



NEW ZEALAND GOVERNMENT GAZETTE

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

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

CHARLES BROWN, Superintendent.

VOL. III.

NEW PLYMOUTH, SATURDAY, NOVEMBER 10, 1855.

[No. 20.]

PROCLAMATION.

By His Excellency Colonel THOMAS GORE BROWNE, Companion of the Most Honorable Order of the Bath, Governor of the Colony of New Zealand, &c., &c.

WHEREAS by an Act made and enacted in the Parliament holden in the fifteenth and sixteenth years of the Reign of Her Majesty Queen Victoria intituled "An Act to grant a Representative Constitution to the Colony of New Zealand" it is amongst other things enacted that whenever any Bill shall have been assented to by the Superintendent as in the said recited Act provided; the Superintendent shall forthwith transmit to the Governor an authentic copy thereof, and it shall be lawful for the Governor at any time within three months after any such Bill shall have been received by him to declare by Proclamation his disallowance of such Bill and that any such disallowance shall make void and annul the same from and after the day of the date of such Proclamation or any subsequent day to be named therein.

And whereas an Ordinance hath been enacted by the Superintendent of the Province of New Plymouth with the advice and consent of the Provincial Council thereof, intituled "An Ordinance to declare the non-liability of the Officers of the Provincial Government in respect of engagements en-

tered into by them on behalf of the Provincial Government" Session 2, No. 12, and the said Ordinance was received by the Officer administering the Government on the thirtieth day of June, 1855.

And whereas it is expedient that the said recited Ordinance should be disallowed, now therefore, I the Governor of New Zealand in pursuance of the authority vested in me in that behalf by the said recited Act of Parliament, do hereby Proclaim and Declare my disallowance of the said recited Ordinance:

Given under my hand and issued under the Public Seal of the Colony of New Zealand, at Auckland in the Colony aforesaid, in the nineteenth year of the Reign of Her Majesty Queen Victoria and on the fourteenth day of September in the Year of our Lord one thousand eight hundred and fifty-five.

THOMAS GORE BROWNE,
Governor of the Colony of New Zealand.

By His Excellency's command,

ANDREW SINCLAIR,

Colonial Secretary

God save the Queen!

NOTICE is hereby given that the dedication to Public Use of the new roads advertised by Notice dated 3rd October

1855 published in the *Government Gazette* of the Province dated 6th October 1855 is hereby suspended until further notice.

CHARLES BROWN,
Superintendent.

Superintendent's Office,
30th October, 1855.

Superintendent's Office,
New Plymouth, 6th November, 1855.

AT the request of the Officer Commanding Her Majesty's Troops in this Province the following Clauses of the Mutiny Act are published for general information.

CHARLES BROWN,
Superintendent.

MUTINY ACT.

Penalty for inducing Soldiers to desert.

Clause 87. ANY Person who shall in any part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure any Soldier to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Soldier to desert, and any Person who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or, knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof, be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Penalty for purchasing Soldiers Necessaries, Stores, &c.

Clause 91. ANY Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter, or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell, any Arms, Ammunition, Clothes, or Military Furniture, — or any Provisions, — or any Sheets or other Articles used in Barracks, provided under Barrack Regulations, — or Regimental Necessaries, — or any Article of Forage provided for any Horses belonging to Her Majesty's Service, — or who shall have in his or her Possession or Keeping any such Arms, Ammunition, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage as aforesaid, and shall not give a satisfactory Account how he or she came by the same, — or shall change the Colour of any Clothes as aforesaid, — shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble Value of all or any of the several articles of which such Offender shall so become possessed; — and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept

to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; — and upon any information against any person for a Second or any subsequent Offence a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction of the former Offence; — and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; — and if upon Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law: — PROVIDED always, that it shall be lawful for the Legislature of each or of any of Her Majesty's Colonies, on the Recommendation of the Officer for the time being administering the Government of any such Colony, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty if not exceeding Twenty Pounds, to such Amount as may to any such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: — PROVIDED also, that it shall be competent to Her Majesty, or to the Person administering the Government of any such Colony on Her Majesty's Behalf, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer as aforesaid in respect of any other Law made or enacted by any such Colonial Legislature.

Superintendent's Office,
New Plymouth, Nov. 8th, 1855.

TENDERS will be received at this Office until noon on Saturday the 1st of December next for the occupation for a period not exceeding three years to commence on the 1st day of January 1856, of the Reserve appropriated as a Quarantine Ground for Scabby Sheep—the occupier undertaking to take charge of such scabby sheep as may be ordered into Quarantine at the weekly sum of four-pence per head. The occupier is to be at liberty to depasture neat cattle or horses, but not sheep, on any surplus food; and will be bound to fence against adjoining lands at a distance therefrom of six feet if called upon by the owner of such lands, and to give up possession of the said Reserve, clear of fern and in grass, at the expiration of the term.

CHARLES BROWN,
Superintendent.