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**HOUSE OF REPRESENTATIVES:**

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**COMMISSION**  
OF  
**COLONEL THOMAS GORE BROWNE, C. B.,**  
AS GOVERNOR OF NEW ZEALAND,  
WITH ACCOMPANYING  
ROYAL INSTRUCTIONS;  
ALSO  
COMMISSION AS VICE-ADMIRAL OF THE SAME.

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*Transmitted to the House by His Excellency the Governor 17th April, 1856, and ordered to be Printed.*

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THOMAS GORE BROWNE,  
Governor.

*Message No. 2.*

The Governor transmits for the information of the House of Representatives the accompanying Copies of his Commission as Governor of New Zealand, of the Royal Instructions issued to him, and of his Commission as Vice-Admiral of the same.

Government House,  
Auckland, 17th April, 1856.

COMMISSION OF COLONEL THOMAS GORE BROWNE, C.B., AS GOVERNOR  
OF NEW ZEALAND.

VICTORIA BY THE GRACE OF GOD of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, To our trusty and well-beloved THOMAS GORE BROWNE, Esq., Companion of our Most Honourable Order of the Bath, Colonel in our Army, Greeting: *Whereas* we did by certain Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Thirteenth day of September One thousand Eight Hundred and Fifty-Two, in the 16th Year of our Reign, constitute and appoint our trusty and well-beloved SIR GEORGE GREY, Knight Commander of our Most Honourable Order of the Bath, to be Governor and Commander-in-Chief in and over our Islands of New Zealand as upon relation being had to the said recited Letters Patent will more fully and at large appear. *Now know you* that We have revoked and determined and by these presents do revoke and determine the said recited Letters Patent, and every clause, article and thing therein contained. *And further know you* that We reposing especial trust and confidence in the prudence, courage and loyalty of you the said Thomas Gore Browne of our especial Grace certain knowledge and mere motion have thought fit to constitute and appoint and by these presents *do constitute and appoint* you the said Thomas Gore Browne to be our Governor and Commander-in-Chief in and over our said Colony of New Zealand, with all its members and appurtenances whatsoever for and during our will and pleasure. And we do hereby require and command you to do and execute all things in due manner that shall belong to your said command, and the trust we have reposed in you according to and in pursuance of an Act of the Session holden in the fifteenth and sixteenth years of our Reign, intituled "An Act to grant a Representative Constitution to the Colony of New Zealand," and according to the several powers and directions granted or appointed you by this our present Commission and the instructions and authorities herewith given you, or by such further powers, instructions and authorities as shall at any time hereafter be granted or appointed you under our Sign Manual and Signet, or by our order in our Privy Council, or by us through one of our principal Secretaries of State, and according to such reasonable laws as are now in force in our said Colony, or hereafter shall be made by the General Assembly of our said Colony. *And we do* hereby give and grant unto you the said Thomas Gore Browne full power and authority with the advice and consent of the Legislative Council and House of Representatives of our said Colony, to make, enact, ordain, and establish Laws for the peace, order, and good government of our said Colony of New Zealand and its members and appurtenances, provided that no such Laws be repugnant to the Laws of England, but subject, nevertheless, to all such rules and regulations as by our said instructions we have thought fit to prescribe in that behalf, or as by any further instructions under our Signet and Sign Manual, or by our order in our Privy Council, or by us through one of our principal Secretaries of State we shall or may think fit hereafter to prescribe. *Provided nevertheless*, and we do hereby reserve to ourselves, our heirs or successors, our and their undoubted right and authority to disallow any such Laws in whole or in part. *And whereas* it is expedient that an Executive Council should be appointed for assisting you, the said Thomas Gore Browne in conducting the Government of our said Colony, now we do hereby declare our pleasure to be that there shall be an Executive Council to be called the Executive Council for our said Colony. And we do direct that the said Council shall be constituted in such manner as in that behalf directed in the instructions herewith given to you, or according to such further powers, instructions or authorities as shall at any future time be granted to or appointed for you in that behalf under our Signet and Sign Manual. And we do authorise and require you the said Thomas Gore Browne in the execution of this our Commission to be acting, with the advice of the said Executive Council in such manner as in our said instructions is enjoined. *And We do hereby give* and grant unto you the said Thomas Gore Browne the custody of the Public Seal appointed for sealing of all things whatsoever that shall pass the seal of our said Colony. *And We do hereby give* and grant unto you the said Thomas Gore Browne full power and authority in our name and on our behalf to make and execute in our name and under the Public Seal of our said Colony, Grants of waste land to us belonging within the said Colony, to private persons for their own use and benefit, or to any persons, bodies, politic and corporate, in trust for the public uses of our subjects there resident, or any of them, and otherwise to regulate the sale, letting, disposal and occupation of such lands. *Provided nevertheless* and we do hereby require that in granting, selling, letting, disposing of, and allowing the occupation of all such lands, you do conform to and observe the provisions in that behalf contained in the instructions under our Sign Manual and Signet which accompany this our Commission or in any other instructions which we may think fit to prescribe to you in that behalf under our Sign Manual and Signet, or through one of our principal Secretaries of State until the General Assembly of our said Colony shall have enacted a Law or Laws for regulating the sale, letting, disposal and occupation of such waste lands. *And We do further authorise* and empower you, the said Thomas Gore Browne, to constitute and appoint Judges, and in cases requisite Commissioners of Oyer and Terminer, Justices of the Peace and

