

NEW ZEALAND ADVERTISER,

Bay of Islands Gazette. T. M. Hocken.

No. XX.]

KORORARIKA, THURSDAY, OCTOBER 22, 1840.

[Vol. I.]

THE GAZETTE.

Colonial Secretary's Office,
Russell, 20th Oct., 1840.

NOTICE is hereby given, that all persons to whom Certificates for Licences have been granted, are required to attend at the Colonial Secretary's Office, on or before Saturday, the 31st October, in order that they may receive their Licences.

By Command of His Excellency
The Lieutenant Governor,
WILLOUGHBY SHORTLAND,
Colonial Secretary.

Port of Russell.

NOTICE IS HEREBY GIVEN,

THAT all Vessels which may arrive in the Harbour of the Bay of Islands, on and after the first day of November 1840, must be reported by the Master, in conformity with the 15th Section of the Act of the Governor and Council of New South Wales, 3rd Victoria No. B. and the Goods duly entered as required by the 17th Section of the said Act. All Vessels outward bound must be provided with proper Clearances, and the Goods laden therein be duly entered Outwards, in compliance with the 48th Section of the Act before mentioned.

GEO. COOPER,
COLLECTOR.

Custom House, Russell,
12th October, 1840.

NOTICE IS HEREBY GIVEN,

THAT all Vessels built in New Zealand prior to the 21st of May, 1840, will be licensed to Trade Coastwise and with the Australian Colonies, until further Notice, on the production of the necessary Certificates, from the Surveying Officer.

Vessels built in New Zealand subsequent to the 21st May last, will be entitled to Registry as British.

Any Vessel trading without Registry or License, will be liable to forfeiture under the 4th Section of the Act 3 & 4 Wm. 4, cap. 65, after the expiration of one month from the date hereof.

GEO. COOPER,
COLLECTOR.

Custom House, Russell,
20th Oct. 1840.

IN THE SUPREME COURT
OF NEW SOUTH WALES

Ecclesiastical Jurisdiction.

In the Goods of—

Salmon, David, of Moumoua,
Grey, Alexander, of Kororika,
Peat, or the George.

PURSUANT to the Rule of this Honorable Court, the Creditors of the above named deceased persons who reside in New Zealand, are, on or before Saturday, the 30th day of Nov. next, to come in and prove the same before me at my Office in Russell, or in default thereof they will be deemed to have waived from all benefit arising from the said Estates.

GEO. COOPER,
Agent and Receiver of
Intestate Estates.

Russell, 21st Sept. 1840.

Sales by Auction.

GREAT SALE

MERCHANDISE.

201, Ellison,

Is instructed to offer for Sale

BY AUCTION,

AT THE STORES OF

Messrs. HENRY THOMPSON & Co.

Kororika, Bay of Islands,

On MONDAY, the 16th November, 1840,

At 11 o'clock,

Twelve Thousand Pounds worth

OF

MERCHANDISE;

CONSISTING OF.

60 HHDS. prime RUM

- 1,000 Cases and half cases Gin
- 130 Hhds. Arrack, of good quality
- 40 Hhds. Gin
- 250 Dozen Port Wine, in cases and casks
- 250 Ditto Sherry do. ib. do. and do.
- 5 Quarter casks Red Wine
- 350 Dozen English bottled Ale
- 200 Ditto ditto ditto Porter
- 2 Malagasy Spirit or Beer Engines complete, with lead and brass fittings
- 1 Box Cutlery and Jewellery
- 1 Box Jackets and Trowsers
- 3 Four roomed Houses, in frame, with cedar Doors, Window frames Window sashes, Glass, Locks, Keys, and Hinges complete
- 3 Two-roomed Houses (same as above)
- 2 Four-roomed Houses, complete in all respects, (made by Manning in London)

50,000 Good Cigars

- 2 Hhds. Linseed Oil
- 5 Tons first quality Loaf Sugar
- 2 Ditto second do. do.
- 5 Tons first quality Flour
- 2 Ditto second do. do
- 6 Ditto Biscuit
- 5 Kegs and 5 Tierces Square Fig Tobacco

