

THE NEW ZEALAND ADVERTISER,

AND
T. M. Holden,
 Bay of Islands Gazette.

No. XXVI.]

KORORAREKA, THURSDAY, DECEMBER 3, 1840.

[Vol. I.]

THE GAZETTE.

Colonial Secretary's Office,
Russell, 26th Nov., 1840.

NOTICE TO MARINERS.

HIS EXCELLENCY THE LIEUTENANT GOVERNOR has been pleased to direct the publication of the following Observations on the Approaches to the Town of Auckland, for general information:—

The Town of Auckland on the Southern Bank of the River Waitemata is situated in Lat. 33° 51' 36" South, and Long. 174° 43' East nearly.

The entrance to the Waitemata is on the Western side of the Gulf of Spurraka, (or the Frith of Thames,) and is screened from the North East by the Islands of Rangitoto, Motu Tapu, and a succession of bold precipitous Islands lying off the North West end of the large Island of Waikēkei.

DIRECTIONS.

Vessels bound to Auckland from the Northward after making Port Rodney, should steer for the Island of Tiri Tiri Mautangi, (taking care to avoid a small rocky Islet lying one League North, 53° W. magnetic) from Point Takatou Whenua, and passing it on either side steer for Rangitoto, keeping between that Island and the Main, and not approaching either less than 5 fathoms water. When to the Westward of Rangitoto the Bluff North Head of the River Waitemata becomes visible.

Vessels coming from the Eastward should enter the Frith between Cape Collis and the Great Barrier passing on either side of the small Island of Moka Tapuku, which lies about a League distant, N. N. W. from the Cape, whence a course may be shaped for the Mid Channel, between Tiri Tiri Mautangi and Motu Tapu, which nearly joins Rangitoto, and over which the Peaks of Rangitoto are visible. Then proceed as if coming from the Northward.

Vessels drawing less than 18 feet may enter the Tokawaki Channel on either side of Waikēkei and pass to the Southward of the Group formed by Waikēkei—Motu Tapu and Rangitoto to the entrance of the Waitemata, but this Channel is not recommended to Strangers visited by a Pilot. In the event of stress of weather or other emergency, excellent shelter may be found inside any part of Waikēkei or under the East end of Motu Tapu; the passage so far as the Channel leading to it, being perfectly free from dangers.

On approaching the entrance of the River, care must be taken to avoid a ledge of Rocks extending in a North Westery direction from the Southern shore, which may be avoided by keeping the North Head, Southward of West, (magnetic) until a remarkable Rock on the South Shore, resembling the Bastion of a Fort, (called the Bastion Rock) bears South (magnetic.)

With a fair wind the North Head may be rounded at half a cable's length distance, and a mid Channel course will lead to the Anchorage off the Town.— With a heaving wind, tack on the South Shore on coming into six fathoms water, and on the North Shore, which is much deeper, at the 100 fms. mark, East; the only

dangers within the Heads are a Spit of Land that projects half a cable's length from a low sandy point on the North Shore about a quarter of a mile inside the North Head, and a Mud Flat which lines the Southern Shore to a distance of nearly one-third of a mile throughout the whole River, and all the Bays on both sides are shoal. These dangers will be avoided by attention to the Lead and the directions given above. The Navigation of the Gulf of Spurraka with ordinary care is perfectly safe; but attention is required in heavy weather, or at night, to avoid many small Islets, which vary in height from 6 or 8 to an hundred feet, and which are generally surrounded with deep water.— The only known exceptions to this rule are the Pezognes in 30° 7' South, and Longitude 175° 18' East, according to D'Urville, and a Rock on which the sea breaks occasionally (called Simpson's Rock) lying about 4 or 5 miles North North East from the North West end of the Great Barrier. There is a sunken Rock reported to exist on the North side of Waikēkei, and is marked on the Charts about North from the centre of that Island a long league off shore—the position or even the existence of which is not positively known. These Rocks, as will be seen by reference to the Chart, are out of the ordinary track of shipping, but contrary winds may oblige Vessels to approach them, and, therefore, are worthy of notice. The rocky Islet of Takatou Whenua above alluded to, stands about eight feet above high water-mark, and is bold too. Its position is accurately laid down by the Baron D'Urville.