other necessary Officers and Ministers of our said Colony of New Zealand for the better administration of Justice, and putting the Laws into execution. *And We do hereby give and grant unto you the said Thomas Gore Browne full power and authority as you shall see occasion in our name and on our behalf to remit any fines, penalties and forfeitures which may accrue or become payable to us. And We do hereby give and grant unto you the said Thomas Gore Browne full power and authority as you shall see occasion in our name and on our behalf to grant to any offender convicted of any crime in any Court or before any Judge, Justice or Magistrate within our said Colony and its dependencies a free and unconditional pardon or a pardon subject to such conditions as in conformity with any Law in force in the said Settlement may be thereunto annexed. And We do hereby give and grant unto you the said Thomas Gore Browne full power and authority upon sufficient cause to you appearing to suspend from the exercise of his office within our said Colony and its dependencies, any person exercising any such office under or by virtue of any Commission or warrant granted or to be granted by us as in our name or by our authority, which suspension shall continue and have effect only until our pleasure therein shall be signified, and we do hereby strictly require and enjoin you in proceeding to any such suspension to observe the directions in that behalf given to you in and by our instructions accompanying this our Commission.* And in case of the death, incapacity, or absence of you the said Thomas Gore Browne from the said Colony and its dependencies, *Our will and pleasure is that this our Commission and the several powers herein and by our aforesaid instructions vested in you shall be exercised by such person as may by us be appointed to be our Lieutenant Governor of our said Colony of New Zealand and its dependencies, or by such person as may be appointed by us under our Sign Manual and Signet to Administer the said Government. But if at the time of such your death, incapacity, or absence there shall be no person within our said Colony Commissioned by us as aforesaid to be as Lieutenant Governor or Administrator of the Government thereof, then our pleasure is and we do hereby provide and direct that in any such contingency the Senior Officer for the time being in command of our land forces within our said Colony shall take upon himself the administration of the Government thereof, and shall execute this our commission and the several powers herein and in the aforesaid instructions contained; and We do hereby require and command all officers, Civil and Military, and all other inhabitants of the said Colony and its dependencies, to be obedient, aiding and assisting unto you the said Thomas Gore Browne, or to the Officer administering the Government for the time being, in the execution of this our commission and of the powers and authorities herein contained.*

In Witness whereof We have caused these our Letters to be made Patent. Witness Ourselves at Westminster, this ninth day of February, in the Eighteenth year of our Reign.

By Warrant under the Queen's Sign Manual.

[L. S.]

C. ROMILLY.

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## INSTRUCTIONS TO COLONEL THOMAS GORE BROWNE, C.B., GOVERNOR OF NEW ZEALAND.

L. S. (Signed) VICTORIA REGINA.

INSTRUCTIONS to our trusty and well beloved THOMAS GORE BROWNE, Esq., Companion of our most Honorable Order of the Bath, Colonel in our Army, Our Governor and Commander-in-chief in and over our Colony of New Zealand, with its members and appurtenances or in his absence to our Lieutenant Governor, or the Officer Administering the Government of the said Colony for the time being.

Given at our Court at Windsor, this ninth day of February, 1855, in the eighteenth year of our reign.

1. WHEREAS by our Commission under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing even date herewith, constituting and appointing you to be our Governor and Commander-in-chief in and over our Colony of New Zealand and its members and appurtenances for and during our will and pleasure, we have required and commanded you to do and execute all things in due manner that shall belong to your said command, and the trust thereby reposed in you according to, and in pursuance of an Act of the session holden in the 15th and 16th years of our reign, intituled—"An Act to Grant a Representative Constitution to the Colony of New Zealand," and according to the several powers and directions granted to, or appointed for you, by our said Commission, and the instructions herewith given to you, or according to such further powers instructions, and authorities as shall at any time hereafter be granted to, or appointed for you, under our Sign Manual and Signet, or by our Order in our Privy Council, or by us through

one of our Principal Secretaries of State, *Now therefore, We do* by these our instructions, under our Royal Sign Manual and Signet, being the Instructions so referred to in and accompanying our said Commission, declare our pleasure to be, that you shall with all due solemnity cause our said Commission to be read and published in the presence of the Chief Justice of our said Colony for the time being, and of the members of the Executive Council thereof, and you shall then and there take the Oaths appointed to be taken by an Act passed in the first year of the Reign of King George the First, intituled—"An Act for the further security of his Majesty's person and Government and the succession of the Crown in the heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors," as altered and explained by an Act passed in the sixth year of the reign of his Majesty King George the Third, intituled—"An Act for altering the Oath of abjuration and the assurance, and for amending so much of an Act of the seventh year of her late Majesty Queen Anne, intituled 'An Act for the Improvement of the union of the two Kingdoms,' as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason, or mis-prision of treason;" or in lieu thereof, the oath required to be taken by an Act passed in the tenth year of the reign of his late Majesty King George the Fourth intituled—"An Act for the relief of his Majesty's Roman Catholic Subjects" according as the said former Acts or the said last mentioned Act, shall be applicable to your case; and likewise that you do take the Oath for the due execution of the office of our Governor and Commander-in-chief in and over our said Colony, and for the due and impartial administration of justice, which said Oaths the Chief Justice for the time being of our said Colony shall, and he is required to tender and administer unto you.