500 Cheeses, in cases of 50 each

- 100 Cheeses, English, in tins
- 11 Tons Liverpool salt
- 5 Bags Split Peas
- 20 Kegs white, black, green and blue Paint
- 25 Finking Irish Butter
- 4 Tons English Soap
- 15 Boxes Mould and Sperm Candles
- 6 Tons brown Sugar

A large assortment of every description of Ironmongery and tinware

All sorts of Carpenter's tools

23 Crates assorted Earthenware

18 Kegs Shingles, Batten, Flooring & Weather banding Nails

4 Boxes New Zealand Pipes, large bowls

10 Double bottled flint-lock Guns

A large assortment of Pirates

2 Boxes Boots and Shoes

80 Dozen Calf Skins and Bazils

- 250 Pieces Dark Ground and Navy Blue Prints
- 3 Boxes Superior Clothing, containing Coats, Frock Coats, fancy Vests and Trowsers
- 8 1/2 Dozen Men's water twist Shirts, superfine breasts and collars
- 2 Bales Regatta Sables
- 4 Ditto Striped Commodes
- 25 Pieces Cotton Suiting
- 1 Bale Cloaks

An assortment of
Britannia Metal Ware,

- 113 Light and dark Tartan Shawls
- 10 Chests Hyson Skin Tea
- 5 Ditto Black Tea
- 9 10, 11 and 12 quarter Blankets
- 13 Pieces Woolen Cloths, Cassimeres and Buckskins
- 29 Pieces Ghigliaus
- 20 Ditto Valencia Checks
- 30 Ditto Plain & 10 pieces Printed Drills
- 20 Bolts Canvas
- 12 Dozen Worsted and Cotton Stockings
- 5 Dozen Flannel Drawers
- 20 Complete Sets Ivory Handks Knives and Forks
- 20 Pieces Silk Handkerchiefs
- 20 Muslin Dresses
- 8 Dozen Silk and Satin Stockings
- 1 Bag Trifolium Seed
- 3 Tons Sheet Lead
- 1 Bale Monkey Jackets
- 1 Ditto 3-bushel Bags
- 3 Cases Oil Cloth and Table Covers
- 2 Casks containing four complete Table Services of Cut Glass
- 10 Dozen Cotton Shawls
- 40 Pieces Cream-colored Duck
- 115 Ditto Bleached ditto
- 1 Piece Linen Sheetting, 2 1/2 yards wide
- 30 Yorkshires Hams
- 2 Boxes 12 & 14 Glass
- 200 Iron Pots, assorted sizes
- 1 Plough and Iron
- 25 Great Coats
- 10 Superior Great Coats
- 24 Drab Hats
- 3 Tents and Poles, complete.

TERMS OF SALE—Sums of £30 and under Cash; above that sum approved ends, and Bills at 3 month's date.

Parties resident on the Coast, and Country Store-Keepers, will find it their interest to attend the above Sale, which, for variety and extent, has never been approached in New Zealand.

EXTENSIVE SALE

MERCHANDISE.

To close consignments.

For Sale by Auction,

By Simmons, Lefeston and Co

On MONDAY, 26th instant, at their New Store, Kororika, at 11 o'clock precisely,

Er - Harlequin,

200 BAGS fine Flour

50 Bags rice

- 70 Hhds. porter
- 80 Box soap
- 14 Casks bottled ale
- 3 Bales blankets
- 24 Boxes glass
- 8 Bales shirts
- 10 Crates earthenware, assorted
- 8 Hhds. wine
- 4 Quarter casks sherry
- 148 Bags rice
- 8 Cases Dunbar's bottled ale
- 2 Ditto ditto stout
- 1 Case Cutlery
- 2 Tuns coals

Et Victoria.

- 2 Tierces tobacco
- 5 Cases cigars
- 148 Rolls tobacco
- 20 Bags flour
- 111 Bags 2nds. do.
- 3 Tierces tobacco
- 9 Kegs ditto
- 100 Bags rice
- 60 Hhds. rum
- 3 Casks mustard in lb. bottles
- 2 Hhds. and 1 crate earthenware, assorted

Et "Giraffe."