High water at Waitemata on full and change 6, 45m., rise and fall about ten feet on the Spring Tides. The flood runs to the South and within the Frith of the Thames, but to the North on the Coast.

By His Excellency's Command,
WILLOUGHBY SHORTLAND,
 COLONIAL SECRETARY

GOVERNMENT NOTICE.

Colonial Secretary's Office,
Russell, 26th Nov., 1840.

HIS EXCELLENCY THE LIEUTENANT GOVERNOR has been pleased to appoint Mr. HENRY TUCKER to the Office of Colonial Store-keeper of New Zealand.

By His Excellency's Command,
WILLOUGHBY SHORTLAND,
 COLONIAL SECRETARY.

Colonial Secretary's Office,
Russell, 30th November, 1840.

HIS EXCELLENCY THE LIEUTENANT GOVERNOR directs it to be notified, that all persons desirous of obtaining Licenses to Import Spirituous Liquors, or to sell or dispose of the same, by Wholesale, in this Colony, under the provisions of the Act passed by the Governor and Council of New South Wales, "4th Victoria, No. 19," intitled, "An Act to Regulate the Payment of the Duties of Customs in Her Majesty's Dominions in the Islands of New Zealand," shall make application in writing for the same to the Colonial Secretary, and that the Provisions of the said Act will be strictly enforced from and after this date.

By His Excellency's Command,
WILLOUGHBY SHORTLAND,

FOR SALE BY AUCTION,

By **Ed. Wilson,**

At the Residence of JOHN SCOTT, Esq., on Saturday the 5th December, at 11 o'clock,

FURNITURE,—consisting of a Sofa, Tables, Chest of drawers And other articles.

ALSO,

- Maps
 - Black tea
 - Paints
 - Paint oil
 - Ironmongery
 - 13-4th Blankets
 - Soap
 - Spices
 - Shirts
 - Sugar—leaf and moist
 - Scales and weights
 - Prints
 - Mustard
 - Pickles
 - Gin in cases
 - Bottles etc.
 - Bottled fruits
 - Kitchen utensils
 - And a great variety of useful Articles.
- Terms at sale.

IMPORTANT SALE.

TO BE SOLD BY AUCTION,

By **Simmons, Weston & Co.,** O. MONDAY, 7th December, at their Stores, Kororareka, at 11 o'clock precisely.

Et "Diana."

- 160** BAGS 1st quality FLOUR
 20 Kegs superior Negrohead tobacco
 20 Casks bottled ale, 4 doz. each
 20 Cases do. porter do.
 5 Cases Cherry brandy, 2 doz. each.
 40 Bags sugar

ALSO,

- 36 Bags rice flour
 - 3 Hhds. sherry wine
 - 3 Quarter casks do.
 - 4 Crates earthenware
 - 4 Cases segars
 - 50 Bags 2nds. flour
 - 3 Casks mustard
 - 5 Tans new potatoes
 - 1 Cask salt fish
 - 5 Hhds. prime mess pork
 - And a great variety of other Goods.
- Terms—Under £30, Cash; above that sum approved endorsed Bills at 3 months.

HOUSEHOLD FURNITURE.

FOR SALE BY AUCTION,

By **Mr. C. Spiret,**

At the House of Mr. MAKEPEACE, York street, on Tuesday next, 6th Dec, at 11 o'clock,

THE following assortment of Household Furniture and other effects, comprising,—

- Sideboard
- Bedstead
- Sofa
- Chairs
- Chest of drawers
- Looking Glass
- Crockeryware
- Glass
- A Watch

Blankets and bedding
Sleeve spoons
Knives and forks
Buckets, tubs,
Chests
Chests
A number of valuable BOOKS
And various other Articles.
Terms at sale.

For Bert Nicholson,
To Sail on Monday next, 7th December,

THE fast-sailing schooner "KATE,"
61 tons, Dunning, Ma ter, now
lying at Kororareka, will proceed to the
above Port on the day stated. The major
part of her Cargo being engaged, early ap-
plication is required. For Freight or Pas-
sage apply to the Master on board, or to
D. NATHAN,
Kororareka.