2. *And we do hereby authorise* and require you from time to time, and at any time hereafter by yourself, or by any other person to be authorised by you in that behalf, to administer to all and to every person or persons as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said Colony, or who shall be resident or abiding therein, the Oath, commonly called the Oath of Allegiance, save only in cases wherein any other oath, or oaths is or are prescribed by the Statutes in that behalf made, or by any of these Statutes, in which cases it is our pleasure and We do hereby direct that you do administer, or cause to be administered to such persons such other oath, or oaths as aforesaid.

3. AND WHEREAS by the said recited Act of Parliament of the fifteenth and sixteenth years of our reign, it is amongst other things enacted that there shall be within the said Colony of New Zealand a General Assembly, to consist of the Governor, Legislative Council, and House of Representatives, and it is further enacted and provided that it shall be lawful for us by any instrument under our Sign Manual to authorise you in our name to summon to the said Legislative Council, the number of persons therein designated as also to summon such other person or persons as We shall think fit. *Now therefore* in pursuance of the said recited Act, and in the exercise of the powers thereby vested in us. We do by these our Instructions, under our Sign Manual and Signet, authorise you in our name to summon to the Legislative Council from time to time, such person or persons as you shall deem to be prudent and discreet men, either in addition to the present members of the said Council, or for supplying any vacancies which may take place therein by death or otherwise, but so that the whole number of the said Council shall not at any time exceed fifteen. *Provided always* that in accordance with the provisions of the said Act no persons shall be summoned by you to such Legislative Council, who shall not be of the full age of twenty-one years and a natural born subject of her Majesty, or a subject of her Majesty naturalized by Act of Parliament, or by an Act of the Legislature of New Zealand.

4. *And for the execution* of so much of the powers as are vested in you by the said recited Act passed in the fifteenth and sixteenth years of our reign, of assenting to, or dissenting from, or reserving for the signification of our Royal pleasure, Bills which have been passed by the said Legislative Council and House of Representatives, *We do* by these our Instructions under our Sign Manual and Signet, enjoin and require you to be guided by the following rules, directions, and instructions, that is to say:—

5. *You are as much as possible* to observe in the passing of all laws, that each different matter be provided for by a different Law, without intermixing in one and the same law such things as have no proper relation to each other and you are more especially to take care that no clause or clauses be inserted in or annexed to any Bill which shall be foreign to what the title of such Bill imports, and that no perpetual clause be part of any temporary Law.

6. *And you are expressly enjoined* not to propose or assent to any Bill whatever, whereby any person may be impeded or hindered from celebrating or attending the worship of Almighty God in a peaceably and orderly manner, although such worship may not be conducted according to the rites and ceremonies of the Church of England.

7. *And We do further enjoin* you not to propose any Bill whereby our prerogative might be diminished, or in any respect infringed, without our special permission previously obtained. And if any Bill having such an effect shall be presented to you for your assent, you shall declare that you reserve it for the signification of our pleasure.

8. *And We further direct* that you do not propose or assent to any Bill whatever, whereby Bills of Credit or other negotiable securities of whatever nature, may be issued in lieu of money on the credit of our Colony of New Zealand, or whereby any Government paper currency may be established therein, or whereby any such Bills, or any other paper currency, or any coin, save only the legal coin of the realm, may be made, or declared to be a legal tender, unless a clause be inserted therein suspending its operation until our pleasure be known, or unless special permission from us in that behalf have been first obtained.

9. *And it is Our further pleasure* that you do not propose or assent to any Bill whatever for raising money by the institution of any public or private lotteries.

10. *And it is Our further will* and pleasure that you do not propose or assent to any Bill whatever for the divorce of persons joined together in holy matrimony.

11. *And We do further direct* that you do not propose or assent to any Bill whatever whereby any grant of money or land, or other donation or gratuity, may be made to you by the said Legislative Council and House of Representatives.

12. *And We do further direct* that you do not propose or assent to any private Bill whereby the property of any individual may be affected in which there is not a saving of the rights of Us, our heirs and successors, and of all bodies politic and corporate, and of all other persons, excepting those at whose instance and for whose especial benefit such Bill may be passed, and those claiming by, from, through and under them.

13. *And it is Our will* and pleasure that you do not propose or assent to any Bill whatever to which our assent has once been refused, without express leave for that purpose first obtained from us.

14. *You are to take care* that in all laws to be passed by you and the said Legislative Council and House of Representatives, in any case for levying money or imposing fines, forfeitures, and penalties, express mention be made that the same are granted to us, our heirs and successors, for the public uses of our said Colony, and for the support of the Government thereof, as by the said Act shall be directed.

15. *You are to reserve* for the signification of our pleasure thereon, every Bill which you shall consider to be of an extraordinary or unusual nature, or requiring our special consideration and decision thereupon; particularly such as may affect the property, credit or dealings of such of our subjects as are not usually resident within our said Colony, or whereby duties shall be laid upon shipping of the United Kingdom of Great Britain and Ireland, or upon its produce or manufactures.

16. *It is Our express will* and pleasure that you do not assent to any Bill that shall be enacted for a less time than one year, except in cases of imminent necessity or immediate temporary expediency.

17. *You shall take care* that all laws assented to by you in our name, or reserved for the signification of our royal pleasure thereon, shall, when transmitted by you, be fairly abstracted in the margins and be accompanied with explanatory observations upon each of them; and you are also to transmit a statement of the reasons and of the occasion of proposing such law, together with fair copies of the journals and minutes of the proceedings of the said Legislative Council and House of Representatives, which you are to require from the Clerks or other proper officers in that behalf of the said Legislative Council and House of Representatives.