- 1 Case hosiery
- 1 Bale white shirtings
- 9 Hhds. rum
- 18 Kegs tobacco
- 2 Bales pea and monkey jackets
- 2 Bales flushing trousers
- 1 Bale Great coats
- 1 Case moleskin trousers
- 1 Bale grey sheeting
- 1 Bale Navy blue prints
- 1 Bale handkerchiefs, assorted
- 1 Case fancy prints
- 1 Cask loaf sugar
- 42 Bags salt
- 10 Cases Gin
- 1 Bale woollen shawls
- 1 Case black hats
- 5 Cans turpentine
- 18 Cans paint oil
- 47 Kegs white lead
- 20 Kegs black paint
- 68 Bags fine flour
- 5 Cases claret
- 48 Bags rice flour
- 2 Hhds. Port wine.

And a variety of other Goods.

TERMS—For all purchases under £30, Cash; £30 and under £100, 3 months; £100 and under £200, 3 & 4 months; £200 and under £400, 3, 4, & 5 months; £400 and upwards, 3, 4, 5 & 6 months, by approved endorsed Bills.

FOR SALE BY AUCTION.

Sp J. M. Gillson,

At his Rooms, on Saturday, 21st instant, at 11 o'clock,

RICE

- Rum
 - Brandy
 - Gin
 - Bottled porter
 - Ale
 - Wine
 - Bread
 - Flour
 - Cheese
 - Butter
 - Soap
 - Candles
 - Blankets, Navy blue prints
 - Handkerchiefs
 - Waistcoats
 - Dress coats
 - Slap clothing
 - Dressing gowns
 - Loaf sugar, brown do.
 - Silk handkerchiefs
 - Shawls
 - Tobacco
 - Cigars
 - Rope, canvas, duck
 - Yorkshire hams
 - Tea
 - Ginghams, table cutlery
 - And a great variety of other articles.
- Terms at sale.

For Sale by Auction.
By Messrs. Spicer and Webb,
 At the Commercial Hotel, on Wednesday,
 28th October, at 11 o'clock.

- CHAIRS,**
 Tables
 Cart harness
 Timber
 Plough shares
 One first-rate stove
 Harness coats
 Spades
 Iron pots
 Sofas
 Stretchers
 Mattresses
 Pictures
 Crockery and glassware
 Hams
 A large quantity of rum, gin, wine, ale and porter
 Kitchen utensils
 Side board
 A quantity of fire-wood
 Terms at sale.

JUST LANDED, and on SALE at W. Wilson's Rooms, Flour, tobacco; cigars; cheese; blankets; biscuit; butter; soap; waistcoats; dress coats; Navy blue prints; gingham; Valencia checks; tea; sugar; wax candles; bottled ale, wine and porter; gin in hhds., cases, and half case; brandy in kegs and casks; rum in hhds. barrels and pipes; Yorkshire hams; American do.; sugar nippers; table cutlery; stationery; and a variety of other Articles too numerous for insertion.

Just received ex "Lansdale,"
By the Undersigned.

- 60 DOZEN** bottled ale and porter
 Blankets, a large quantity
 Print dresses
 Trowsers, various
 Dungaree
 Cotton shirting
 Flannel
 Navy blue prints
 Candles—dips and moulds
 24 boxes best English soap
 Quantity of perfumery and cigars
 And various other articles.
JEFFREY & Co.

21st Oct.

FOR SALE.

BY the Undersigned, on board the store ship *Tuscan*, off Russell:—
 Rum in barrels of 25 gallons
 Tobacco in tierces and kegs
 Port wine in hhds. and q. casks
 Pilsen bottled Port wine
 Wardell's sherry wine
 Champagne cyder
 Bloom muscatel raisins
 Bottled ale and porter in casks of 3 dozen
 Half-pint tumblers, wine and liqueur glasses
 9 1/2 and 10 1/2 heavy blankets, full size
 Black and dark beaver and palm leaf hats.