Dec. 2, 1840.

For Freight or Passage,
To Talcahuana,
To sail in a few days.

THE fine, fast-sailing brig "ORION,"
P. K. Saunders, Commauder, has
room for a few Cabin or Steerage Pas-
sengers. Apply to the Commauder on
board, or to
WM. WILSON.

Dec. 2, 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.

M. BROWN,
Furnishing Tailor and Draper,

BEGS to return his most sincere thanks
to the Inhabitants of Kororareka,
and New Zealand, for their liberal encou-
ragement since he commenced Business,
and to assure them that nothing shall be
wanting on his part to merit a continuance
of their favors.

M. B. begs to assure those who may
honor him with their patronage, that they
may depend upon the strictest attention
being paid to the workmanship in all its
details, and being furnished with Materials
of the very first quality, (M. B. having re-
solved upon excluding all articles of an
inferior description,) the charges will al-
ways be found moderate, as he has deter-
mined on working upon the smallest remun-
erating profits for Cash only.

Amongst a LARGE & CAREFULLY
SELECTED STOCK, the following
Articles will be found well worthy of pub-
lic attention, viz:—

Superfine Blue Cloths
Ditto Black do.
Ditto Brown do.
Ditto Green do.
Ditto Invisible green
Ditto Puce
Ditto Red

Buckskins in great variety
Cassimeres in ditto

A splendid assortment of Silk, Flo-
rentina and Valencia Waistcoatings
Superfine Hats of every description
Second do

A large assortment of superfine cloaks
Second do
Gold and silver Lace, 2 inch, 1½ inch,
1 inch, ¾ inch & ½ inch wide
Gold Fringe

Gauze handkerchiefs, scarfs & veils
Jewellery

Cigars of a very superior quality

With a great variety of other Articles too
numerous for insertion.

Nov. 26.

ON SALE, at the Stores of the Under-
signed:—
Rum in barrels
Gin in do.
Brandy in do.
Manilla sugar
Soap, tobacco in kegs and tierces
Tar
Pitch
Claret
Sherry
Port
Coir rope
Tea, loaf sugar
Fine biscuit.

WM. WILSON.
Dec. 2, 1840.

FOR SALE,

BY the Undersigned, on board the store
ship *Tuscan*, off Russell, the fol-
lowing Articles:—

Wine, Sauterne, Barsac, Moselle
Claret, Bucellas, Port and Sherry,
Lemon and Raspberry Syrup and Cyder
Rum in barrels, Brandy and Gin in
bbls.

Bottled Ale and Porter in 3 doz. cases
Rum, Arrack, and Gin
Raisins, Tobacco, Prints
Blankets, Glasses, Hats
Spanish mahogany Bagatelle Boards.

JOHN J. MONTEFIORE.
Nov., 1840.

FOR SALE,

BY the Undersigned, on board the
store ship *Tuscan*, off Russell:—
Brown stout, pale and strong ales
Tobacco, sugar, rice
Preserved meats, anchovy paste
Pickles, double barrel guns
Saddles and tents.

ANDERSON, SCOTT & Co.
Nov. 1840.

ON SALE,

AT MESSRS. NOBLE AND
WEEKS'S Store, at the North
end of the Beach,--

Manilla and coir rope
Pit, cross-cut and other saws
Pit saw files & sets
Chest locks and other locks and
hinges
Bolts, springs and screws
Knives and forks in sets
Soap, starch and glue
Tea, Coffee, &c., &c.

WANTED.

To Builders, &c., &c.

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

Opposite Russell,
Sept. 2nd, 1840.

TO LET,

THAT well-known very commodious
HOUSE and PREMISES in
the rear of the Bank, Kororareka, lately
occupied as the "Commercial Hotel," and
highly adapted for either a Family Resi-
dence or Public Business.

Apply to

BENJ. TURNER.

ALSO,

That very comfortable and convenient
HOUSE, lately occupied by Dr. DAVIES,
and next to the New Zealand Bank.