18. *And whereas* We have by our said Commission appointing you our Governor and Commander-in-Chief as aforesaid, declared our will and pleasure to be that there shall be within our said Colony a Council to be called the Executive Council for our said Colony, and to be constituted in such manner as should in that behalf be directed by the instructions accompanying our said commission, or according to such further powers, instructions, and authorities as should at any future time thereafter be granted or appointed for you under our sign manual and signet, or by our order in our Privy Council, or by us through one of our principal Secretaries of State; *Now We do direct* and declare, that the said Executive Council shall consist of the several persons following, that is to say, the Senior Officer for the time being in command of our land forces in our said Colony; the Colonial Secretary, for the time being of our said Colony, or the person for the time being lawfully acting in that capacity; the Attorney General for the time being of our said Colony, or the person for the time being lawfully acting in that capacity; the Treasurer for the time being of our said Colony, or the person for the time being lawfully acting in that capacity,—and such other persons as you shall deem to be qualified and capable to advise you; *provided nevertheless* that any appointment so made by you of any person not hereinbefore expressly designated to be an Executive Councillor, shall be provisional only, and subject to be confirmed or disallowed by us.

Wherefore we enjoin you to transmit to us by the earliest opportunity, through one of our principal Secretaries of State, the name or names of any additional person or persons whom you may so provisionally appoint to be Executive Councillors.

19. *And we do hereby direct* and require that in the execution of the powers and authorities committed to you by our said commission, you do in all cases consult with the said Executive Council, excepting only when the matters to be decided shall be too unimportant to require their advice, or too urgent to admit of such advice being given by the time within which it may be necessary for you to act in respect of any such matters, provided that in all such urgent cases you do subsequently and at the earliest practicable period, communicate to the said Executive Council the measures which you may so have adopted with the reasons thereof.

20. *And we do authorise* and require the members of the said Executive Council to meet in obedience to any summonses which shall by you for that purpose be addressed to them, and to consult with and advise you upon any question connected with the Executive Government of our said Colony which may by you be proposed for their consideration; *provided always* that two of such members at the least be always present on any such occasion, and that distinct minutes be kept of their deliberations and proceedings, which minutes it shall be the duty of the Clerk of the said Council to keep; and we do require you to transmit to us twice at the least in each year, through one of our principal Secretaries of State, full and exact copies of all such minutes.

21. *And We do authorise* you in your discretion, and if it shall, in any case appear right, to act in the exercise of the power committed to you by our said Commission in opposition to the advice which may in any such case be given to you by the members of our said Executive Council; *provided nevertheless* that in any such case you do fully report to us by the first convenient opportunity every such proceeding, with the grounds and reasons thereof.

22. *And Whereas* by our said Commission, we have required that in granting, selling, letting, disposing of and allowing the occupation of Waste Lands to us belonging in the said Colony, you do, until the General Assembly of our said Colony shall have enacted a law or laws for so selling, letting, disposing of and allowing the occupation of such Waste Lands, conform to and observe the provisions in that behalf which are contained in the Instructions under our Sign Manual and Signet accompanying our said Commission. *Now therefore* we do by these our Instructions, as aforesaid, enjoin and require that until such law or laws be enacted, as aforesaid, you be guided in all matters relating to lands by the Instructions under our Sign Manual and Signet which accompanied our Commission to our trusty and well-beloved Sir George Grey, bearing date at Westminster the twenty-third day of December, 1846, in the tenth year of our reign; and by all additional Instructions under our Sign Manual and Signet which were subsequently to that date issued by us to the said Sir George Grey, which additional Instructions are hereunder enumerated and specified according to their respective dates. *Provided*, however, that the said Instructions or additional Instructions are not repugnant to, or would prevent or interfere with, the operation of the said recited Act of Parliament made in the fifteenth and sixteenth years of our reign, or of any other Act of Parliament or Law now in force in the Colony, viz. :—

December 22nd, 1847.—Altering amount of royalty on Minerals.

March 13th, 1848.—Alienation of Land in exchange for other lands.

July 14th, 1848.—Aborigines.

January 27th, 1849.—Amends Instructions as to extension of rural lots, &c.

February 7th, 1850.—Land for Naval and Military Officers, &c.

August 12th, 1850.—Application of Proceeds of Land Sales.

August 12th, 1850.—Contracts between New Zealand Company and Canterbury Association, &c.

March 11th, 1852.—Authorizes persons temporarily occupying Crown Lands to cut timber thereon.

June 24th, 1853.—Providing for the maintenance, terms of purchase, and appropriation of purchase-money of Lands in the Settlement of Otago.

23. *And whereas* in and by our said Commission, We have granted unto you full power and authority in our name and in our behalf, to grant to any person convicted of any crime in any of the tribunals of our said Colony an absolute or conditional pardon: *Now We do* enjoin and require you in every case where you shall be applied to for any such pardon, and in any case whatever in which sentence of death shall have been passed, to obtain from the Judge who presided at the trial of any such offender, a report in writing of the proceedings upon any such trial, and of the evidence then adduced, and of the opinion of such Judge whether the conviction of any such offender was obtained in due course of law, and whether any reason exists for the total or partial remission or commutation of any such sentence.