JOHN J. MONTEFIORE.

Sept. 3d.

THE UNDERSIGNED,

ARE prepared to purchase for any export, Black Oil, Sperm Oil, and Whalebone, either British or Foreign.
HENRY THOMPSON & CO.
 July 29.

WANTED, a person who understands Books.
 Apply to **WM. WILSON.**
 21st Oct.

WANTED, a pair of Sawyers and Brick-makers for the Thames.
 Apply to **W. V. Brewer, Esq.**
 Oct. 21st, 1840.

FOR SALE.
BY the Undersigned, on board the store ship *Tuscan*, off Russell:—
 Brown stout, pale and strong ales
 Real Jamaica Rum, 50. P., in barrels
 Rum in hhds., 20. P.
 Squire 6g tobacco in tierces
 Tobacco in tierces, kegs, baskets and hales
 Sugar in casks and mats
 Rice, preserved meats, pickles
 Ladies', gentlemen's and racing saddles
 Large bowl pipes
 Double barrel guns
 Gin in half cuses
 Tents, lined and unlined
 Spades, hoes and tomahawks.
ANDERSON, SCOTT & Co.
 Sept. 3rd.

TIMBER.

To Builders, &c., &c.

GENTLEMEN engaged in Building will save 50 per cent. by giving timely orders, and stating the lengths and dimensions to suit their Buildings, to the undersigned, who can supply timber to any extent.

BLACK & GREEN.
 Opposite Russell.

Sept. 2nd, 1840.

NOTICE.

THE undersigned have this day entered into Partnership as **AGENTS** and **GENERAL COMMISSION AGENTS** at the Bay of Islands, New Zealand. The Business will be conducted by Messrs. **WESTON & HOBSON**, under the Firm of **Simmons, Weston & Co.**

ISAAC SIMMONS,
THOMAS WESTON,
WILLIAM HOBSON

Sydney, 1st July, 1840.

Messrs. Simmons, Weston & Co.,

Begin to inform Merchants, Captains of vessels, Settlers, and all parties connected with New Zealand, that having completed their New and extensive Stores at the South end of the Beach, Kororāhika, they have commenced Business as **AGENTS AND GENERAL COMMISSION AGENTS**, and will be happy to receive any instructions for the Sale of Land, Merchandise, &c., with which they may be honored.

In soliciting a portion of the public patronage, S. W. & Co. flatter themselves, that the experience they have attained by many years practice in the profession at the first House in Sydney, will be a sufficient guarantee of their knowledge of the business, and capability of managing and effecting any Sales of Merchandise, Land, &c., with which they may be favored.
 Kororāhika, 7th Sept., 1840.

ADVERTISEMENT.

We are glad to notice that Mr. Michael Fitz Patrick, of the "Hobson Hotel," has nearly completed a road sufficiently wide for vehicles to pass to and fro from Kororāhika to Matavia Bay, without any exception one of the prettiest and most retired spots in the Bay of Islands. This was always a favored spot, and this Road will give to Kororāhika what has been long and much wanted, namely, a sweet and pleasant promenade after the hour of business. We long for the moon-light to come in, when we anticipate many pleasant evening walks.—**CORRESPONDENT.**

TO SAWYERS.

Brick makers, and Wood cutters.

CONSTANT employment and liberal encouragement will be given to one or two pairs of each, if steady men. Apply to

BLACK & GREEN,
 Opposite Russell.

Sept. 2nd, 1840.

NEW ZEALAND BANKING COMPANY.

CAPITAL—£100,000,

In 10,000 Shares of £10 each.

DIRECTORS:—

PRESIDENT,

James Ready Cleland, Esq., J. P.

VICE-PRESIDENT.

Henry Thompson, Esq.

Gilbert Main, Esq., J. P.
Edward Mach Williams, Esq.
John Scott, Esq.
William Mayhew, Jun., Esq.
David Pollen, Esq.
Philip B. Peary, Esq.

AGENTS IN SYDNEY,

The Commercial Banking Company.

NOTICE.