For particulars, enquire of Dr. Davies,
or of

BENJ. TURNER.

Kororareka, Nov. 21.

NOTICE The building now erecting
to supply the place, temporarily, of a
Congregational Church, will be open for
use the Sunday after next.

Subscriptions are respectfully requested
for the liquidation of the Debt, and will be
thankfully received by Mr. Thomas Adle-
man, Mr. Smith, Baker, or on the spot.
Dec. 3rd, 1840.

NOTICE is hereby given, that the
Co-partnership carried on for some
time past at Tuakaka, in the Bay of
Islands, by Thomas Black, William Green
and John Stuart, under the Firm of "Black,
Green and Co.," was this day dissolved
by mutual consent. Dated this 24th day
of October, 1840.

It is requested that all Claims on the
late Firm be forwarded immediately, and
parties indebted thereto, are requested to
pay the amount of their debts forthwith to
Mr. BLACK, Tuakaka.

[The above advertisement was omitted by
mistake in our last.]

REMOVAL

KORORAREKA WAREHOUSE—AUCTION
AND COMMISSION ROOMS.

T. SPICER, begs to inform the
Public, that he has opened the
above House, two doors from the Stores
of Messrs. G. T. Clayton & Co., and
lately occupied by Mr. M. Brown, Tailor,
where he has on hand every variety of
Grocery, Haberdashery, Glass and
Crockeryware, Wholesale and Retail.

T. S. will be glad to receive GOODS
of any kind on Commission from those
who may please to honor him with their
commands. All Accounts will be settled
with expedition.

Kororareka Beach,
Nov. 11, 1840.

NOTICE.

THE Partnership of the Undersigned
is this day dissolved by mutual con-
sent, in consequence of Mr. WEAVELL'S
intended return to Sydney, and to whom
all claims are requested to be sent im-
mediately.

THOMAS SPICER
JOHN WEAVELL.

Kororareka,
Nov. 11, 1840.

R. SCOTT BUCKHAM.

CUSTOM-HOUSE ENTRIES on
Sale at the Office of this Paper.

MEDICAL HALL,
KORORAREKA.

DR. DAVIES, SURGEON, takes leave
to acquaint his Friends and the
Public in general, that he has Removed
his Establishment from the House he
formerly inhabited to the late Residence
of Mr. Benj. Turner, next door to
the New Zealand Bank, and trusts, that
constant attention to the duties of his
Profession may merit a continuance of
that support he has hitherto experienced.
SODA WATER.

SEIDLITZ AND SODA POWDERS.

Dr. D would be glad to treat with
Parents and Guardians for an Affect-
ed PUPIL. A respectable well-educated
Youth could be accommodated in the
House.

BIRTH—On Monday last, 30th November,
at Mrs. Robertson's Island, the Lady
of Captain William D. Bowd, of a
son.

— On Tuesday last, the wife of Mr.
Jones, of the Royal Hotel, of a son.

MARRIED—Dec. 3, this day, at Korora-
reka Church, by the Rev. — Buntows,
Captain George Painter, to Jane Hud-
son, relict of the late Mr. Hudson, of
Sydney.

We beg respectfully to inform all parties indebted to this Office, that as it is impossible to conduct an Establishment of this sort without heavy expenses, we shall be under the absolute necessity of charging the rate of Banking discount upon all arrears not now immediately paid up, this date concluding our Quarter.

Notice is hereby given, that Mr. THOMAS ADDEMAN, of Kororaraka, has been appointed and instructed to collect all sums due to us without delay; and his receipt, in any case, will be a sufficient discharge for the same.

The New Zealand Advertiser,
AND
BAY OF ISLANDS GAZETTE.

KORORAREKA:--DECEMBER 3, 1840

ON the 7th July, in the House of Commons, Lord Elliot, at the close of a long speech, on the occasion of a petition on New Zealand affairs, moved the appointment of a Select Committee to enquire into the statements made in that Petition, which had emanated from the Merchants, Bankers, and ship owners of the City of London. Among other topics—for the noble speaker was exceedingly diffuse and unargumentative—that of the right of the British Crown to the Sovereignty of these Islands, or, rather, of the actual dependency of New Zealand on Great Britain, was considerably dilated upon. He, in the name of the petitioners, took the same view of the subject which Sir George Gipps and the Council, with all the Sydney papers except the *Colonist*, have done.