24. *And We do strictly command* that you do not upon any occasion permit any such kind of punishment to be inflicted as can in no case be inflicted by the Law of England, and that you do not remit any fine or forfeiture above the value of fifty pounds sterling without signifying to us the

nature of the offence committed and the amount of the proposed remission, and receiving our directions thereupon; but in the mean time it shall be lawful for you to suspend the payment of such fine or forfeiture.

25. *Whereas* We by our said Commission authorized you upon sufficient cause to you appearing, to suspend from the exercise of his office within our said Colony any person exercising the same during our pleasure and we have strictly required and enjoined you in proceeding to any such suspension, to observe the directions in that behalf given to you in and by our general instructions: *Now We do* charge and require you that before proceeding to any such suspension, you do consult with the said Executive Council, and you do signify by a statement, in writing, to the person so to be suspended, the grounds of such your intended proceeding against him, and that you do call upon any such person to communicate to you, in writing, a statement of the grounds upon which, and the evidence by which he may be desirous to exculpate himself, which statement and exculpation you will lay before the Executive Council of our said Colony, and having consulted them thereupon, you will cause to be recorded in the Minutes of the said Council whether they or the majority of them do or do not assent to the said suspension: and if you thereupon proceed to such suspension you are to transmit both of the said statements, together with the Minutes of Council, to Us, through one of our principal Secretaries of State by the earliest conveyance. But if in any case the interests of our service shall appear to you to demand that a person shall cease to exercise the powers and functions of his office instantly or before there shall be time to take the proceedings hereinbefore directed, you shall then interdict such person from the exercise of his powers and functions, preserving to him however, until such proceedings shall have been taken, the emoluments and advantages of his office.

26. *And We do* hereby direct and instruct you that all Commissions and Appointments to be granted by you to any person or persons for exercising any office or employment in or concerning our said colony be granted during pleasure only, and that whenever you shall appoint to any vacant office or employment any person not by us especially directed to be appointed thereto, you shall at the same time expressly apprise such person that such appointment is to be considered only as temporary and provisional until our allowance or disallowance thereof be signified.

27. *It being Our intention* that all persons inhabiting our Colony under your Government should have full liberty of conscience and the free exercise of their respective modes of Religious Worship, *We do hereby require* you to permit all persons within our said Colony to have such liberty, and to exercise their respective modes of Religious Worship, provided they be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the Government.

28. *It is Our further will* and pleasure, that you recommend proper measures for erecting and maintaining Schools in order to the training up of youth to reading, and to a necessary knowledge of the principles of Christian Religion. You are not however to propose or assent to any law respecting religion without a clause suspending its operation until our pleasure shall have been signified thereupon, unless a draft thereof shall have been previously transmitted by you for our consideration and approval.

29. *And whereas* We did by certain Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the fourteenth day of October, 1841, in the fifth year of our Reign, found, ordain and constitute our said Colony of New Zealand to be a Bishop's see or diocese, and did ordain that the same should be styled the Bishopric of New Zealand, *now it is Our will* and pleasure that in the administration of the Government of our said Colony of New Zealand you do give the most particular attention to all such matters as the erection of the said Bishopric has rendered necessary; *and it is Our pleasure* that you appoint provisionally and until our pleasure be known, to such spiritual cures as may from time to time become vacant and you are to consult with the said Bishop upon all questions that may arise touching the celebration of Divine Worship or touching the stipends or allowances of the inferior clergy.

30. Upon the vacancy of any ecclesiastical benefice, or of any cure of souls to which any stipend shall be attached by law in the said Bishopric, you will present to the said Bishop for the time being, for institution to such vacant benefice or cure, any clerk in holy orders of the United Church of England and Ireland, whom upon the recommendation of the said Bishop or on other sufficient grounds, you may deem to be the most proper person to fill such benefice or cure, and who shall have been actually resident within and officiating there as a clerk in holy orders for six calendar months at the least, next before such benefice or cure shall have become vacant, or who, if not so resident or officiating within such diocese, shall have been absent with the leave of the diocesan or other lawful authority from some cure of souls within such diocese to him appertaining. But if at the time of such vacancy occurring there shall not be resident within any such diocese any clerk in holy orders of the said United church who shall have been resident and officiating there or absent with leave as aforesaid and whom you shall deem a proper person to fill such benefice or cure, then you will forthwith report the circumstance to Us through one of our principal Secretaries of State, to the intent that we may nominate some fit and proper person, being a clerk in holy orders as aforesaid, to fill the said vacancy. *And We do enjoin* and command you to present to the said Bishop for institution to any such vacant ecclesiastical benefice or cure any clerk who may be so nominated by Us through one of our principal Secretaries of State.

31. *And whereas* you will receive through one of our principal Secretaries of State a book of tables in blank, commonly called the Blue Book, to be annually filled up with certain returns relative to the Revenue and Expenditure, Militia, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters in the said Blue Book more particularly specified with reference to the state and condition of our said Colony of New Zealand; *Now We do hereby signify* our pleasure that all such returns be accurately prepared and punctually transmitted to us from year to year through one of our principal Secretaries of State, and that no officer in our said Colony within whose department it may be to contribute any return or returns for the purposes aforesaid, or to prepare the same when so contributed, shall be entitled to receive or shall receive from you any warrant for the payment of his official salary, which may become due and payable to him so long as such duty as aforesaid shall be in arrear or remain unperformed.

32. *And whereas* great prejudice may happen to our service and to the security of our said Colony by the absence of the Governor, you shall not upon any pretence whatever, quit the said Colony excepting for the purpose contemplated in our said Commission to you without having first obtained leave from us for so doing under our Sign Manual and Signet, or through one of our principal Secretaries of State.