THE New Zealand Banking Company will commence business on the 1st inst., and interest will be allowed and charged at the following rates, until further notice:—

INTEREST ALLOWED.—

On current Accounts on the daily balance at the rate of 4 per cent per annum.
On Deposits payable at any time at the rate of 5 per cent per annum.

INTEREST CHARGED.—

On Bills not having more than six days to run at the rate of 10 per cent per annum.
On Bills not having more than one hundred days to run at the rate of 12 per cent per annum.

Discount Day—Wednesday at 12 o'clock.

Bills at ten days sight are granted on the Commercial Bank in Sydney at one per cent premium.

By order of the Court of Directors.

A. KENNEDY,
Manager.

Kororarika, 2nd Sept., 1840.

We beg to repeat our request, that persons indebted to this establishment, will discharge their bills without delay.

The New Zealand Advertiser, AND BAY OF ISLANDS GAZETTE.

KORORARIKA:—OCTOBER 22, 1840

There are two or three questions that force themselves upon us with irresistible power, when we consider at any time the instructions of the Marquis of Normanby to Captain Hobson, the extracts from Lord John Russell's official correspondence of so late a period as last March, inserted in our last week's Number, and the speeches of Sir George Gipps before the Legislative Council, and the Act which he has procured to be passed by that body with respect to the lands of this country.

1. The published doctrine of the Ministry is—that this country was never regarded as a part of the dominions of the British Crown,—that the Chiefs had an indisputable title to, and right in, the soil and property of their country,—that this right and title, together with their sovereignty, could not be transferred to the British Crown but by their own most uncontrained and intelligent act,—that the cession of a part of the country does not involve that of the whole,—that the Chiefs are to be induced not compelled, to cede the Crown for the first purchaser of the lands—and that this relates to authority,

and not to the soil; for that title already derived from them will be confirmed by the new Sovereign, on the sovereignty being transferred. Now the question is, have the British Ministers ever published any documents in the slightest degree contradicting this doctrine? If they have where are they to be found?

2. Sir George Gipps, and those in the Council who echo his voice, declare, that this country was always regarded as a dependency of New South Wales—that the Natives could have no absolute right in the soil, and, therefore, could not transfer it—that, consequently, her Majesty takes it as her own, and is entitled to do so without payment, the very existence of the Natives upon it being a matter of dependence—that, therefore, the soil is not property at all till it becomes so by passing through her Majesty's hands—that those who purchased land of the Natives well knew that they held it only during the pleasure of the Queen of England, who was its rightful and only proprietor and sovereign—that, therefore, there has been yet no such thing as a title to be confirmed, but every one must derive his title from her. Here the question is, first, whether any possible mode can be found of reconciling these positions with the former? and, secondly, if not, on what authority Sir George and his faithful copiers venture on so broad and remarkable a contradiction of their masters?

Only two ways are apparent of getting out of this difficulty—which shall we adopt? Has Sir George received secret instructions to throw the published ones overboard? Or in the confidence of his own superior wisdom and bravery, has he done what he has done on his own responsibility?

On the former supposition, have not the Ministers risked the hostility of all the Settlers and Natives here, and that of France and America, as well as endangered the peace of Europe, without any thing like an adequate motive? For every one here and in England, France, and the United States knows that this is actually the case by the forcible assumption of Sovereignty in this country by the British Crown. And is not the entire feeling of the British public equally opposed to Acts of this sort? Are the Ministry in this enlightened day, and after so many lessons in History, prepared to incur the charge of being the greatest hypocrites in the world? We should think they were not.

Then it necessarily follows, that Sir George has assumed his doctrine, and passed this Act on his simple and undivided responsibility. And here the question arises—has a Colonial Governor—a mere Agent (we use not the term disrespectfully) of the Crown, the authority within himself, by virtue of his office, by any Act of his own singly, or in conjunction with the advice of his subordinate Council, to set aside the published declarations of the Crown itself, the force of three or four several and separate Acts of the Imperial Parliament, and a National Treaty and Act, by which several States of Christendom, including Great Britain, have united in declaring a given Nation independent? Has such a power ever been recognized as residing in the Governor of a Province? Is it possible, in any case, to conceive, that the hazard of exciting a universal war, should thus lightly be given into the hands of a mere subject of the Crown?