In some of the papers we find meetings of merchants, &c., of other places, noticed, and particularly one at Glasgow, at which the same tone of remark was adopted. And it appears that the official document of Lord John Russell, which we recently published, was an answer to the statements of the New Zealand Company, under the auspices of which the Port Nicholson settlement is established. That Company also takes the same ground.

The Ministers object to these views, and all their proceedings are based on real or supposed, opposite facts. Hence, the mercantile community feels aggrieved with the Colonial Office, and calls, by its agents in the House of Commons, for an enquiry into the conduct of that office on this subject. Lord John Russell objects to enquiry being made, not because he is afraid that truths unfavorable to the ministerial views will come out, for he feels satisfied that they will be sustained—but because in the absence of definite information from the Colony, no practical benefit can be elicited. He answers Lord Elliot in an admirably clear and conclusive speech, portions of which we give in our Paper to-day, but he yields up his opposition to the Motion for a Committee of Enquiry, which is accordingly appointed.

We do not regret that an enquiry is to take place. Lord John had not the knowledge which we have of its necessity, under the actual circumstances of this country. He never imagined that Sir George Gipps would venture on a flat contradiction of the authority to which he is amenable, and would, found on that contradiction, one of the most despotic, unreasonable, and pernicious acts which ever disgraced a Legislative body. The Committee of Enquiry will find some matter for its cogitations, if it live till our Memorial and Protest reach England, and copies of these documents are considerably advanced on their way.

Among other passages in Lord John's speech, it is worth while to point out the two following:—

"The noble Lord had also said that the Crown might resume all these lands upon payment of the price originally given for them. Undoubtedly the crown had with

respect to all its colonies, the general and original right in the land. But when the noble lord complained of the difficulty and complexity of the plan ordered by the secretary of state, he (Lord John Russell) thought that this proposal for taking away the land from the present occupiers on repaying the price of the hatchet or blanket, or some such trifling thing which they gave for it, would certainly be found much more difficult of accomplishment."

"Now, the original price was in most instances of very small value, the payment of which would not, he thought, be satisfactory to the settlers. But, in fact, it would have been impracticable to have done any such thing. Captain Hobson's authority would at once have been resisted."

"The noble lord might, perhaps, wish to send out instructions to Captain Hobson to resume all the lands now occupied by the settlers. (Hear, hear.) That, he (Lord John Russell) thought, would create great confusion. He thought where no very unfair or fraudulent bargain had been made, the title to those lands ought to be maintained."

Surely, after these statements, it must be regarded as a perfectly pusill and impotent attempt at despotism, that Governor Gipps should talk of *resuming* all the settler's lands in New Zealand. He cannot do so if he would. Every single settler may, in his own name confront him on the broad ground, at once, of Native independence, of constitutional right, and of authoritative statements from the Crown. Sir George has passed an Act which is either an instance of burlesque on legislation, or of daring resistance to the Crown. Let him choose his alternative. As to any attempt to take any lands here by virtue of that Act, it will only serve to be laughed at. We are well satisfied that the Colonists will not permit the aggression. It may even be doubted from Lord John's speech, whether the Crown has conferred on the Governor of New South Wales any power at all beyond that of the appointing of Commissioners. Any given claim is *not to be decided upon by him*. Nor is it for him to determine that any claim is not to be heard. We repeat, that according to our view of the matter, every settler singly considered, may legally maintain his ground, and that it is useless for any Government to proceed against so notorious a fact.

But there are some reflections of rather a curious nature, which arise from the review of the debate in the House of Commons.

First, it is rather odd, that bodies of merchants, Governors of Colonies, &c., &c., &c., should be more jealous for the rights of the Crown than is the Crown itself. Pure, exalted, disinterested zeal! How admirably worthy of imitation! And if it were imitated *in this instance*, how so gloriously adapted to set Nations by the ears!