(Signed)

VICTORIA REGINA.

## COMMISSION

*Of Colonel THOMAS GORE BROWNE, C.B., as Vice-Admiral of New Zealand.*

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To Our well-beloved Colonel THOMAS GORE BROWNE, Companion of the most honourable Military Order of the Bath, Governor and Commander-in-chief in and over the Colony of New Zealand, and the Governor and Commander-in-chief of the said Colony for the time being, and the person executing the duties of that office, GREETING. We confiding very much in your care, fidelity and circumspection, in this behalf do by these Presents, which are to continue during Our pleasure only, ordain, constitute and depute you, the said Thomas Gore Browne, Our Governor and Commander-in-chief aforesaid, and the Governor and Commander in chief of the said Colony for the time being and the person executing the duties of that office, Our Vice Admiral, Commissary and Deputy in the office of Vice-Admiralty in Our said Colony of New Zealand and Territories thereon depending, and in the maritime parts of the same and thereto adjoining whatsoever, with power of taking and receiving all and every, the Fees, Profits, Advantages, Emoluments, Commodities, and Appurtenances whatsoever due and belonging to the said office of Vice-Admiral, Commissary, and Deputy in Our said Colony of New Zealand, and Territories dependent thereon, and Maritime parts of the same and adjoining to them whatsoever, according to the Ordinances and Statutes of Our High Court of Admiralty of England. *And We do hereby* commit and grant unto you the aforesaid Thomas Gore Browne, Our Governor and Commander-in chief aforesaid, and the Governor and Commander-in-chief of Our said Colony for the time being and the person executing the duties of that office, Our power and authority in and throughout Our Colony of New Zealand aforesaid and Territories thereof and Maritime parts whatsoever adjacent thereto and also throughout all and every, the Sea Shores, Public Streams, Ports, Fresh Waters, Rivers, Creeks and Arms as well of the Sea as of the Rivers and Creeks whatsoever of Our Said Colony of New Zealand, and Territories dependent thereon, and Maritime parts of the same and thereto adjacent, as well within Liberties and Franchises as without, to take cognizance of and proceed in all causes Civil and Maritime, and in complaints, contracts, offences, or suspected offences, crimes, pleas, debts, exchanges, accounts, charter parties, agreements, suits, trespasses, injuries, extortions, and demands, and businesses Civil and Maritime whatsoever, commenced or to be commenced, between merchants or between owners and proprietors of ships and other vessels and merchants or others whomsoever, with such owners and proprietors of ships, and all other vessels whatsoever employed or used within the Maritime jurisdiction of our Vice-Admiralty of our said Colony of New Zealand, and Territories depending on the same, or between any other persons whomsoever had, made, begun, or contracted for any matter, thing, cause, or business whatsoever, done or to be done within our Maritime jurisdiction aforesaid, together with all and singular their incidents, emergencies, dependencies, annexed and connexed causes whatsoever, wheresoever, or howsoever, and such causes, complaints, contracts, and other the premises abovesaid, or any of them which may happen to arise, be contracted, had or done, to hear and determine according to the Rights, Statutes, Laws, Ordinances, and Customs anciently observed. *And moreover*, in all and singular Complaints, Contracts, Agreements, Causes and Businesses Civil and Maritime to be performed beyond the Sea or contracted there, howsoever arising or happening, and also in all and singular other causes and matters which in any manner whatsoever touch or any way concern or anciently have, and do or ought to belong unto the Maritime Jurisdiction of Our aforesaid Vice-Admiralty of Our said Colony of New Zealand and Territories thereon depending and Maritime parts thereof and to the same adjoining whatsoever—*And generally in all and singular other Causes, Suits, Crimes, Offences, Excesses, Injuries, Complaints,*