Now, if these questions be answered as we suppose they must by what is the legal value of the Act under review? We leave the answer to his enquiry to those who stand ready to help rather than to do. We may remark, however, to say, that the Natives are fully prepared to interpret the matter in their own way, and under the danger which actually exists of a collision with them, we could not be the first who should attempt to carry that Act into force.

We have every reason to believe the property held by the white people directly from the Natives, will be defended by the latter and claimed as their own in case of its seizure by Sir George Gipps.

If it be true—as asserted in the Protest, that a very large portion of this country had never been ceded, what becomes of British sovereignty and power there without an infraction of the most solemn engagements? And who that knows the Natives, would like to quarrel with them on this account?

What did certain Members of the Council mean when they said, those who acquired property here knew, that they were likely to be deprived of it by the Crown of England? They knew nothing—they dreamed of nothing of the sort. They were guaranteed by a British Treaty with the Natives, confirmed by the concurrence of other Nations, and even now declared by Lord John Russell to be binding. Acts of a Colonial Legislature in opposition to such transactions of imperial power!—We again ask, what are they worth?

FATAL ACCIDENT.

On Monday the 11th instant, a fatal accident occurred on the road between Waimati and Kerikeri, which has plunged the family of the Revd. Mr. Taylor, of the Waimati, in deep distress. Mr. Taylor's eldest son, a boy of 10 years of age was, with two youths in the Seminary, accompanying his father to visit his mother and sister, on their return from Teppuna—while riding gently along, his touch from a switch which he held in his hand caused the horse to start—he fell, and was dragged by the stirrup, the animal at full gallop, for more than a hundred yards, when his foot became disengaged. His father was instantly with him, but he expired immediately in his arms! The suddenly bereaved parent had to return home with the corpse of his son, borne by Natives, and a friend met the mother with the appalling intelligence. The event has excited the deepest sympathy. The funeral took place on Wednesday the 14th, and was attended by the young gentlemen in the Church Missionary Seminary, of which Mr. T. has charge, and many Europeans and settlers in the neighbourhood, in addition to the Missionary and Mission families.

Arthur Taylor was a remarkably intelligent boy, and has left strong evidences, for so young a child, of a reflective mind.

We have to record a most melancholy event that occurred on Saturday last, and occasioned the death of Captain John Robertson. His boat upset in a sudden squall and instantly disappeared. He was the seventh son of the Revd. William Robertson, of Fria's Hill, near Kelson, Roxburghshire. His six elder brothers all took to the sea, and all met watery graves, and now the last, after innumerable dangers, having abandoned the sea, and sailing merely for his own amusement in harbour, and in sight of his own household, has experienced the same disastrous fate. Diligent search has been made for the body by his friends and neighbours; also by the Native population, by whom he was exceedingly beloved, and whose lamentations for his loss are most distressing. We trust his widow and infant offspring will never be disturbed in the possession of their little island by any Act of Council. To expel widows and orphans from house and home, and all its endearments, would reflect but little credit on the Government of England. So great a cruelty, so crying an injustice, would rend the heart of our monarch and lovely Queen. Captain Robertson was in his 34th year. He had three sons with him in the boat, a half Native of South Australia, who was also drowned.—CONTINUED.

Several persons have remarked to me that the men belonging to the *Jane Eliza*, who were committed some weeks since for trial, for mutinous conduct, &c., and whose case we fully reported, are now at large. We would enquire on whose authority their enlargement has been effected? If there was a necessity for their being set at liberty, they ought not to have been committed. Is this to be understood as an indication that no judge is yet to be expected to try prisoners according to law? The declared object of the establishment of a British Colony here was the protection of person and property; and this object is to be effected, by a police and a Magistracy without power, by gaol confinement without security and purpose, by the opinion declared on the Bench in the hearing of a culprit, that there is no such thing as property here at present to protect, and by Acts of Legislature which are in themselves the warrants of universal robbery. Truly, this is a novel experiment in colonization.—CORRESPONDENT.