Second, it is still more odd that the New Zealand Company should maintain in England, the very doctrine by which, if true, Sir George Gipps is authorized to destroy their pretensions in New Zealand altogether.

Of course, they can have no claim to their settlement of Port Nicholson after this, and even their very necks are not quite insured. For if the country in which they established their sovereignty belonged at the time to the Crown which claimed their subjection, of course all their arguments only go to prove them guilty of something resembling high treason. They ought to be very much obliged to Lord John Russell for the convincing statements by which he has resumed them from their self-imposed peril. Had their *foin de se* been effected, we suppose a jury must have been called to pronounce upon them a verdict of "temporary insanity."

Seriously, however, we say, that the Crown ought not to listen to any man or

set of men, in such a case. They are only seeking their own profit in the opening to themselves of a field for speculation, and in the attempt to provide another outlet for their commerce. To say the best, it is a very silly thing, and to say the worst, it is an atrociously wicked thing for a company of merchants, in London, to deny the absolute original independence of any Native Nation, much more, of one whose rights have been ratified and guaranteed by such solemn engagements. Where, we ask, is the limit to be drawn if Sir George Gipps be right? We shall next pass to Tahiti, and from thence in succession to almost every group of the Pacific. No, no, the Ministers are perfectly right, and their stand is one of the highest honor. Of all the steps which the Crown of Great Britain has taken of late years for the protection of the human race, this is certainly one of the most glorious.

As it regards the settlers in this country, let it not be forgotten, that the question of Native independence involves every atom of right they possess here. The moment the one falls, the other falls with it. Both must be conceded or neither. Nor will we, in our public capacity, ever admit of a compromise. Sir George Gipps, in order to blind our eyes, has, in his published notifications to the Commissioners, inserted an article for the protection of the rights of the Natives. But he has done nothing of the kind in the Act, in which that right is denied. We trust not to maneuvering of this sort. The free, absolute, uncontrollable right of the Natives to do what they will with their own, and the consequent validity of all equitable purchases from them—these are the points we contend for, and we will never withdraw our demand. The Governor of New South Wales has nothing, then, now to do, but to fall back on his instructions.

We beg most respectfully, but at the same time most earnestly, to call the attention of His EXCELLENCY to the treatment of the prisoners committed for *tia*, and, therefore, *not presumed to deserve punishment*, at the Gaol at Russell Town. We have received communications on the subject which are heart-rending. The Lieutenant Governor is a humane man, and will not, we are sure, suffer this appeal to be lost.

It is evident that the People of Kororaraka are recovering from their apprehensions of the power of Sydney, for we perceive that many new houses are at this instant starting from the ground.

We are glad to see several instances of public improvement at Kororaraka. We allude to the neat and commodious bridge erected by Mr. Russell in front of his house, and to the commencement of one at the end of York street. The removal of the scrub and rushes from a large space usually denominated the "Swamp," by Mr. Desantis, will be a great advantage to the general appearance of the place, inviting to erect buildings thereon. Its exposure to the sun's rays will add much to the salubrity of that spot. We recommend the example.

Dr. Davies' new residence is admirably adapted for his Profession. His shop really looks quite handsome.

On Tuesday the 24th Nov., Mary Ann Davidson, late of Sydney, but for some time recently on board the "Jane's Stewart," put an end to her life by swallowing a wine glass full of Laudanum, in a state of temporary derangement. She was dead when the Doctor arrived.

Mr. Webster is, we are informed, on his way to the United States, and intends to represent his land claims in New Zealand, with those of his countrymen located here, by his own Government.

In another column will be found a letter from Mr. Moody, which we most earnestly recommend to the notice of our readers. The suggestions contained in it are exceedingly important, and ought to be attended to without any delay.

A friend at Sydney tells us that there are more dishonoured than honored bills there.

"Civics" last letter and several other communications are unavoidably deferred this week.

On Wednesday the 15th Nov., the dwelling-house of Mrs. Baker (a respectable widow lady,) at Hokianga, was totally destroyed by fire, and every article of property, valued at £500, burned. It is not known how this unfortunate affair occurred, as the owner and servants were absent at the time.