Misdemeanours, or suspected Misdemeanours, Trespasses, Reagrings, Forestallings, and Maritime business whatsoever throughout the places aforesaid, within the Maritime Jurisdiction of Our Vice-Admiralty of Our Colony of New Zealand and Territories thereon depending, by Sea or Water or the Banks or Shores of the same, howsoever done, committed, perpetrated, or happening, and also to enquire by the Oaths of honest and lawful men of Our said Colony of New Zealand and Territories dependent thereon, and Maritime parts of the same and adjoining to them whatsoever, dwelling both within Liberties and Franchises and without, as well of all and singular other matters and things which of right and by the Statutes, Laws, Ordinances, and Customs. anciently observed were wont and ought to be enquired after as of Wreck of the Sea, and of all and singular the Goods and Chattels of whatsoever Traitors, Pirates, Manslayers, and Felons, howsoever offending within the Maritime jurisdiction, of Our Vice-Admiralty of Our Colony of New Zealand aforesaid, and Territories thereunto belonging, and of the Goods and Chattels and Debts of all and singular their Maintainers, Accessories, Counsellors, Abettors, or Assistants whomsoever, and also of the Goods, Debts and Chattels of whatsoever person or persons, Felons, of themselves by what means or howsoever coming to their Deaths, within Our aforesaid Maritime jurisdiction wheresoever, any such Goods, Debts, and Chattels, or any part thereof, by Sea Water or Land in Our said Colony of New Zealand and Territories thereon dependent and Maritime parts of the same and thereto adjacent whatsoever, as well within Liberties and Franchises as without, have been or shall be found forfeited or to be forfeited or in being, *and moreover* as well of the Goods, Debts, and Chattels, of whatsoever other Traitors, Felons, and Manslayers, wheresoever offending, and of the Goods, Debts and Chattels of their Maintainers, Accessories, Counsellors, Abettors, or Assistants, as of the Goods, Debts, and Chattels, of all Fugitives, persons convicted, attainted, condemned, outlawed, or howsoever put or to be put in exigent for Treason, Felony, Manslaughter, or Murder, or any other offence or crime whatsoever, *And also* concerning Goods, Waiving Flotzon, Jetzon, Lagon Shares and Treasures found, or to be found deodands and of the Goods of all others whatsoever taken or to be taken direct or by chance found or to be found or howsoever due or to be due and of all other casualties as well in, upon, or by the Sea and Shores, Creeks and Coasts of the Sea or Maritime parts as in, upon, or by all Fresh Waters, Ports, Public Streams, Rivers, or Creeks, or places overflowed whatsoever within the ebbing and flowing of the Sea or High Water, or upon the Shores or Banks of any of the same, within our Maritime jurisdiction aforesaid howsoever, wheresoever, or by what means soever arising, happening, or proceeding or wheresoever such Goods, Debts, and Chattels or other the Premises or any parcel thereof shall or may happen to be met with or found within our Maritime jurisdiction aforesaid. *And also concerning Anchorage, Lastage, and Ballast of Ships and of Fishes Royal* namely Sturgeons, Whales, Porpoises, Dolphins, Riggs, and Grampusses, and generally of all other Fishes whatsoever which are of a great or very large bulk or fatness anciently by right or custom or any way appertaining, or belonging to Us and to ask, require, levy, take, collect, receive, and obtain, and to the use of Us and the Office of Our High Admiral of Great Britain aforesaid for the time being to keep and preserve the Wreck of the Sea and the Goods, Debts, and Chattels, and all and singular other the Premises together with all and all manner of fines, mulcts, issues, forfeitures, amercements, ransoms, and recognizances whatsoever forfeited or to be forfeited and Pecuniary Punishments for Trespasses, Crimes, Injuries, Extortions, Contempts, and other misdemeanours whatsoever, howsoever imposed or inflicted or to be imposed or inflicted, for any matter, cause, or thing whatsoever in Our said Colony of New Zealand and Territories thereunto belonging and Maritime parts of the same and thereto adjoining in any Court of Our Admiralty there held, or to be held, presented or to be presented, assessed, brought, forfeited, or adjudged, *and also* all amercements, issues, fines, perquisites, mulcts, and pecuniary punishments whatsoever and forfeitures of all manner of Recognizances before you or your Lieutenant Deputy or Deputies in Our said Colony of New Zealand and Territories thereunto belonging and Maritime Parts of the same and thereto adjacent whatsoever happening or imposed or to be imposed or inflicted or by any means assessed, presented, forfeited, or adjudged or howsoever by reason of the premises due or to be due in that behalf to Us or Our heirs and successors, *And further to take* all manner of recognizances, cautions, obligations, and stipulations, as well to Our use as at the instance of any parties for agreements or debts and other causes whatsoever and to put the same in execution and to cause and command them to be executed, *And also to direct* or cause and command to be arrested according to the Civil and Maritime Laws and Ancient Customs of Our said Court, all Persons, Ships, Things, Goods, Wares, and Merchandizes, for the Premises and every of them and for other causes whatsoever concerning the same wheresoever they shall be met with or found throughout Our said Colony of New Zealand and Territories thereunto belonging, and Maritime parts of the same and thereto adjoining as well within Liberties and Franchises as without, and likewise for all other agreements, causes, or debts howsoever contracted or arising so that the Goods or Persons of the Debtors may be found within Our jurisdiction aforesaid and to hear, examine, discuss, and finally determine the same with their emergencies, dependencies, incidents, annexed and connexed Causes and Businesses whatsoever together with all other causes, Civil and Maritime, and Complaints, Contracts, and all and every, the respective Premises whatsoever above expressed according to the Laws and Customs aforesaid and by all other lawful ways, means, and methods according to the best of your skill and knowledge, and to compel all manner of persons in that behalf as the case shall require to appear and to answer with power of using any temporal coercion and of inflicting any other penalty or mulct according to the Laws and Customs aforesaid.

