the soil.

In our view then, we leave it for others
to judge how far we are right; the whole
of the arguments in favor of the proceed-
ings at Sydney are irrelevant, and we feel
quite persuaded that those arguments will
not be adopted by the British Parliament.
We hope not by the Government here
nor by the Ministry at home.

It is matter of not a little surprise that
almost every public department in relation
to this place, remains in *statu quo*. How
long it will be before our post-office busi-
ness is regularly conducted, we are left
to conjecture. At present we might al-
most as well be without either post-master
or post-office, the one being divorced from
the other, and almost without any connex-
ion. Nor are we better off in reference
to the means of conveying letters from one
locality to another. The pecuniary loss,
and other very great inconveniences which
arise from this state of things, are much to
be deprecated. We earnestly hope that
his Excellency will speedily devise some
remedy. Since writing the above, we
have heard that a post-office is immediately
to be fixed, and other public departments
rectified.

The wet weather makes the want of Eng-
lish accommodations rather severely felt
in New Zealand. It is much to be desired
that brickmakers and bricklayers should
find their way to this place. Tents, sheds,
and houses without chimnies, are no very
pleasant things, when the rain falls in
torrents. Here is plenty of clay for bricks,
and plenty of shells for lime. Perhaps
timber would be cheaper, if bricks could
be substituted for wood. This place has
made most rapid progress during the past
year; and it therefore appears that all
persons connected with building would find
abundant employment and good pay. When
once the Government is fairly established,
the demand for workmen of this descrip-
tion will be very great in all the settle-
ments of New Zealand. Timber is at
present about 38s. a hundred, wholesale,
on the Beach. Bricks, we have heard, are,
when procurable, as high as £6 a thousand.

Since our Leader was written and partly
in type, the *Victoria's* mail has brought
us intelligence of the passing of the New

Zealand Bill. We can say no more at present, than that the clause which inappropiates the right of the Natives to sell, has been altered, and several other changes have been made in it which will, we hope, render it, on examination, less objectionable. When we have the particulars more fully before us, we will furnish them. We earnestly hope that something like Justice may be done, after all, to every part of the question. Still our views already fully expressed, remain the same. We will always carefully guard the rights of the Aborigines, and whatever other rights hinge upon them. The attention of our Readers is directed to the Minutes of Council in another column.

Shipping Intelligence.

ARRIVED,

Aug. 11—The whaling barque *Jessie*, Captain Sarceant, put in to recruit, in consequence of contrary gales of wind; out 4 months, with 150 barrels sperm oil.

Aug. 16—Barque *Dellis*, Captain Herbert, 357 tons, from Sydney in 13 days, consigned with her cargo to Henry Thompson and Co.—Passengers, Mr. Robinson, Mr. Hombling, Mrs. Hamilton and child, Miss Dick, Mr. Cockrane, wife, and three children.

Aug. 16—Whaling brig *William Stowell*, Captain Davidson, from the grounds, put in to water; has 1040 barn ls.

Aug. 16—Ship *Victoria*, 358 tons, Captain J. F. Saunders, from Sydney in 9 days, consigned to Henry Thompson & Co.—Cabin passengers—Mr. & Mrs. Graham & 3 children, Messrs. Howell, Talbot, Singleton, Kennedy, Schulz, Harwood, Mr. Corbett and child, Captain Foster, Lieut. Lugart, 10 steerage passengers, 23 soldiers, 2 women and 5 children.

SAILLED,

Aug. 18—The *Abna*, Captain Underwood, for the South Seas.

Aug. 4—The barque *Harvest Home*, Captain Todd, left Sydney for New Zealand, with sundries and passengers.—Not yet arrived.

Aug. 5—The brig *Julia*, Captain Campbell, for the Bay of Islands—not yet arrived.

Sydney News.

LEGISLATIVE COUNCIL Wednesday, July 15—The order of the day being called, which was the further consideration of the New Zealand Claims Bill, the Colonial Secretary moved a substitute for the fifth clause, providing that the Commissioners should ascertain the value of the consideration given for land, to which interest at the rate of ten per cent should be added, and then so much land be allowed to the claimants as that money would purchase at a certain fixed rate per acre.

Mr. Jones opposed the amendment, as he considered it would not meet the equitable claims of persons who had purchased land at New Zealand for the purpose of enabling them to carry on trade with the Natives. Such persons had laid out large sums of money in building wharfs, stores, &c., which could not be taken into consideration in ascertaining what had been paid for the land. He, therefore, thought, that manifest injustice would be done to such persons by the proposed clause. He thought that the original clause should stand, and that the maximum should be fixed at 10,000 acres, which would be, perhaps, sufficient to meet any equitable claims.

The Colonial Secretary said that he intended to move a further clause, providing, that all lands which had been improved by building or cultivation, should be allowed to the claimants, without being subject to such enquiry.

Bishop Broughton proposed a substitute to the Commissioners, that the date of purchase should be divided into certain periods, and that a price per acre should be fixed on as the worth of land in New Zealand in each period; then persons who could prove an outlay of capital in the purchase of land during any of these pe-

riods would be entitled to as many acres as the money laid out would purchase, at the rate fixed upon as the worth of land at the time he bought it; provided, however, it did not amount to more than 5760 acres, which he thought would be sufficient to name as a maximum. He objected to the proviso reserving the sites of towns, as in most cases just such and as would be chosen for towns was that which would be most likely to have been purchased first. He thought that persons should be allowed to hold the same land they had bought, except such as was absolutely required for purposes of defence, or, if the government should resume this land, something like an adequate consideration ought to be given. There were lands that had been consecrated by himself as burying grounds, which, he thought, should be allowed to be held as such, and not be subject to be cut up by running streets through them whenever a surveyor deemed it expedient. There were also cemeteries which had been consecrated by the Catholic Bishop, which he would be equally sorry to see encroached upon.