A child born in the year 1840—is he born in the eighteenth or nineteenth century? [In the 19th century.—EDITOR.]

SHIPPING INTELLIGENCE.

ARRIVED,

- Nov. 25—Brig *Diana*, 264 tons, Captain Malin, from Sydney on the 13th Nov.
- 26—Brigantine *Deborah*, 120 tons, Captain Wing, from London 3rd June; touched at St. Vincent's, St. Jago's, and Twofold Bay. Brings passengers.
- 26—Brig *Orion*, of South America, 135 tons, Captain Sanders, from Sydney the 16th Nov. Passengers, the Catholic Bishop of Australia, Dr. U. Bathorne, the Rev. Mr. Gregory, and John Anderson Brown, Esq.
- 26—Brigantine *Kate*, 76 tons, Captain Manning, from Sydney 16th Nov.
- Dec. 2—The whaling brig *William Storell*, Captain Davidson, with a full cargo of oil. She proceeds at once to Sydney.

To the Editor of the New Zealand Advertiser and Bay of Islands Gazette.

Sir,—Having individually taken a lively interest in obtaining signatures to those important documents—the Memorial and Protest—I have thought it advisable, as well as expedient, to send to you my impression on the subject.

When it is considered, in the furtherance of the above object, I have visited the once promising district of the Bay of Islands—Kororua, Whakapu, Waikati, Pah, and Cow Cow inclusive, which are numerous inhabited, I may perhaps be thought competent to give a pretty good estimate of the evils resulting from the New South Wales legislation for a distant Dependancy like New Zealand—and more especially this being a free Colony. Of its baneful effects upon Kororua, you yourself are an eye witness, where the Commercial interests are suffering so deeply,—then with perfect sincerity I assure you the other remaining districts are even in a much worse condition. Places which a few months ago were flourishing, now show nothing but desolation and falling ruin. Houses and stores are unoccupied, and those occupied sinking money—the occupants only awaiting the first favorable opportunity to sell out and leave the Colony. Farmers there are none; but the gentlemen residing on their lands are merely living on their means from the total absence, not to say paucity, of operative agriculturists. Such a state of things cannot last long, for the Merchants, most of necessity, shut up their stores, while all those who have the means left must return from whence they came. Some vigorous measures should be adopted without delay, or total ruin must soon overwhelm us. The stagnation is now arrived at such a pitch, that something next akin to despair pervades almost every countenance.

Every where that I have been, the strong attachment is expressed towards our worthy LEVEE GOVERNOR, and all at present wish he were freed from the trammels of the New South Wales Govern-

ment.

Having had much Colonial experience where grievances called forth active and strong measures, and having absolutely witnessed the general distress and stagnation prevailing in every branch of trade and occupations calling forth industry and the investment of capital in the Bay, I cannot but think that if a Public Meeting were convened at an early day, of all the Landholders in the Bay of Islands, and others interested, to take into consideration the best and surest means of remedying the evils under which we labor, it would be productive of the best results. The leading object of such Meeting, in my humble opinion, should be, the final completion of the signatures to the Memorial and Protest, and to raise funds to defray the expenses necessarily attendant on such matters; also, to send a Delegate to Downing street, to plead our cause. I write not only as a considerable Landholder, but as one feeling a strong interest in the prosperity of this fine Colony.

I am, Sir, your's most faithfully,
PETER MOODY.

Nov. 30. 1840.

NEW ZEALAND.

In our columns of to-day we publish a Report of the debate which took place on the motion of Lord Elliot respecting the right of Britain to the exclusive sovereignty of New Zealand. The fallacious reasoning by which that motion was supported, was opposed by Lord John Russell, who, we are happy to say, argued precisely as we have done on this question,—and that is no small satisfaction, considering that we have been so violently and dogmatically opposed not only by all our contemporaries of the Press, but by His Excellency the Governor and the majority of the Legislative Council. We shall have a series of articles to submit to our readers on this subject; in the mean time we feel no small degree of confidence in the validity of our own position, from the strong confirmatory declarations of Lord John Russell in its favor.—*Sydney Colonist*.—[We are proud of such an able coadjutor in the sacred cause of humanity.—Ed.]