Two Commissioners are come down by the *Earl of Lonsdale*. We do not know for what purpose. One thing we may hope and expect at least, that they will use their own eyes and judgments, and that they will give Sir George Gipps a few correct ideas in reference to the subject of Legislation for this Colony.

We are gratified to hear that Judge Willis is appointed to this Colony, and that he is to itinerate to all parts of the Island. We shall now, doubtless, have a Court of Requests, in which small debts may be recovered, and the Police and other public business will be put upon a better footing.

We are glad to find that the Memorial and Protest will be almost universally signed.

Last Sunday evening during the time of divine service, the back of the Bench was kept in a state of complete uproar by some parties, at the public-house kept by Mr. Knowland. Our informant tells us that the combatants were two females, a white woman and a Māori. We heard and witnessed a part of the disturbance. It is surely high time that such nuisances, which are certainly a little too often repeated in that neighbourhood, should be put a stop to. Of what use are Publican's Licenses, if they are not employed to prevent such riots as are an injury to all quiet and orderly people?

The Lieutenant Governor left the Bay for the Thames in the *Favourite* on Friday.

A correspondent requests us to mention, that it is in contemplation to establish a Bread Company, at Kororāhika, in consequence of the price of bread at present being so much higher than at Sydney.

It is with real pleasure we learn, that a very large portion of the Bills lately stolen from the stores of Messrs. Spicer and Wauvell, were found last Saturday morning concealed under a tuft of grass in the Swamp, by a Native Boy belonging to Mr. Knowland.

We omitted in our last Number to insert the arrival of the brig *Lee*, Chryse, master, from Sydney, consigned to G. T. Clayton & Co. The cargo is consigned to Henry Thompson and Co., Bateman and Erodio, and E. M'Leannan.

On Friday last, the tent store of Mr. Williamson, of Russell, was broken into, and about £40 in cash was stolen therefrom. Monday afternoon, three soldiers of the 80th Regiment, stationed at Russell, and two women, were taken into custody at Kororāhika, on the supposition that

they had committed the robbery, and have been fully committed for trial.

Original Correspondence.

Mata, Sept. 8, 1840.

DEAR SIR,—I have had a summons to appear before Capt. Beckham, the Police Magistrate, to-morrow, at 12 o'clock, to answer to a complaint made to him by Ruani, a person with whom I believe you are well acquainted. The complaint is this, that I have unlawfully detained his property. Now, Sir, as you are in possession of information tending to show, 1st, that the Property in question does not belong to Ruani; and, 2dly, that I have not unlawfully detained it. I beg you will attend at the time appointed, and give the information you possess on the subject, when called upon to do so.

I am, dear Sir, yours very truly,

(Signed) W. WHITE.

To Mr. Odland,
Pipiro.

To the Editor of the *New Zealand Advertiser & Bay of Islands Gazette*.

SIR,—The case referred to in the preceding communication, seems to me of so very peculiar and interesting a character, that I am induced to forward to you the following particulars respecting it, for publication.

On the receipt of Mr. White's letter I immediately repaired to his residence from whence I accompanied him to the Police Office, at the Horike, where we arrived about a quarter before 12 o'clock. On Mr. White being called into the office, Captain Beckham read the deposition made before him, on oath, by Ruani. Now, Ruani is a Heathen Chief,—was under a Tapu when he took the oath, and, as will be seen in the sequel, understood the nature and solemn obligations of an oath as well as an ignorant Native might be supposed to understand it.

The substance of the deposition, as far as I can recollect, was, that sometime in the latter end of last year, the Ruani and his people were dragging out timber, his own property, off land belonging to Te Ngau (Chief of Oriua) that whilst they were in the act of dragging out some long spars, Mr. F. White went to them, cut the rope in two with a hatchet, took it with the blocks and dogs away from them. That Mr. Wm. White had been applied to several times to give them up, but refused to do so, without the interference of a Magistrate. The deposition having been read, as before stated, Captain Beckham enquired of Mr. White if he had any questions to ask the Plaintiff? Mr. W. replied that he had several questions to ask, but before he did so, he begged most distinctly to repudiate the charge contained in the summons, and proceeded to enquire if it were countenanced with the usage of the Office for him to be allowed to ask the questions himself.