After a great deal of desultory conversation, as to the effect of giving large grants, and the distinction that should be made between claims of long standing and late speculations, it was decided that the original clause should stand, filling up the blank by limiting the quantity to be recommended by the Commissioners to 2,560 acres, unless in cases where they were specially authorised to name a larger quantity by the Governor and Executive Council. That part of the clause providing that no headlands, islands, &c., should be granted, was struck out, with the understanding that a clause should be introduced reserving to government the right of re-entering upon such lands as might be necessary for public purposes, upon payment of a certain remunerating price.

The remaining clauses were passed with some slight amendments. The schedule was then postponed for further consideration.

The preamble being read, The Attorney General moved that that part of it declaring the inability of the Natives to sell their land, be struck out, and that in lieu thereof a declaration be inserted that no individual could acquire a legal title from the Natives. Carried.

By the arrival yesterday (Aug. 5th) of a vessel from Marseilles, a file of "Galignani's Messenger," dated up to the 30th March, has reached us, from which we select whatever of European news appears interesting.

The attention of the political world in Paris is mostly attracted to the new Ministry, which has M. Thiers at its head. The Minister, on his first division of the Chamber of Deputies, on the subject of supplementary secret service money, had obtained a decisive majority. It is a matter of anxiety to learn what will be the steps taken by the new cabinet (forced as it is upon the acceptance of Louis Philippe) with reference to the affairs of the East. Most of the Parisian newspapers approve of the then existing policy of the French, namely, to defend the Egyptian Pacha against any assailants. On the contrary, England and Russia had declared their intention to side with the Ottoman Porte. Thus it would seem that there is every probability of a forthcoming war. It is very clear that no other consideration than that of mutual interest prevents France and England from going to war. The tone of the French Press, as well as the remarks in the debates of the chambers, may be termed invidious, and almost obviously hostile to England.

Will, such being the case, the course of conduct taken by the British Government towards New Zealand, tend to throw oil upon the waters?

In Sicily, affairs appear more tranquil. The government is negotiating for loans, and also for a commercial treaty; but Great Britain and France seem deterred

to entertain no such application, unless the existing creditors in both countries are previously guaranteed ample protection.

The Commissioners of Grants of Land in New Zealand Bill passed the Legislative Council on the 4th Aug.—*Gazette*.

Hobart Town Market, July 24—Wheat 12s; oats 6s 6d; barley, Cape, 6s; ditto English, 9s 6d; Port Arthur coals per ton 13s; Sydney ditto 45s; hay, loose, £0 10s to £7, ditto pressed £3 10s; shea, £0 14s per load, gum wool 12s; turnips per dozen bunches, 2s; cabbages 1s 6d; parsnips per cwt. 9s; slungles per 1000 £1.

NEW ZEALAND.

Instructions of the Marquis of Normanby to His Excellency Lieut. Governor Hulson.

(CONTINUED FROM NO. 6.)

I have already stated that we acknowledge New Zealand as a sovereign and independent state, so far at least as it is possible to make that acknowledgment in favor of a People, composed of numerous dispersed and petty tribes, who possess few political relations to each other, and are incompetent to act or even to deliberate in concert. But the admission of their rights though inevitably qualified by this consideration, is binding on the faith of the British Crown. The Queen, in common with her Majesty's immediate predecessors, disclaims for herself and her subjects every pretension to seize on the islands of New Zealand, or to govern them as a part of the dominions of Great Britain, unless the free and intelligent consent of the Natives, expressed according to their established usages, shall be first obtained. Believing, however, that their own welfare would, under the circumstances I have mentioned, be best promoted by the surrender to her Majesty of a right, now so precarious, and little more than nominal, and persuaded that the benefits of British protection and of laws administered by British Judges, would far more than compensate for the sacrifice by the Natives of a national independence, which they are no longer able to maintain, her Majesty's Government have resolved to authorise you to treat with the Aborigines of New Zealand for the recognition of her Majesty's sovereign authority over the whole, or any part of these islands which they may be willing to place under her Majesty's dominion. I am not unaware of the difficulties by which such a treaty may be encountered. The motives by which it is recommended are of course open to suspicion. The natives may probably regard with distrust a proposal, which may carry on the face of it the appearance of humiliation on their side, and of a formidable encroachment on ours; and their ignorance even of the technical terms in which that proposal must be conveyed, may enhance their aversion to an arrangement of which they may be unable to comprehend the exact meaning or the probable results. To see, however, are impediments to be gradually overcome by the exercise, on your part, of mildness, justice, and perfect sincerity, in your intercourse with them. You will, I trust, find powerful auxiliaries amongst the Missionaries, who have won and deserved their confidence; and amongst the older British residents, who have studied their character and acquired their language.

(To be continued.)

Terms of the New Zealand Advertiser and Bay of Islands Gazette, which will be Published every Thursday.

Subscriptions £2 a year, paid in advance single Number, one shilling.

Printed and Published by G. A. HAGAR & Co., Proprietors, at the Office, Turner's Terrace, Bank Square, Kaitiaki, Bay of Islands, New Zealand, where, and at Mr. Wm. Wilson's Rooms, all Orders, Advertisements, and Communications to the Editor are requested to be addressed.