Speech of Lord John Russell in the House of Commons on the 7th July, on the New Zealand Question:—

There was one point on which the Committee of the House of Lords on the subject of Colonization had made a very short report. They stated that it appeared to the Committee that the extension of the colonial possessions of the crown was a question, the policy of which belonged exclusively for decision to her Majesty's Government. The committee of the House of Lords, after a great deal of inquiry came to the opinion that this was a subject which properly belonged to the crown; and he did not believe that a committee of the House of Commons could come to any other conclusion. It would be impossible that a committee could point to those parts of the world where colonization might be established, where Governments might be sent, or where the English Crown alone could claim a right of possession. The noble lord (Lord Elliot) had entered into some arguments as to the right of the claim of sovereignty in places discovered by civilized nations, where wild tribes only were the inhabitants, into which, however, he (Lord J. Russell) would not follow him. He did not dispute the principle of the passage quoted by the noble lord from Vattel. On the contrary, he thought the conduct of the British Government had been in entire accordance with the principle so laid down. But although a right might accrue to the first discoverer, and although of that right one could have little doubt, yet, it might be disputed whether the right of sovereignty remained, if the party making the discovery did not avail himself of it for a long series of years. If then, it appeared that the right which accrued,

1780 was not for a long period after the time asserted and enforced, and if, still more, if on the contrary appeared that solemn declarations had been since made apparently relinquishing, at all events not confirming that right, it certainly was necessary that there should be some new title to the possession of any such sovereignty. In 1769 Captain Cook asserted the right of the British Crown to the sovereignty of the Southern Island of New Zealand. In the year 1817, it was recited in an Act of Parliament, that there had been murders and other crimes committed in New Zealand, Otaheite, and other islands which were not within his Majesty's dominions; and there was a recital in an Act passed in 1824 to the same effect. It had then been recited in two solemn Acts of Parliament—by the three separate branches of the Legislature—that New Zealand was a place where offences were committed, and which were considered offences committed not in her Majesty's dominions, but in places out of her Majesty's dominions, and provision was made for trying these offences in places within her Majesty's dominions. Such being the solemn declaration of Parliament, without adverting to what took place in the year 1835 under the direction of the Earl of Ripon with regard to the recognition of the National Flag, could it, he would ask, be considered imperative on the Government, because a number of gentlemen chose to meet in London and form themselves into a Company to carry on operations in New Zealand, to agree at once to assert the British sovereignty over that country? (Hear, hear.) If they did this, it might extend to the asserting of our right of sovereignty over every place that ever had been yet discovered by British Navigators, however long the time that right might have remained unexercised, or whatever Navigators of other countries might have done. However, there had existed of late years strong reasons why it was desirable that New Zealand, a great part of it at least, should not be left the prey of a number of persons who were settled there, many of them being convicts escaped from New South Wales and Van Diemen's Land, and producing a state of society the evils of which were fully stated by Lord Glenelg in his despatch.—Then the question was, that, in what manner, if colonization was to be attempted, if the authority of the British crown was to be established, that should be effected? While Lord Gleszard held the Office of Secretary of State for the Colonies, that question was brought under the consideration of the Government in the shape of an application from the Company which had been formed in London for colonizing New Zealand. That question was a good deal considered by the Government, with a view, if possible, to give their sanction to such a plan; but the Government finally refused their sanction. It was afterwards debated in the House of Commons upon a bill brought in upon the subject, but the House likewise refused its sanction. It was a plan to which the strongest and gravest objections might be made. His (Lord John Russell) motion of it was this:—Colonies might take place in various ways. One way was for persons being themselves emigrants proceeding to a distant country, furnished with a royal charter, and purchasing land from the Natives; such as they might conceive (as Vattel said) William Penn so laudably did. Another mode was, to have the Colony founded by the sovereign power of the state. The Crown of this country might send out a colony, with a person at their head, named with a commission, as was the case with certain colonies established in North America, and having certain laws prescribed to them, by which they were to be bound, and a regular form of government established to which they could submit.—(To be Continued.)