and to do and minister justice according to the right order and course of the Law, summarily and plainly looking only into the truth of the fact and to fine, correct, punish, chastise, and reform and imprison, and cause and command to be imprisoned in any Gaols within Our Colony of New Zealand aforesaid and Territories thereunto belonging, the parties guilty and the contemnors of the Law and Jurisdiction of Our Admiralty aforesaid and Violaters, Usurpers, Delinquents, and Contumacious Absenters, Masters of Ships, Mariners, Rowers, Fishermen, Shipwrights, and other Workmen and Artificers whatsoever exercising any kind of Maritime affairs according to the Rights, Statutes, Laws, Ordinances, and Customs anciently observed and to deliver and absolutely discharge and cause, and command to be discharged whatsoever persons imprisoned in such cases who are to be delivered and to preserve and cause to be preserved the public Streams, Ports, Rivers, Fresh Waters, and Creeks, whatsoever within our Maritime jurisdiction aforesaid in what place soever they be in Our said Colony of New Zealand, and Territories thereunto belonging, and Maritime parts of the same and thereto adjacent whatsoever, as well for the preservation of Our Navy Royal and of the Fleets and Vessels of Our said United Kingdom and Dominions aforesaid as of whatsoever Fishes increasing in the Rivers and Places aforesaid and also to keep and cause to be executed and kept in Our said Colony of New Zealand and Territories thereunto belonging and Maritime parts thereof and thereto adjacent whatsoever the Rights, Statutes, Laws, Ordinances and Customs anciently observed, and to do, exercise, expedite and execute all and singular other things in the Premises and every of them as they by right and according to the Laws and Statutes, Ordinances and Customs aforesaid should be done, *And moreover* to reform nets too close and other unlawful engines or instruments whatsoever for the catching of Fishes, wheresoever by Sea or Public Streams, Ports, Rivers, Fresh Waters or Creeks whatsoever throughout Our Colony of New Zealand aforesaid and Territories dependent thereon and Maritime parts of the same and thereto adjacent used or exercised by Water within Our Maritime jurisdiction aforesaid whatsoever and to punish and correct the exercisers and occupiers thereof according to the Statutes, Laws, Ordinances, and Customs aforesaid and to pronounce, promulge, and interpose all manner of Sentences and Decrees and to put the same in execution with cognizance and jurisdiction of whatsoever other causes Civil and Maritime which relate to the sea or which in any manner of ways respect or concern the sea or passage over the same or Naval or Maritime voyages or our said Maritime jurisdiction or the places or limits of our said Admiralty and cognizance aforementioned and all other things done or to be done, with power also to proceed in the same according to the Statutes, Laws, Ordinances, and Customs aforesaid anciently used as well of mere office mixed or promoted as at the instance of any party as the case shall require and seem convenient, *And likewise* with cognizance and decision of wreck of the sea, great or small, and of the death drowning and view of dead bodies of all persons howsoever killed or drowned or murdered, or which by any other means come to their deaths in the Sea or Public Streams, Ports, Fresh Waters or Creeks whatsoever within the flowing of the Sea and high water mark throughout Our aforesaid Colony of New Zealand and Territories thereunto belonging and Maritime parts of the same and thereto adjacent or elsewhere within our Maritime jurisdiction aforesaid together with the Cognizance of Mayhem in the aforesaid places within our Maritime jurisdiction aforesaid and flowing of the Sea and Water there happening, with power also of punishing all Delinquents in that kind according to the exigencies of the Law and Customs aforesaid *And to do, exercise, expedite, and execute* all and singular other things which in and about the Premises only shall be necessary or thought meet according to the rights, Statutes, Laws, Ordinances and Customs aforesaid with power of deputing and Surrogating in your place for the Premises, one or more Deputy or Deputies as often as you shall think fit and also with power from time to time of naming, appointing, ordaining, assigning, making and constituting whatsoever other necessary fit and convenient Officers and Ministers under you for the said office and execution thereof in Our said Colony of New Zealand and Territories thereunto belonging and Maritime parts of the same and thereto adjacent whatsoever (saving always the right of our High Court of Admiralty of England and also of the Judge and Registrar of the said Court from whom or either of whom it is not our intention in anything to derogate by these Presents and saving to every one who shall be wronged or aggrieved by any Definitive Sentence or Interlocutory Decree which shall be given in the Vice Admiralty Court of Our Colony of New Zealand aforesaid and Territories thereunto belonging the right of appealing to us in Council) *Provided Nevertheless* and under this express condition that if you the aforesaid Thomas Gore Browne Our Governor and Commander-in-Chief aforesaid and the Governor and Commander-in-Chief of the said Colony for the time being and the person executing the duties of that office shall not yearly to wit at the end of every year between the Feasts of St. Michael the Archangel and all Saints, duly certify and cause to be effectually certified (if you shall be thereunto required) to Us and Our Lieutenant Official, Principal and Commissary General, and Special and Judge and President of the High Court of Our Admiralty of England aforesaid, all that which from time to time by virtue of these Presents you shall do, execute, collect, or receive in the Premises or any of them together with your full and faithful account thereupon to be made in an Authentic form and Sealed with the Seal of Our office remaining in your Custody, that from thence and after default therein these Our Letters Patent of the office of Vice Admiral aforesaid as above granted shall be null and void, of no force or effect, *Further We do* in Our name command all and Singular Our Governors, Justices, Mayors, Sheriffs, Captains, Marshalls, Bailiffs, Keepers of all our Goals and Prisons, Constables, and all other Our Officers and Faithful and Liege subjects whatsoever and every of them as well within Liberties and Franchises as without that in and about the execution of the Premises and every of them they be aiding, favouring, assisting, and yield obedi-

ence in all things as is fitting to you the said Colonel Thomas Gore Browne, Companion of the Most Honourable Military order of the Bath, Governor and Commander-in-Chief in and over the Colony of New Zealand and the Governor and Commander-in-Chief of the said Colony for the time being, and the person executing the duties of that office, and to your Deputy whomsoever and to all other officers (by you appointed or to be appointed) of our said Vice-Admiralty in our Colony of New Zealand aforesaid, and Territories thereunto belonging and Maritime parts of the same and thereto adjoining under pain of the Law and the Peril which will fall thereon. GIVEN at London in the High Court of Our Admiralty of England aforesaid under the Great Seal thereof, the Seventeenth day of February in the Year of Our Lord one thousand eight hundred and fifty-five and of our Reign the Eighteenth.

L.S.

(Signed)

H. ROTHERY,  
Registrar.