Captain B. replied, that as the Interpreter would be put on his oath, it would be more in error for him to ask the questions. Mr. White having agreed that he had no property in his possession belonging to Te Ruani, then asked through the Interpreter, if the rope, blocks, and dogs in question were his, Ruani's *bona fide* property; in answer to which he most distinctly replied, No, they belong to Mr. Mariner, from whom I got them. Mr. White was proceeding to ask other questions, when the Magistrate interrupted him by asking Ruani if it were not usual when Natives borrowed ropes and blocks, &c. to draw out timber, in case they were broken or lost, to replace or pay for them. Ruani looked round as though in doubt, and in hope of somebody directing him what to say, replied, stammering, yes. A greater untruth than which no man could utter, and almost every one present must have been of that opinion at the time. Mr. White then enquired of Ru-

ni, if he did not know that the ground which he was dragging but the timber for Mr. Mariner had been purchased by him and his brother from Te Ngau, &c., long before? Here Captain B. interposed his authority, saying, that the question was irrelevant, and would not allow it to be put. Mr. White reminded the Magistrate that the subject to which his question referred was contained in the deposition of the Native, and that he wished to show that the property in question, viz., ropes, blocks, &c. was taken away by his brother from the Native, whilst in the act of committing a robbery. Here Captain B. again interposed, saying, that he would not allow any such proceedings in that Office. Mr. W. said, that he was not aware that his proceedings were disrespectful or his questions or statements irrelevant. Captain B. asked Mr. White if he had the rope, blocks, &c. in his possession. Mr. White said, yes. Captain B.—then will you give them up and have done with the matter altogether. Mr. White replied, I will give them up, but I will not have done with the matter in question, as there are accomplices in the robbery whom I intend to prosecute. At this Captain B. seemed at a loss what to do, and was much irritated. Mr. White repeated his willingness to give up the property, and stated, that he would not have detained it, had the proper parties applied for it, and enquired of Captain B. when he should send for it. Captain B. said, to-day; let it be sent to this office. Mr. White sent his boat for the rope, blocks, &c., and they were delivered to Mr. Mariner. Mr. White was not required to pay any costs or damages.

Now, Sir, that the preceding statement may not be liable to suspicion as coming from a stranger and non-Subscriber, I have forwarded a copy to Captain Beckham before sending this to you for publication, that he may, if he judges it expedient or proper, add, correct, or confirm it in any way he may choose.

I am, Sir, your most obedient servant,
J. S. ODLAND.

Pipiro, Heikianga, 11th Sept., 1840.

SIR,—In forwarding to you the enclosed paper, I beg to say, that having no means of taking notes in the Police Office, I have been chiefly dependent on my memory in making the statement now submitted to your inspection. Nevertheless, I am not aware, that any person who was present and paid attention to what passed, can justly accuse me of any important omission or the slightest misrepresentation. Last, however, every ground of complaint should be taken into consideration, I send it to you for correction or confirmation as may seem to you most proper.

You will perceive that I have confined myself to simple facts. I have expressed no opinion, indulged in no reflections, nor have I presumed to blame any one. Nor am I aware that anything of the kind was required. If the statement be a true one, you can have no objection to its being made public.—I am, Sir, your Worship's most obedient servant,

J. S. ODLAND.

To Captain Beckham,
Police Magistrate,
Hokianga.

Sighting Intelligence.

ARRIVED.

Oct. 21—Schooners "Columbine," "Trent" and "Mercury," from Easting. 21—Ship "Earl of Lonsdale," Capt. Peel, from Sydney.

SAILED.

Oct. 16—H. M. Ship "Favourite," with His Excellency the Lieutenant Governor on board, for the Thames.

20—The "Tybee," for Tahiti and the United States.

The "Robina" for England.

G. J. Taylor and Co., Printers.